



Jarrod A. Malone

Shareholder

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FOCUS AREAS

Health Care
Employment & Labor
Litigation

EDUCATION

1999
Indiana University, B.A.

2003
Indiana University, Robert
H. McKinney School of
Law, J.D.

ADMITTED TO BAR

2003 Indiana

BIOGRAPHY

Jarrod Malone focuses his litigation practice in the area of professional liability defense with particular emphasis on the defense of physicians, hospitals, dentists, lawyers and law firms. He has tried cases to verdict involving premises liability, ophthalmologic, internal medicine and complex surgical matters.

Mr. Malone handles civil rights claims and the defense of complex general liability matters involving catastrophic personal injuries and insurance coverage litigation. Mr. Malone also litigates employment-related matters in federal and state courts, including claims alleging violation of FMLA, FLSA, ADA, ADEA, ERISA and Title VII, as well as non-compete and breach of contract actions.

LEGAL ORGANIZATIONS

Indiana State Bar Association
Indianapolis Bar Association
Defense Trial Counsel of Indiana
American Health Lawyers Association
American Society for Health Care Risk Management
Indiana Society for Healthcare Risk Management
Defense Research Institute

SPEAKING AND PUBLICATIONS

Presentations:

- *Addressing Medical Errors*; Evansville, Ind. – November 2019
- *The Employment Relationship From Beginning to End (TERFBTE): Background Checks, Criminal Records and Ban the Box Law*; Indianapolis, Ind. – July 2016

- *Case Law Update and Trial Tactics: Don't Get Snake Bit, Navigating the Reptile Theory*; Indianapolis, Ind. – June 2016
- *Indemnification in Health Care Contracting: Practice Enrichment Session*; Indianapolis, Ind. – May 2016
- *Health Care Providers' Duties and Responsibilities in Responding to Subpoenas and Court Orders*; Franklin, Ind. – May 2016
- *Medical Legal Issues for Health-Care Providers and the Indiana Medical Malpractice Act*; Indianapolis, Ind. – December 2015
- *Trial Tactics: Attacking the Reptile Theory and Legal Update*; Bloomington, Ind. – November 2015
- *The Changing Landscape: Medical Records and Documentation*; Indianapolis, Ind. – June 2015
- *The Indiana Peer Review Statute: Overview and Analysis*; Indianapolis, Ind. – April 2015
- *Case Law Update and Trends in Healthcare Litigation*; Greenfield, Ind. – June 2014
- *Liability Issues and Litigation Trends for Nurses*; Greenfield, Ind. – March 2014
- *Indiana Medical Malpractice: Analysis and Overview*; Bloomington, Ind. – September 2013
- *Current Trends In the Defense of Physicians*; Greenfield, Ind. – April 2013
- *Indiana Peer Review Statute: An Overview*; Evansville, Ind. – November 2012
- *Indiana Medical Malpractice: A Balancing Act*; Chicago, Ill. –; May 2012
- *Analysis of Medical Malpractice Law in Indiana*; Indiana University School of Nursing, Advanced Nursing Program; Indianapolis, Ind. – April 2007

Publications:

- *The Indiana Lawyer: "[Business Associate Classification and HIPAA Liability for Lawyers: What you need to know](#)"*, DTCL, September 2016. (2100 word full-page article).
- *Indiana Court of Appeals Issues Opinion Addressing Attorney Fees Under Indiana Medical Malpractice Act.*
- *Using Social Media for Discovery and Evidence Gathering.*
- *In a Medical Malpractice Cause of Action, The Trial Court Has Equitable Power to Consider a Request for Petition for Preliminary Determination of Law after the Panel Issues its Written Opinion.*
- *The Indiana Patient Compensation Fund Can Introduce*

*Evidence at Trial Concerning the Existence and
Compensable Nature of Plaintiff's Damages.*

CIVIC ENGAGEMENT / VOLUNTEERISM

- Indiana Society for Healthcare Risk Managers: At-Large Board Member, 2021
- Defense Trial Counsel of Indiana:
Vice Chair Healthcare Litigation Section, 2014 - 2016
Chair Healthcare Litigation Section, 2017 - 2019