

ROBERT GRAY PALMER

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Law Practice: Robert Gray Palmer Co., LPA: Civil Litigation, Mediation and Arbitration.

Litigation of cases involving bad faith insurance practices and insurance disputes, managed care liability, serious personal injury (including brain injuries and wrongful death), professional negligence, breach of fiduciary duty, general negligence, and other matters.

Mediation of contracts, breach of fiduciary duty, business dissolutions, construction litigation, employment contracts and terminations, employment discrimination, insurance coverage, insurance bad faith, intentional torts, legal and other professional malpractice, personal injuries, race and national origin discrimination, wrongful death and other disputes.

Arbitration of various disputes.

Personal: Born Columbus, Ohio, September 4, 1945; Capt., JAG, USAF, 1970-1975; Martindale-Hubbell "a v" rating; Board of Trustees and President, Dialogue, Inc. (non-profit arts support organization), 1992-2002; Otterbein College Theatre Advisory Board, 2003-2010; Commissioner, City of Columbus Historic Resources Commission, February, 2011 – June 2014.

Education: DePauw University (B.A., 1967); Washington University (J.D., 1970)

Bar Admissions: Missouri, 1970; U.S. Court of Military Appeals, 1971; Ohio, 1976; U.S. District Court (S.D. Ohio), 1976; U.S. District Court (No. Dist. Ohio), 2001; U.S. Court of Appeals, Sixth Circuit, 1985; U.S. Court of Appeals, Fourth Circuit, 1987; U.S. Court of Claims, 1990; Supreme Court of the United States, 1998.

Professional:

The American Association of Justice (Federal Tort Liability and Military Advocacy Section, Chair 1999-2000, 1994-1995 and 1988-1990); Ohio Association of Justice (Insurance Law Section, Chair 1987-1989, Civil & Business Law Section, Chair 1989-1991); Central Ohio Association of Justice; Ohio State Bar Association (Council of Delegates, 2003-13; Negligence Law Committee, Chair 1998-2000, 1986-1990; Member, Public Understanding Advisory Board, 1998-00); Columbus Bar Association (Board of Governors, 2003-07); American Bar Association (Member, Dispute Resolution Section, 2011-); The Columbus Bar Foundation (Trustee 1990-98; President 1996-1997; Trustee 2007 -); Supreme Court of Ohio, Committee on Dispute Resolution (1993-1994); Supreme Court of Ohio Commission on the Rules of Superintendence for Ohio Courts (2006 -); Supreme Court of Ohio Task Force on Commercial Dockets (2007 -).

Special Cases:

Trial and Appellate Counsel in Dardinger v Anthem Blue Cross & Blue Shield, 98 Ohio St.3d 77, 2002-Ohio-7113, where jury awarded \$2,500,000 compensatory and \$49,000,000 punitive damages for bad faith denial and processing of managed health care benefit and, which was reported in the National Law Journal's Annual Survey of 1999's largest jury awards and in the Ohio Lawyers Weekly as the highest Ohio jury award in 1999, which punitive damages award was remitted by the Supreme Court of Ohio to \$30,000,000 of which \$14,700,000 was used to establish The Esther L. Dardinger Neuro-Oncology Center at The Ohio State University Comprehensive Cancer Center; in Schaefer v. Allstate Ins. Co. (1992), 63 Ohio St.3d 708, where Supreme Court of Ohio held unconscionable an insurance policy uninsured arbitration provision which favored insurance company; in Schaefer v. Allstate Ins. Co. (1996), 76 Ohio St.3d 553, where same court held that each person covered by an uninsured motorist policy who is asserting claim (injured wife and husband for loss of consortium) has separate claim subject to a separate per person policy limit; and in Dombroski v. WellPoint, Inc., 119 Ohio St. 3d 506, 2008-Ohio-4827 (Pfeifer,J. dissenting), where the Supreme Court of Ohio modified the requirement to pierce the corporate veil to require "fraud, an illegal act or a similarly unlawful act" and eliminated an "unjust or inequitable act" (such as insurance bad faith).

Honors:

American College of Trial Lawyers, Fellow (2002); Best Lawyers in America, 1993-2013; Best Lawyers in America Columbus OH Personal Injury Litigator for 2011 and 2012; Ohio Super Lawyers, 2004 – 2013 (2008 Top 100 Trial Lawyers in Ohio and 2012 Top 50 in Columbus); ABOTA (Advocate member); Bar Register of Preeminent Lawyers, in both medical malpractice and personal injury 1993-, Martindale-Hubbell; "The Best Lawyers in Central Ohio", Business First, November 2009; "Top Lawyers," Columbus C.E.O., April, 2009; "The Top Lawyers in Columbus," Personal Injury Litigation, Columbus Monthly, 1997 and 2003, Columbus, Ohio; "The Verdict: Top Columbus Lawyers," 2005 and "Who's Who In Law," Professional Negligence, Business First, 1993, Columbus, Ohio; 1990 Wiedemann Wysocki Citation of Excellence, Association of Trial Lawyers of America;

Media: WBNS (CBS Affiliate), on-air legal expert, 1992-1993 and 1987-1989, periodic appearances 1989-present on WCMH (NBC), WBNS (CBS), WSYX (ABC), Fox and ONN (Ohio News Network, cable); 2000 Columbus Federation of Advertising Addy Award for Television PSA for SmART Campaign to Support the Arts on "Critical Thinking Skills" for Time Warner Communications and Dialogue, Inc.; Portrayed Pat Murnan, 1930's Columbus kingpin, in WOSU TV's "Clintonville" Neighborhood docudrama (2014)

Radio Guest on WTVN 610 AM ("Night Talk"), WOSU, WCBE and other regional radio stations 1986-present (periodically)

Author: "Trucking Litigation Damages in OHIO, A State by State Summary," American Bar Association Tort Trial & Insurance Practice Section, Commercial Transportation Litigation Committee, 2011 and 2013

"Minor Compromises: Ohio," American Bar Association Tort Trial & Insurance Practice Section, Commercial Transportation Litigation Committee, 2010

"Contesting a Will: Truly a Contest of Human Will," Columbus Bar Briefs, Fall 2005

"A Green-Eyed Monster? Punitive Damages & Attorney Fees," Mealey's Managed Care Liability Report (Volume 7, Issue #8, April 25, 2003) and Mealey's Litigation Report Insurance Bad Faith (Volume 17, Issue #2, May 21, 2003) published by Lexis-Nexis

"Altered and 'Lost' Medical Records: Evidence of Spoliation of Records in Medical Negligence Actions," TRIAL, Medical Negligence, May, 1999

"The Civil Justice Reform Initiative" Report of Ohio State Bar Association Negligence Law Committee 1993 (published by The Ohio Academy of Trial Lawyers in "Civil Justice: The Truth, The Whole Truth and Nothing But the Truth" (1993)

"Proving Damages," Civil Litigation in Ohio, Ohio CLE Institute, 1990, revised 1991, 1992

"Section 23 Housing: Low Rent Housing and Private Accommodations," 48 Journal of Urban Law 255, 1970

Lecturer:

National: Patient Advocate Foundation, Inc. and Loyola University School of Law, Institute of Health, NATIONAL LEGAL SYMPOSIUM, "The Bad Faith Case," Chicago, 2003

Association of Trial Lawyers of America, National College of Advocacy, "FTCA: Case Law Update," Atlanta, 2002

Association of Trial Lawyers of America, National College of Advocacy, "Litigating HMO Liability Cases," Chicago, 2000

Association of Trial Lawyers of America, National College of Advocacy, "FTCA: Case Law Update," San Francisco, 1999

Association of Trial Lawyers of America, National College of Advocacy, "Altered Medical Records – Discovery, Proof and Impact in Medical Negligence Cases," Washington, D.C., 1998

Association of Trial Lawyers of America, National College of Advocacy, "Tort Reform in 1997: Federal and State," San Diego, 1997

Association of Trial Lawyers of America, National College of Advocacy, "FTCA: Making Uncle Sam Responsible to Your Clients," Boston, 1996

Association of Trial Lawyers of America, National College of Advocacy, "FTCA: Making Uncle Sam Responsible to Your Clients," New York, 1995

Association of Trial Lawyers of America, National College of Advocacy, Skilled Practitioners Presentations, "Cross-Examination with an Impact," Maui, 1995

Association of Trial Lawyers of America, National College of Advocacy, "You Can't Tell the Story Unless You Know the Story: Advocating in the Courtroom," Pearl Harbor, Hawaii, 1995

Association of Trial Lawyers of America, National College of Advocacy, "Review of Federal Tort Claims Act Decisions from the Plaintiff's Perspective," San Francisco, 1993

The National Institute for Trial Advocacy and the Cincinnati Bar Association, Trial Advocacy Institute, Faculty, Cincinnati, 1993, 1994

Association of Trial Lawyers of America, National College of Advocacy, "Federal Tort Claims Act: Plaintiff's Perspective of Agency Treatment of Claimants," Washington, D.C., 1992

Wake Forest University School of Law, Clinical Program, "Direct and Cross-Examination of Expert Witnesses," 1991

Association of Trial Lawyers of America, Workhorse Seminar, "Winning Cases Under the Federal Tort Claims Act," Chicago, September 15, 1990

Association of Trial Lawyers of America, Annual Convention Seminar, Military Law Section, Moderator, "Winning Tort Claims Against the U.S. Government," San Diego, 1990

Association of Trial Lawyers of America, Annual Convention Seminar,
Military Law Section, Moderator, "Federal Tort Claims Act: Medical Malpractice
in the Military," Boston, 1989

Wake Forest University School of Law, Clinical Program, "Preparation for and
Trial of Products Liability and Medical Malpractice Cases," 1989

Association of Trial Lawyers of America, Military Law Section Seminar,
"Opening Statement," Camp Lejeune, Jacksonville, N.C., 1981

Credit Union League Attorneys Conference,
"Litigation Under Consumer Protection Laws," Biloxi, Mississippi, 1980

Ohio:

"Masters in Trial on Jury Persuasion: Cross Examination of the Defense Medical
Expert (Demonstration)," Ohio Chapter of the American Board of Trial
Advocates, Columbus, 2011

"New Magistrate Orientation," The Supreme Court of Ohio Judicial College, Trial
Simulation Training, 2011 and 2012

"Trial Skills Institute: Mediation (Settling the Case)," Columbus Bar Association
and Central Ohio Association for Justice, Columbus, 2010

"Masters Series: Evidence & Hearsay," Demonstration, Columbus Bar
Association, 2009

"Making the Best Case for Prejudgment Interest," Speaker, Ohio Association for
Justice Insurance, Negligence and Damages Seminar, Cleveland, Columbus and
Cincinnati, 2009

"Ohio Insurance Bad Faith: From both sides," Moderator and Speaker, Lorman
Education Services, Columbus, 2008

Masters in Trial, "Voor Dire for the Plaintiff" Demonstration, Ohio Chapter of the
American Board of Trial Advocates, Columbus, 2008

"Insurance Bad Faith Claims in Ohio," Moderator and Speaker, Lorman
Education Services, Columbus, 2005, 2006, and 2007

Ohio Academy of Trial Lawyers, Regional Seminars, "Employer Intentional
Torts: Back to the Future", Columbus and Dayton, 2007

Columbus Bar Association: "Tort Reform: Punitive Damages under SB

80,"Columbus, 2005

Ohio State Bar Association and American College of Trial Lawyers, "Ethics Satellite" in 2003, 2004, 2006, 2009, 2010, 2011, 2013 Panel Member on Ethics and Professionalism, Columbus with live simulcast variably to Akron, Athens, Cincinnati, Cleveland, Columbus, Dayton, Fairfield, Mansfield/Shelby, Perrysburg, Steubenville, Toledo, Wooster and Youngstown

Columbus Bar Foundation, "Professionalism through Excellence," Demonstration of Direct Examination of Legal Malpractice Expert," Columbus, 2004

Ohio Academy of Trial Lawyers, Regional Seminars, "How did they get that verdict?" Closing Argument in Mock Trial, Columbus, 2004

Columbus Bar Association, "Litigation in the 21st Century: An Advanced Course on Trial Techniques," Jury Selection Issues and Closing Arguments, Columbus, 2003

Ohio Academy of Trial Lawyers, "Justice Through Communication: Closing Argument," Columbus, 2003

Ohio Academy of Trial Lawyers, "Special Legislation Seminar," Frivolous Lawsuits, Columbus and Cleveland, 2003

Cincinnati Bar Association, "Litigating Big Damage Cases: Dardinger v Anthem Blue Cross & Blue Shield," Cincinnati, 2002

Ohio Academy of Trial Lawyers, "2001 Regional Seminars: Mock Jury/Plaintiff's Counsel," Columbus, 2001

Ohio Academy of Trial Lawyers, "Litigating HMO Liability Cases," Columbus and Cleveland, 2000

Ohio Academy of Trial Lawyers, TORT LAW SEMINAR, "Punitive Damages: The Law, Jury Instructions and the Necessary Evidence," Columbus, 1999

Ohio CLE Institute, Medical Malpractice, "Managed Care and Malpractice," Columbus, 1999

Ohio Academy of Trial Lawyers, Medicine for Lawyers, "Altered Medical Records," Columbus, 1999

National Business Institute, "Bad Faith Litigation in Ohio," Columbus, 1998

Ohio CLE Institute, Medical Malpractice: Advanced Issues, "Settlement Techniques/ Evaluating Your Case: Plaintiff's Perspective," Columbus, 1996

Ohio Academy of Trial Lawyers, Regional Seminar, "Punitive Damages and the Drunk Driver," Columbus, 1993

Columbus Bar Association, Litigation Practice Institute, "Panel Member in Dealing with the Difficult Judge," Columbus, 1993

National Federation of Paralegal Associations, Region III Convention, Mock Jury Trial (Products Liability Case), Plaintiff's Counsel, Columbus, 1993

Ohio State Bar Association Annual Convention, Negligence Law Seminar, "Recent Developments in Product Liability," Dayton, 1993

Ohio CLE Institute, Pretrial Litigation in Ohio, "Plaintiff's Perspective on Pretrial Pleadings," Columbus, Cincinnati, Cleveland, 1993

Ohio CLE Institute, The Best of Bridge the Gap, "Basics of Civil Litigation: Plaintiff's Perspective," Columbus, 1993 (twice)

Ohio CLE Institute, Bridge the Gap, "Basics of Civil Litigation: Plaintiff's Perspective," Columbus, 1992

Ohio CLE Institute, Civil Litigation in Ohio, "Proving Damages," Columbus, 1990, 1991, 1992 (Video), 1992, 1993

Franklin County Trial Lawyers Association, President's Seminar, Served as Plaintiff's Counsel in Mock Trial, 1992

"Insurance Litigation in Ohio," sponsored by National Business Institute, Inc., Columbus, 1992

Columbus Bar Association, "Proving Damages in Wrongful Discharge Cases," Employment Rights Seminar, Columbus, 1992

Ohio Academy of Trial Lawyers, Civil and Business Law Seminar, "Trial Techniques: Voir Dire through Closing," Columbus, 1991

Columbus Bar Association, "Do We Litigate Ethically: Ethics and Substance Abuse in Trial Advocacy," Panel Member, 1991, 1992, 1993

Ohio Academy of Trial Lawyers, Medical Negligence Seminar, "Litigation Strategy by Plaintiffs," Columbus, 1990

Akron Bar Association, Tort Seminar, "Structured Settlements," Akron, Ohio, 1990

Ohio Legal Center Institute, Personal Injury Litigation in Ohio Seminar, Proving Damages," Columbus, 1985, 1986, 1987, 1988 and 1989

Ohio Legal Center Institute, "Proving Economic Damages after H.B. 1," Cincinnati, Cleveland and Columbus, 1989

Ohio Academy of Trial Lawyers, Regional Seminars, "Post Verdict Hearings," Cleveland and Columbus, 1989

Ohio State Bar Association, Videotape "Mediation: An Effective Way to Settle Cases," Plaintiff's Counsel, 1989, Used for Mediation Training throughout Ohio and Other Locations

Ohio State Bar Association, Annual Convention, 1989, Toledo, "Lender Liability"

Ohio Academy of Trial Lawyers, "Trial by Jury," Ohio State Fair, 1989, 1990, 1991

Ohio Legal Center Institute, Tort Reform Seminars, "Determination of Damages," Columbus, Cleveland, Cincinnati and Toledo, 1987 and 1988

Franklin County Trial Lawyers Association, President's Seminar, "Negotiation Styles in Personal Injury Cases," Columbus, 1988

Ohio Academy of Trial Lawyers, Tort Reform Seminars, "Frivolous Conduct," Columbus, Dayton and Cleveland, 1987 and 1988

Ohio State Bar Association, Annual Convention, Negligence Law Seminar, "Tort Reform: How Your Practice Has Changed," Columbus, 1987

Ohio Academy of Trial Lawyers, Regional Seminars, "Pre-Suit Discovery," Cleveland, Toledo, 1986

Franklin County Trial Lawyers Association, President's Seminar, "Use of a Psychologist in Voir Dire," Columbus, 1985

Ohio Legal Center Institute, Steps in Civil Litigation Seminar, "Opening the Trial and Jury Selection," Canton, 1984

Franklin County Trial Lawyers Association, President's Seminar, "Punitive Damages in a Tort Action," Columbus, 1983

Ohio Legal Center Institute, Wrongful Death Seminars, Columbus, Cleveland, Cincinnati and Toledo, 1982

Testified on behalf of Ohio State Bar Association and Ohio Academy of Trial Lawyers (now OAJ) before numerous Ohio Senate and House of Representatives' committees on pending legislation between 1980 -2002.