HALL BOOTH SMITH, P.C.

jwolber@hallboothsmith.com

Partner

212.805.3639

BIOGRAPHY | CREDENTIALS | MEMBERSHIPS | RECOGNITION | PUBLICATIONS | IN THE PRESS

Biography

Jeffrey T. Wolber is an experienced trial and appellate litigator focusing on medical malpractice and aging services matters in both New York and Pennsylvania. He is also experienced in general liability litigation, commercial disputes, and federal practice. He prides himself on providing thorough case assessments, identifying key strategic issues early, and vigorously pursuing substantive and procedural defenses.

As a medical malpractice attorney, Jeffrey has successfully defended against hundreds of claims involving a variety of practice areas, including Obstetrics, Emergency Medicine, Oncology, Orthopedics, Surgery, Radiology, Cardiology, Infectious Disease, Gastroenterology, Urology, Internal Medicine, and Pediatrics. In addition to physicians, hospitals, and clinics, he also defends nurses, home health agencies, medical transport providers, EMTs, and dentists. He is also familiar with vaccine litigation and has served as national counsel to help resolve vaccine injury claims in other jurisdictions based on federal immunity.

In the aging services area, Jeffrey defends nursing and

Services

Aging Services

Appellate

Business Litigation

Dental

General Liability

Health Care

Medical Malpractice

Strategic Teams

Coronavirus

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rehabilitation facilities as well as assisted living and independent living communities against claims involving wound care, falls, elopement, medications, care planning, and hospital transfer. His familiarity with common legal issues such as regulatory compliance, enforcement of arbitration agreements, resident capacity, and corporate structuring helps him develop effective litigation strategies and accurate case valuations from the outset.

Jeffrey also has years of experience in general liability litigation, including product liability, construction injury, premises defect, motor vehicle, and public utility claims. He is skilled at navigating the various legal issues that frequently arise in these claims, such as contract enforcement, multi-party procedure, statutory and regulatory claims and defenses, common law agency and indemnification, and coverage disputes.

Jeffrey strives to stay ahead of legal developments so he can not only achieve the best outcome for his clients but also help them adapt to changes when needed. For example, during the COVID-19 pandemic, he was a formative member of our Coronavirus Strategic Team, which helped providers and facilities stay abreast of a rapidly evolving legal and regulatory landscape. He remains an active leader in developing nationwide litigation strategies against negligence and malpractice claims involving COVID-19. He regularly assists with litigation across the country that involves the assertion of federal and state immunities for COVID-19 claims, including the Public Readiness and Emergency Preparedness Act (PREP Act) and New York's Emergency or Disaster Treatment Protection Act (EDTPA).

Before joining HBS, Jeffrey was a litigation associate for two other firms in the New York City area, where he managed medical malpractice, dental malpractice, podiatric malpractice, and general liability cases.

Jeffrey graduated *magna cum laude* from New York Law School. He was a member of Law Review, a member of Moot Court Association, and a John Marshall Harlan Scholar. Before law school, he received his Bachelor of Arts from Utica University.

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Credentials

Admitted

State Courts:

- New York
- Pennsylvania

U.S. District Courts:

- U.S. District Court for the Northern District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York

Education

- J.D., *magna cum laude*, New York Law School
- B.A., Utica University

Memberships

- New York State Bar Association

Recognition

- *Best Lawyers: Ones to Watch® in America*, Best Lawyers®, 2024 - 2026
    - Awarded in: Appellate Practice, Health Care Law
- New York Metro Rising Star, Super Lawyers®, 2023

Publications

- **Indiana's Adams County Superior Court Dismisses**

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Malpractice Claim for Treatment of COVID-19 under State Immunity Statute
HBS Coronavirus Litigation Blog; February 8, 2022

- **Nursing Homes Challenge New York's Profit Cap as Unconstitutional**
  HBS New York Legal Update; January 5, 2022
- **Orange County Supreme Court Dismisses Claims of Nursing Home Negligence related to Pressure Ulcers and Fungal Dermatitis without Prejudice under the EDTPA in Crampton v. Garnet Health**
  HBS New York Legal Update; December 7, 2021
- **NY's First Department Rules that Attorney's Email Signature Block is Sufficient to Create Binding Settlement Agreement in Matter of Philadelphia Ins. Indem. Co. v. Kendall**
  HBS New York Legal Update; July 19, 2021

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- **Judge Edwards of Kings County Grants Summary Judgment in Favor of Medical Malpractice Defendants in Moore v. Volokh—Holds Plaintiff's Experts Failed to Refute Causation Arguments**
  HBS New York Legal Update; June 21, 2021
- **Bronx County Supreme Court Rules on Applicability of New York's EDTPA to Medical Malpractice Claim for Stroke Presentation**
  HBS New York Legal Update; June 9, 2021
- **Bronx County Supreme Court Dismisses Medical Malpractice Claim Under the EDTPA and Executive Order 202.10 in Hampton v. City of N.Y.**
  HBS New York Legal Update; June 9, 2021
- **Summary of the Landscape of Civil Immunity against COVID-19 Claims in New York**
  HBS Coronavirus Litigation Blog; April 15, 2021
- **Civil Immunity for COVID-19 Claims in New York: Impact of the Repeal of the EDTPA**
  HBS Coronavirus Litigation Blog; April 14, 2021
- **Opening a Can of Worms and Viruses: The Impact of E-Service on Email Users Everywhere**
  NYLS Law Review, January 2017

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In the Press

American Lawyer Article Highlights Hall Booth Smith Philadelphia Office

June 23, 2026

The American Lawyer recently featured Hall Booth Smith's new Philadelphia office, highlighting the firm's continued expansion in the Northeast and its plans to build a significant presence in one of the country's most active legal markets.

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HBS Partner Jeffrey T. Wolber Recognized on 2024 New

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York Metro Rising Stars List

October 24, 2024

HBS is proud to announce Partner Jeffrey T. Wolber has been recognized on the Super Lawyers 2024 New York Metro Rising Stars list for his experience in Health Care matters.

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33 HBS Attorneys Named to 2025 Best Lawyers: Ones to Watch® in America

August 16, 2024

HBS is excited to announce that 33 lawyers have been included in the 2025 edition of Best Lawyers: Ones to Watch® in America.

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Fifteen HBS Attorneys Appointed to Partner

January 5, 2024

HBS introduces fifteen attorneys as newly appointed partners in recognition of their exceptional client service and outstanding leadership

Read Full Article

Jeffrey T. Wolber Named to Super Lawyers 2023 New York Metro Rising Stars List

September 26, 2023

HBS is proud to announce that New York City Attorney Jeffrey T. Wolber has been recognized on the Super Lawyers 2023 New York Metro Rising Stars list.

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34 Hall Booth Smith Lawyers Named to 2024 Best Lawyers: Ones to Watch® in America

August 22, 2023

Hall Booth Smith is pleased to announce that 34 lawyers have been included in the 2024 edition of Best Lawyers: Ones to Watch® in America. The award recognizes associates and other lawyers who are earlier in their careers for their outstanding professional excellence in private practice in the United States.

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Indiana's Adams County Superior Court Dismisses Malpractice Claim for Treatment of

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COVID-19 under State Immunity Statute

February 8, 2022

Written by: Jeffrey T. Wolber, Esq. On February 1, 2022, Judge Samuel K. Conrad of the Superior Court of Adams County, Indiana, granted summary judgment on behalf of a hospital and EMS entity. (Anonymous Hospital v. Peterson, No. 01D01-2107-CT-000014 (Adams Superior Court Feb. 1, 2022)). The petitioners/defendants asserted immunity under Ind. Code §§ 34-30-13.5-1 and

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Nursing Homes Challenge New York's Profit Cap as Unconstitutional

January 5, 2022

Written by: Jeffrey T. Wolber, Esq. Edited by: Nicole A.

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Callahan, Esq. A group of over 200 nursing homes are challenging a New York law that sets a cap on their profits. The lawsuit was filed on December 29, 2021 in the U.S. District Court for the Northern District of New York (Case No. 1:21-cv-01384).

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Orange County Supreme Court Dismisses Claims of Nursing Home Negligence related to Pressure Ulcers and Fungal Dermatitis without Prejudice under the EDTPA in Crampton v.

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Garnet Health

December 7, 2021

Written by: Jeffery T. Wolber, Esq. Judge Bartlett of Orange County Supreme Court granted a partial motion to dismiss under §3211(a)(7) (failure to state a claim) based on the civil immunity provided by New York's Emergency or Disaster Treatment Protection Act (EDTPA). Although this is a trial court decision, its analysis will be helpful for

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NY's First Department Rules that Attorney's Email Signature Block is Sufficient to Create Binding Settlement Agreement in

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Matter of Philadelphia Ins. Indem. Co. v. Kendall

July 19, 2021

Written by: Jeffrey T. Wolber, Esq. In a decision from New York's Appellate Division, First Department, the court held that an email containing an attorney's automatically-populated signature block was sufficient to constitute a "subscribed" writing within the meaning of CPLR 2104 for purposes of enforcing a settlement agreement. CPLR 2104 reads in pertinent part: An agreement

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Judge Edwards of Kings County Grants Summary Judgment in Favor of Medical Malpractice

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Defendants in Moore v. Volokh—Holds Plaintiff's Experts Failed to Refute Causation Arguments

June 21, 2021

Written by: Jeffrey T. Wolber, Esq. Editor: Nicole Callahan, Esq. On June 11, 2021, Kings County Supreme Court Justice Genine Edwards issued a decision granting summary judgment in favor of a radiology center and its radiologist. In this action, the plaintiff claimed a failure to diagnose stomach cancer following an abdominal contrast study. The radiology defendants moved

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Bronx County Supreme Court Rules on Applicability

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of New York's EDTPA to Medical Malpractice Claim for Stroke Presentation

June 9, 2021

Written by: Jeffrey T. Wolber, Esq. On June 4, 2021 Judge Higgitt of the Bronx County Supreme Court issued a decision denying a motion to dismiss under CPLR 3211(a)(7) for failure to state a claim based on the civil immunity provided by New York's Emergency or Disaster Treatment Protection Act (EDTPA) and Governor Cuomo's Executive

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Bronx County Supreme Court Dismisses Medical Malpractice

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Claim Under the EDTPA and Executive Order 202.10 in Hampton v. City of N.Y.

June 9, 2021

Written by: Jeffrey T. Wolber, Esq. On June 3, 2021 Judge Danziger of Bronx County Supreme Court issued a decision granting a motion to dismiss under CPLR 3211(a)(1) (documentary evidence) and (7) (failure to state a claim) based on the civil immunity provided by New York's Emergency or Disaster Treatment Protection Act (EDTPA) and Governor

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Summary of the Landscape of Civil Immunity against COVID-19 Claims in New

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York

April 15, 2021

Written by: Jeffrey T. Wolber, Esq. With the repeal of the Emergency or Disaster Treatment Protection Act (EDTPA) by A.03397/S.5177, the New York legislature has effectively terminated its civil immunity for health care professionals against claims involving COVID-19. Because this repeal does not have retroactive effect, there are three main types of immunity left behind that

Read Full Article

Civil Immunity for COVID-19 Claims in New York: Impact of the Repeal of the EDTPA

April 14, 2021

Written by: Jeffrey T. Wolber, Esq. On April 6, 2021, Governor Cuomo signed into law A.03397/S.5177, repealing Article 30-d of the Public Health Law, also known as the Emergency or Disaster Treatment Protection Act, or

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the EDTPA, which provided civil immunity to health care professionals and entities for certain claims involving COVID-19. The EDTPA was

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