



## STEPHEN BULLINGTON

### PARTNER

Arizona

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#### Areas of Practice:

Medical Liability & Health Care

#### Industries Served:

Insurance

Manufacturers

Medical Service Providers

Professional Service Providers

Steve Bullington dedicates his practice to representing medical service providers in matters involving allegations of medical malpractice and various other areas of health care law. Throughout his 29-year career, Steve has tried more than 20 cases before a jury and can provide a list of those cases upon request.

## REPRESENTATIVE CASES

### [Obtained unanimous defense verdict in saddle pulmonary embolus case.](#)

Steve and [Cory Tyszka](#) obtained a unanimous defense verdict for a medical malpractice case. This wrongful death case involved allegations of medical malpractice arising from a radiologist's report of no deep venous thrombosis ("DVT") on review of a 49-year-old patient's venous Doppler ultrasound after she presented to the emergency department with calf pain and swelling following a foot fracture. Almost three weeks later, the patient suddenly collapsed and died, and an autopsy confirmed that the death was caused by a massive saddle pulmonary embolus. The case was tried in Maricopa County Superior Court before the Honorable Rodrick Coffey. On January 30, 2024, after a thirteen-day trial, a ten-person jury returned a unanimous defense verdict after deliberating for about two hours.

### [Obtained defense verdict after a six-day jury trial in a nerve injury case.](#)

Steve and [Cory Tyszka](#) obtained a defense verdict in a medical malpractice case that involved allegations arising from a hand laceration caused by a broken light bulb, resulting in nerve injuries to the plaintiff's dominant thumb. The plaintiff claimed \$1 million in damages due to permanent loss of function and sensation of her dominant thumb, disfigurement, and pain and suffering. The case was tried in Maricopa County Superior Court before the Honorable Christopher Coury.

### [Obtained unanimous defense verdict in \\$8 million wrongful death medical malpractice suit after 15-day jury trial.](#)

Steve and [Cory Tyszka](#) obtained a unanimous defense verdict in a wrongful death medical malpractice case. Their client, a cardiothoracic surgeon, was facing allegations of medical malpractice arising from an open-heart surgery of an 18-year-old woman following an unrestrained motor vehicle crash. During the 15-day jury trial, Plaintiff alleged that Defendant was negligent by failing to establish bypass before the start of surgery, failing to control the patient's bleeding during surgery, and negligently placing the patient into deep hypothermic circulatory arrest. Plaintiff claimed that Defendant's alleged negligence caused the patient to suffer permanent brain injury, which led to the withdrawal of life support and her subsequent death. Defendant maintained that he met the standard of care in all respects, and that the severe cardiac rupture suffered during the patient's motor vehicle accident was not survivable. Plaintiff claimed \$8,000,000 in pain and suffering and loss of consortium. The case was tried in Yuma County Superior Court before the Honorable Larry Kenworthy. After deliberating for approximately one hour, the jury returned a unanimous defense verdict on April 8, 2019.

### [Obtained defense verdict in 7-day jury trial involving allegations of medical malpractice.](#)

Steve and [Cory Tyszka](#) defended an orthopedic surgeon against allegations of medical malpractice arising from a total hip arthroplasty procedure. During the 7-day jury trial, Plaintiff alleged that Defendant was negligent by failing to repair an intraoperative femur fracture, failing to leave the prosthesis in proper anatomical alignment, and failing to recommend revision surgery, causing Plaintiff to suffer anatomical deformity, an inability to walk, and loss of employment. Defendant maintained that he met the standard of care in all respects, and that Plaintiff's inability to walk was not caused by the surgery but was instead caused by pre-existing osteoarthritis, severe spinal stenosis, and Plaintiff's failure to adequately engage in physical therapy. Plaintiff claimed \$429,000 in lost wages and at least \$1 million in damages due to pain and suffering, loss of consortium, and loss of enjoyment of life. The case was tried in Maricopa County Superior Court before the Honorable Teresa Sanders. After deliberating for less than 45 minutes, the jury returned a defense verdict on December 5, 2018.

### [Obtained unanimous defense verdict in 8-day jury trial medical malpractice case.](#)

Steve and [Cory Tyszka](#) represented a physician in this medical malpractice case arising from a penile prosthesis exchange procedure. Plaintiff alleged that

Defendant was negligent in leaving a fragment of tubing from the removed prosthesis in the Plaintiff's groin area, causing Plaintiff to suffer an infection, additional surgeries, and loss of employment. Defendant maintained that he met the standard of care in removing the prosthesis and that Plaintiff's infection was not caused by the fragment. Plaintiff claimed \$900,000 in damages due to pain and suffering, loss of consortium, lost wages, loss of enjoyment of life, medical bills, and expenses.

[Obtained unanimous defense verdict in 6-day jury trial in a medical malpractice case.](#) Steve represented a urologist against allegations of negligence obtained a unanimous defense verdict for his client, a urologist in failing to provide reasonable and prudent care and treatment for Plaintiff's prostate cancer. There were numerous complications during surgery and the procedure was ultimately aborted before the prostate was removed. Plaintiff underwent additional surgery and radiation therapy, which Plaintiff claimed would not have been necessary if the Defendant had properly performed the original surgery. Plaintiff claimed pain and suffering, loss of consortium, loss of enjoyment of life as a result of the alleged negligence, as well as medical bills and expenses of \$466,000. After a 6-day trial, the jury returned a unanimous defense verdict.

[Obtained defense verdict for an internal medicine physician in a medical malpractice case.](#) Plaintiff alleged the Defendant fell below the standard of care for failing to timely diagnose Coumadin-induced skin necrosis in his deceased wife in September 2010. Plaintiff alleged the Coumadin-induced skin necrosis was the ultimate cause of decedent's death approximately 10 months later, following multiple hospitalizations for various complications. Defendant denied liability, arguing that Coumadin-induced skin necrosis, particularly at the stage of treatment it developed in the decedent, is extremely rare and that decedent's symptoms were consistent with a bug bite as she had reported. Plaintiff asked the jury to award loss of consortium damages for decedent's husband and four children. The jury deliberated for approximately one hour and returned a verdict in favor of the Defense.

## PROFESSIONAL ASSOCIATIONS & MEMBERSHIPS

- [American Board of Trial Advocates](#), Member
- American College of Trial Lawyers, Member
- *Best Lawyers in America*®, Litigation – Health Care; Medical Malpractice Law – Defendants, 2023

## PROFESSIONAL RECOGNITION & AWARDS

- *Best Lawyers in America*®, Medical Malpractice Law—Defendants, 2009, 2012-2022 and 2024; Health Care Law, Litigation – Health Care, 2024
- *Southwest Super Lawyers*, 2013-2019
- AV® Preeminent™ Rated by Martindale-Hubbell
- *Phoenix Magazine Top Lawyers*, Medical Malpractice Defense, 2022-2023

## PRESENTATIONS & PUBLICATIONS

- "It's The Little Stuff. What Are The Little Things That Trip Up Many Attorney's During Trial?" Co- Presenter, The American College of Trial Lawyers CLE "It's All About the Evidence," May 2018
- "Emerging Trends: An Overview of New Case Law and Developments," Presenter, JSH Annual Seminar: It's All Fun and Games Until Someone Gets Hurt, November 2014
- "Justice Delayed Is Justice Denied: Summary Judgment Following *Anderson v. Liberty Lobby, Inc.*," Author, *Arizona Law Review*, Vol. 30, No. 1, 1988
- "Arizona's Loss of a Chance Doctrine: Not a Cause of Action, But More Than an Evidentiary Rule," Author, *Arizona Attorney*, 33, No. 5, 1997

## EDUCATION

University of Arizona, James E. Rogers College of Law, J.D., *magna cum laude*, 1988

*Arizona Law Review*

Arizona State University, B.S., Accounting, *cum laude*, 1985

## BAR ADMISSIONS

Arizona, 1988

U.S. District Court, District of Arizona