

TEACHING & RESEARCH INTERESTS

Comparative Law, International Health Law, Law & Technology, U.S. Civil Procedure, U.S. Tort Law, U.S. Legal Research, Reasoning, and Writing, Judicial Selection, Legal Design Thinking

PROFESSIONAL / TEACHING EXPERIENCE

04/ 2015 – present

Attorney / Marketing & Website Content Developer

04/ 2012 – 04/ 2014

Burglass Tankersley, Metairie, LA, USA

Attorney: Represent defendants, including small business and insurance companies, in civil litigation in state and federal courts, mediations, and arbitrations; interpret and advise clients regarding complex law and regulations; draft and consult with clients regarding the creation and adoption of public-facing policies and protocols; negotiate settlements; work with clients and expert witnesses, including medical doctors, engineers, lab technicians, information technology experts, economists, and industry experts to understand and investigate complex issues and develop a defense strategy; develop and execute plan for relaying highly technical issues to judges and mediators as well as laypeople in the justice system; create visual resources used to demonstrate complex data and information to laypeople; respond to media inquiries, and draft press releases for clients in high profile cases; provide continuing education for legal and insurance professionals

Marketing & Website Content Developer: Draft marketing content for client development, including brochures, narrative easy-to-understand summaries of results in complex cases, attorney profiles, and firm specialties; create written and visual content for firm website; develop slide presentations for client meetings and continuing education courses

1/ 2018 – 3/2019

Lecturer

Chair of Common Law, University of Passau, Passau, Germany

Lectured students in the areas of legal research and writing, civil procedure, and health law, provided research assistance in the areas of tort law, constitutional law, and technology in law; provided brief editing and coaching assistance to moot court teams

10/ 2017 – 12/ 2018

Remote Bond Team Volunteer Attorney

Southern Poverty Law Center - Southeast Immigrant Freedom Initiative

Draft bond motions and bond appeals for detained immigrants

08/ 2016 – 12/ 2017

German Chancellor Fellow

Alexander von Humboldt Foundation

Host: Professor Dr. Jörg Fedtke, Chair of Common Law

University of Passau, Passau, Germany

08/ 2016 – 9/ 2016 German language fellowship
IFS Institut für Sprachvermittlung und internationalen Kulturaustausch

Conducted a comparative study of medical malpractice and healthcare risk management in the United States and Germany; conducted extensive legal and policy literature review of patient safety and error prevention research, development of error reporting and learning systems, risk management regulations and guidelines, liability of healthcare organizations, and patients' rights; interviewed key players in Germany's healthcare industry, including hospital risk managers, legislators, attorneys, physicians, and policy makers

04/ 2014 – 04/ 2015

Attorney

Galloway Johnson Tompkins Burr & Smith, New Orleans, LA, USA

Represented defendants in all aspects of civil litigation at both the trial and appellate levels; defended medical professionals in medical malpractice litigation; drafted medical review panel submissions; drafted and reviewed contracts; analyzed insurance coverage and issued coverage opinions; conducted motion practice; took and defended depositions; attended court hearings

10/ 2011 – 04/ 2012

Attorney

Louisiana Department of Health and Hospitals, Baton Rouge, LA, USA

Represented the Department in administrative proceedings involving Medicaid violations by healthcare providers; handled all aspects of the administrative process from discovery through the evidentiary hearing; interpreted and enforced regulatory statutes

05/ 2011 – 04/ 2012

Attorney

Nunez Law, New Orleans, LA, USA

Practiced as a solo practitioner representing both plaintiffs and defendants in civil litigation; obtained favorable verdict in bench trial for plaintiffs in a contract dispute; obtained summary judgment dismissal of defendant in a personal injury action

06/ 2010 – 05/ 2011

Attorney

Segal McCambridge Singer & Mahoney, Chicago, IL, USA

Represented clients at discovery and evidence depositions in toxic tort cases nationwide; evaluated cases and developed litigation strategy; reviewed and summarized medical records; drafted responsive pleadings; drafted case dispositive and pre-trial motions; drafted appellate pleadings; attended court calls

08/2008 – 05/2010

Attorney

Parrillo Weiss & O'Halloran, Chicago, IL, USA

First-chaired over fifty personal injury jury trials to verdict; drafted and argued motions at every stage of litigation; drafted jury instructions; negotiated favorable settlements; responded to written discovery requests; took and defended discovery and evidence depositions; represented clients at mandatory arbitration and mediation; handled daily court calls

PUBLICATIONS & WORKS IN PROGRESS

Mindy Nunez Duffourc, *Are You My Doctor? Defining the physician-patient relationship in the age of e-health*, 28:2 Tulane Journal of International & Comparative Law 311 (2020), <https://law.tulane.edu/jicl/issues>

Mindy Nunez Duffourc & Matthias Haag, *German Telemedicine for an American Patient: The validity of venue selection and choice-of-law clauses in international telemedical contracts*, Harvard International Law Journal Blog (August 30, 2019), <https://harvardilj.org/2019/08/german-telemedicine-for-an-american-patient-the-validity-of-forum-selection-and-choice-of-law-clauses-in-international-telemedical-contracts/>

Mindy Nunez Duffourc, *Filling Voice Promotion Gaps in Healthcare through a Comparative Analysis of Error Reporting and Learning Systems and Open Communication and Disclosure Policies in the United States and Germany*, 44 American Journal of Law and Medicine 579 (2018). <https://pubmed.ncbi.nlm.nih.gov/30802164/>

Mindy Nunez Duffourc, *Repurposing the Affirmative Defense of Comparative Fault in Medical Malpractice Cases to Improve Patient Safety*, 16:21 Indiana Health Law Review 21 (2018), <http://journals.iupui.edu/index.php/iHLR/article/view/22947>

Patient-Centered Medical Malpractice Reform: The (Absent) Role of U.S. Health Insurers in the Aftermath of Medical Errors and a German Model for Change (in progress).

A Duty to Manage Health Care Risks in the United States and Germany: A Comparative Legal Study (doctoral dissertation in progress) (expected publication in book form).

OTHER WRITINGS, SPEAKING ENGAGEMENTS, & PROFESSIONAL ACHIEVEMENTS

MedRisk Report Blog

www.medriskreport.com

Research blog focused on the prevention and resolution of medical malpractice claims

United States Supreme Court Petition for Writ of Certiorari

Petitioners' Counsel of Record

White v. Cain and *Cantrell v. Caliste*, 2019 WL 7403489 (U.S.)

(December 2019)

2019 CLM Cyber, Management, & Professional Liability Conference

Boston (July 2019)

Round Table Session: *Telemedicine – the Cryptocurrency of Professional Liability: Trends, Benefits, and Risks* with co-panelists: Anna Berent, David Hilton, Jennifer Schoenthal, and Michael DePetrillo

2019 Law and Society Annual Meeting – “Dignity”

Washington D.C. (May/June 2019)

Presentation of conference paper: *Patient-Centered Medical Malpractice Reform: The (Absent) Role of U.S. Health Insurers in the Aftermath of Medical Errors and a German Model for Change*

2019 McGill Law Graduate Conference – “Law: Reactive or Proactive?”

Montreal, Canada (May 2019)

Presentation: *The Legal Reaction (or absence thereof) to Modern Error Prevention Science: A Duty to Manage Healthcare Risks in the U.S. and Germany*

Rijeka Doctoral Conference

Rijeka, Croatia (December 2018)

Presentation of conference paper: *Using the German Model to Improve the Reliability of Medical Malpractice Litigation Outcomes in the United States*

Católica Graduate Legal Research Conference 2018 – “The Future of Health Law”

Lisbon, Portugal (October 2018)

Presentation of conference paper: *Are You My Doctor? Defining the physician-patient relationship in the age of e-health*

8th Bonn Humboldt Award Winners' Forum – "Between handcraft and confession, empiricism and normativity: Self-determination in international jurisprudence"

Bonn, Germany (October 2018)

Invitation to conference and short publication in conference materials: *The Impact of Medical Liability on Patient Safety: Why the law must thoughtfully hurry to align with modern medical error prevention science*

Brief and Oral Argument for Defendants-Appellants in U.S. Court of Appeals

Cain, et al. v. White, et al., United States Court of Appeals for the Fifth Circuit, No. 118-30955 (October 2018) (Oral Argument on April 30, 2019)

Brief and Oral Argument for Defendant-Appellant in U.S. Court of Appeals

Caliste, et al. v. Cantrell, United States Court of Appeals for the Fifth Circuit, No. 18-30954 (October 2018) (Oral Argument on May 2, 2019)

2018 International Academy of Comparative Law's XXth International Congress - Younger Scholars' Forum

Fukuoka, Japan (July 2018)

Presentation of conference paper: *Repurposing the Affirmative Defense of Comparative Fault in Medical Malpractice Cases in the United States to Improve Patient Safety*

American Society of Comparative Law - Younger Comparativists Committee Global Conference 2018

Case Western Reserve University, Cleveland, Ohio (April 2018)

Presentation of conference paper on the Privacy and Intimacy Panel: *Filling Voice Promotion Gaps in Healthcare through a Comparative Analysis of Error Reporting and Learning Systems and Open Communication and Disclosure Policies in the United States and Germany*

Panel Moderator: Challenges to Europe

Can Amazon, Chase, and Berkshire Help Medical Malpractice Victims?

The Health Care Blog (April 2018)

<http://thehealthcareblog.com/blog/2018/04/03/can-amazon-chase-and-berkshire-help-medical-malpractice-victims/>

German Chancellor Fellow Project Marketplace and Round Table Discussion

Berlin, Germany (July 2017)

Interdisciplinary Group Presentation: Justice for some? Rights, Administration, and Legal Practices

Institute of Patient Safety Research Colloquium

Bonn, Germany (April 2017)

Presentation: Balancing Patients' Safety and Patients' Rights

Direct Actions in Louisiana and Social Media in Claims Investigation

Presentation at Allied World Insurance Company, New York, NY, USA (September 2015)

Defense Counsel in Medical Malpractice Bench Trial, \$0 Verdict

Brown v. State of Louisiana, et al., 22nd Judicial District Court, No. 101197 consolidated with 103585, Judge William J. Knight *presiding* (October 2013) (first chair)

Defense Counsel in Personal Injury Jury Trial, \$0 Verdict

Jason Smith v. Canal Indemnity Co., 9th Judicial District Court, No. 240,267, Judge Gregory C. Metoyer Jr. *presiding* (July 2013) (solo chair)

"IPAD for Lawyers"

Burglass & Tankersley Law and Technology Seminars, Metairie, LA, USA (April 2013)

RESEARCH INTERVIEWS & MEETINGS

Stefan Etgeton and Marcel Weigand (Individual Interview and Discussion)

Bertelsmann Foundation – *Weisse Liste* Project

Berlin, Germany (December 2017)

Heike Morris (Individual Interview and Discussion)

Legal Director at Independent Patient Counseling Deutschland

Berlin, Germany (November 2017)

Jana Hassel (Individual Interview and Discussion)

Health Law Attorney and Expert

Berlin, Germany (November 2017)

Angela Merkel (Private Group Meeting)
German Chancellor
Berlin, Germany (July 2017)

Dietmar Lauck (Individual Interview and Discussion)
Director of Quality Management at Kreuznacher Diakonie Saarland Clinics
Homburg, Germany (June 2017)

Franz-Peter Holzer and Carsten Dunkel (Individual Interview and Discussion)
Medical Malpractice Attorneys
Saarbrücken, Germany (June 2017)

U.S. Embassy Berlin (Private Group Meeting and Discussion)
Chargé d'Affaires Kent Logsdon
Berlin, Germany (June 2017)

German Constitutional Court (Private Group Meeting and Discussion)
Judge Ulrich Maidowski
Karlsruhe, Germany (April 2017)

European Commission (Private Group Meeting and Discussion)
Wojtek Talko – Policy Coordinator, Directorate-General for Trade; *Aura Salla* – Adviser for Communication and Outreach, European Political Strategy Centre; *Detlef Eckert* – Director of Qualifications, Directorate-General for Employment, Social Affairs and Integration; *Walter Zampieri* – Head of Cultural Policy Unit, Directorate-General for Education, Youth, Sport and Culture; *Alexandra Kiel* – Policy Coordinator, Interinstitutional Relations and Citizenship Unit, Directorate-General for Migration and Home Affairs
Brussels, Belgium (April 2017)

North Atlantic Treaty Organization (NATO) (Private Group Meeting and Discussion)
Clarissa Duvigneau – Policy Advisor, "Germany and NATO: Multilateralism in German Security Policy"
Michael Rühle – Head of the Energy Security Unit, "'Security in Transition - Current Challenges for NATO"
Brussels, Belgium (April 2017)

Hermann Liebermeister (Individual Interview and Discussion)
Retired Physician and Consultant to Saarland's Medical Arbitration Board
Frankfurt, Germany (March 2017)

Reiner Heuzeroth and Doris Holding (Individual Interview and Discussion)
Quality Assurance Team at Asklepios Clinic
Hamburg, Germany (March 2017)

Günther Jonitz (Individual Interview and Discussion)
President of the Berlin Chamber of Physicians
Berlin, Germany (February 2017)

Christian Thomeczek (Individual Interview and Discussion)
Director of the Agency for Quality in Medicine
Berlin, Germany (February 2017)

Maria Klein-Schmeink (Individual Interview and Discussion)
Bundestag Member (Green Party)
Berlin, Germany (February 2017)

Sarah Meckling-Geis and Thomas Lämmrich (Individual Interview and Discussion)
German Insurance Association
Berlin, Germany (February 2017)

Axel Klausmeier (Private Group Meeting and Tour)
Director of the Berlin Wall Foundation
Berlin, Germany (October 2016)

Science and Politics Foundation (Private Group Meeting and Discussion)
Berlin, Germany (October 2016)

Conference with the "International Futures" Program (Private Group Meeting and Discussion)
Berlin, Germany (October 2016)

German Council on Foreign Relations (Private Group Meeting and Discussion)
Berlin, Germany (October 2016)

German Bundestag (Private Group Meeting and Discussion)
Berlin, Germany (October 2016)

Consulate General of the Russian Federation (Private Group Meeting, Discussion, and Dinner)
Bonn, Germany (October 2016)

Social Impact Lab (Private Group Meeting and Discussion)
Berlin, Germany (October 2016)

German Federal Ministry for Economic Cooperation and Development (Private Group Meeting and Discussion)
Bonn, Germany (September 2016)

German Federal Agency for Political Education (Private Group Meeting and Discussion)
Bonn, Germany (September 2016)

German Society for International Cooperation (Private Group Meeting and Discussion)
Bonn, Germany (September 2016)
