



JAKE WINFREY

Jake's practice is dedicated to the defense of physicians, hospitals, dentists, and other healthcare providers in medical malpractice litigation. He serves as lead trial counsel in cases statewide and has successfully defended healthcare providers of various specialties in all phases of litigation, from early claims through jury trials. Jake regularly advises healthcare clients in risk management and represents health care professionals in disciplinary matters and hearings before the Medical and Dental Quality Assurance Commissions.

Practice

- Medical Professional Liability Defense
- Licensing and Disciplinary Actions
- Personal Injury Defense

Representative Cases

- Defense verdict on behalf of a general surgeon in a medical malpractice case arising from a gall bladder removal surgery. The plaintiff's common bile duct was unintentionally cut during the surgery, requiring extensive bowel reconstruction and multiple hospitalizations. The plaintiff claimed that the surgeon negligently misidentified the common bile duct, but the evidence did not support the plaintiff's claims and the verdict was for the defendant.
- Defense verdict for Seattle area hospital in medical malpractice case, in which plaintiff alleged negligent failure to recognize and treat embolic stroke following cardiac catheterization procedure. Among other claims, the plaintiff alleged that the nurses caring for the patient in the Post Anesthesia Care Unit (PACU) failed to assess the patient, recognize stroke symptoms, and notify physicians, causing a delay in diagnosis and an inability to provide rescue treatment. The jury found that the PACU nurses complied with the standard of care and returned a defense verdict for the hospital.
- Defense verdict in medical malpractice and wrongful death case where plaintiff claimed that discontinuation of pacemaker after aortic valve replacement surgery caused patient's cardiac arrest and death.
- Defense verdict for hospital in medical malpractice case alleging negligent failure to diagnose blood clot in patient's leg, which resulted in above-the-knee amputation.
- Defense verdict for hospital in medical malpractice case alleging respiratory arrest and hypoxic brain injury from overdose of narcotic pain medication.
- Defense verdict for hospital and mental health clinic in medical malpractice case alleging negligent failure to prevent suicide.

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- Defense verdict for Emergency Department physician in medical malpractice and wrongful death case alleging failure to diagnose infected hip arthroplasty resulting in sepsis and death.
- Defense verdict for Emergency Department physician in medical malpractice and medical battery case alleging wrongful administration of anti-nausea medication causing permanent movement disorder.
- Defense verdict for orthopedic surgeon in medical malpractice case alleging negligent placement of shoulder arthroplasty causing frozen shoulder and loss of use of arm.
- Reversal of Department of Health denial of nursing license for alleged intentional concealment of information and fraud, resulting in granting of credential.
- Over 20 other civil and criminal trials and 200+ civil administrative hearings.

Education

- Seattle University School of Law, J.D. *cum laude*, 1999
- University of Washington, B.A. Psychology, 1995

Admitted to Practice

- Washington State Courts
- United States District Courts – Western District of Washington and Eastern District of Washington

Professional Experience

- Fain Anderson VanDerhoef Rosendahl O'Halloran Spillane, PLLC, Principal/Owner, 2015 - present
- Williams Kastner & Gibbs, PLLC, Of Counsel, 2011-2013, Member, 2014 - 2015
- Hellsell Fetterman, Of Counsel, 2006 - 2008, Partner, 2009 - 2011
- Reed McClure, Associate, 2002 - 2006
- Meyer Fluegge & Tenney, Associate, 2001- 2002
- Yakima County Department of Assigned Counsel, Attorney, 1999 - 2001
- United States District Court, Clerk for Hon. Thomas S. Zilly, 1999

Professional Memberships

- Washington State Bar Association
- American Bar Association
- Washington Defense Trial Lawyers
- Washington Healthcare Risk Management Society
- Defense Research Institute

Honors & Awards

- Named a Super Lawyer by *Washington Super Lawyers*, 2011 - 2012
- Named Rising Star by *Washington Super Lawyers*, 2004, 2006 - 2010
- Outstanding Litigation Associate, Washington Defense Trial Lawyers, 2007

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Community Involvement

- Volunteer Judge, Seattle University Moot Court competitions
- Board member, Chi Psi Alumni corporation
- Guest Lecturer in Health Sciences department at local technical college