

Won reversal of a multi-million-dollar jury verdict and a complete retrial for an Arizona health system and physician, based on opposing counsel's misconduct during closing argument.

2025

Partners [Frederick Yarger](#) and [Kevin Homiak](#), and Associate [Hanna Bustillo](#) won reversal of a jury verdict and a complete retrial for a health system and physician accused of medical negligence.

In its opinion, the Arizona Court of Appeals agreed with our argument that the misconduct of opposing counsel during closing argument warranted reversal and retrial, because it was egregious and attacked the key issues in the case - a move that signaled the rules of a fair trial to the Arizona bar.

The plaintiff claimed that her podiatrist was responsible for a post-surgical infection that led to one of her legs being amputated below the knee. The jury awarded a multi-million-dollar verdict.

Our team sought reversal due to the misconduct of plaintiff's counsel during closing arguments.

In reversing the verdict and ordering a new trial, the Court of

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Kevin D. Homiak
Partner & Pro Bono Chair

Appeals said: “Given counsel’s ownership of advocacy that crossed lines the [trial] court had drawn, [Plaintiff’s] counsel unquestionably knowingly and deliberately violated court orders.”



Frederick R. Yarger
Partner

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