

NICOLE A. CALLAHAN



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Practice Areas

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Nicole Callahan is a Partner in our New York office, and she has nearly two decades of experience as a litigator in both state and federal courts.

Nicole has extensive expertise defending hospitals, physicians, and other healthcare professionals in a wide range of medical malpractice lawsuits. She has defended physicians, nurses, hospitals, nursing homes, and other healthcare professionals in complex medical malpractice cases at both the federal and state levels including catastrophic injury, negligence and misdiagnosis. She thoroughly studies the facts and nuances of each case and develops compelling trial strategies that protect her clients' interests. When desired and practical, she conducts settlement negotiations to meet the needs and financial objectives of her clients.

Nicole is also the co-leader of Hall Booth Smith's Intellectual Property practice group. She has represented pharmaceutical companies and medical device makers to protect their rights in technology and other innovative work. She has handled numerous patent litigations in federal jurisdictions throughout the country, as well as appellate practice before the Federal Circuit, in the pharmaceutical and medical device arts. She has also represented clients in relation to the intellectual property portion the due diligence of larger mergers and acquisitions, which require evaluation of intellectual property portfolios including patent, trademark, and copyright assets. This work also involves handling related license, research, confidentiality, employment/consulting agreements and other routine IP-related matters.

Nicole's multidisciplinary background is a valuable asset to her practice. Her scientific training and deep knowledge of the pharmaceutical and medical device industries gives her valuable insight for both medical negligence and intellectual property claims. Over the course of her career, Nicole has also defended clients in numerous other civil litigations, including premises and other general liability matters.

Nicole earned a Juris Doctorate degree, *cum laude*, and a Certificate in Health Law from Pace University School of Law. She also earned a Ph.D. in Neuroscience from Pennsylvania State University College of Medicine, where her research concentrated on the effects of stress-related neurotransmitters and hormones on the immune response to viral infection. Nicole received a Bachelor of Arts degree, *cum laude*, in behavioral neuroscience with a minor in health and human development from Lehigh University, where she also completed an honors research project relating to the location of central detectors of metabolic fuels in female Syrian hamsters.

Nicole co-teaches an Introduction to Neuroscience class at Columbia University and has presented educational seminars on medical negligence litigation to various groups of healthcare professionals, including Albert Einstein Montefiore Medical Center. She has also co-authored several publications in peer-reviewed journals.

On a personal note, Nicole is very involved in the activities of her two daughters, volunteering as a class mom and at various school and Girl Scout-related functions.

Throughout her legal career, Nicole has defended numerous hospitals, nursing homes, physicians and other healthcare professionals in high-exposure medical malpractice and negligence cases in both federal and state courts. She has also litigated intellectual property matters in federal courts at the district and appellate levels involving claims relating to the pharmaceutical and medical device arts. She works with each client to craft a credible and persuasive legal strategy that defends their interests throughout the entire process, from inception to resolution of the case.

ADMITTED

- Connecticut state courts
- New York state courts
- New York Court of Appeals for the Second Department
- United States District Court for the Southern District of New York
- United States District Court for the Eastern District of New York

- United States Court of Appeals for the Federal Circuit

EDUCATION

- J.D., *cum laude*, Pace University School of Law
- PhD, Pennsylvania State University College of Medicine
- B.A., *cum laude*, Lehigh University

PUBLICATIONS

- [“Nassau County Supreme Court Denies Hospital’s Motion for Summary Judgement in Slip and Fall Case, Finding Insufficient Support on The Issue Of Constructive Notice.”](#) New York Legal Update, August 2021
- [“Monroe Supreme Court Denies Motion to Dismiss Holding That A Plaintiff Can Bring a Child Victims Act Cause of Action Under a Theory of Premises Liability.”](#) New York Legal Update, August 2021
- [“Judge Rakoff of the Southern District of New York Applies State Pleading Requirements to Grant Motion for Remand in Favor of Products Liability Plaintiff in Resnik v. Rite Aid of New York, Inc., et al. – Determining that Plaintiff did not Fraudulently Join Codefendants.”](#) New York Legal Update, July 2021
- [“Young v. 1530 Rosedale Partners, LLC, et al. – Plaintiff Not Required to Show Freedom From Comparative Negligence In Addition to Establishing Defendant’s Negligence on Summary Judgment.”](#) New York Legal Update, July 2021
- [“New York Public Health Law § 2801 Does Not Apply to Adult Homes.”](#) New York Legal Update, June 2021
- [“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.”](#) New York Legal Update, June 2021
- [“Hospital and Healthcare Associations File Amicus Brief in COVID Nursing Home Suit.”](#) New York Legal Update, June 2021
- [“New York State Senate Passes Adult Survivors Act For Victims of Sexual Assault.”](#) New York Legal Update, June 2021
- [“Risks and Liabilities Relating to the Emergence of Decentralized Clinical Trials.”](#) New York Law Journal, May 2021
- “Central vs. peripheral metabolic control of estrous cycles in Syrian hamsters: II. Glucoprivation,” American Journal of Physiology, 272:R406-R412, 1997.
- “Peripheral sympathetic denervation alters both the primary and memory cellular immune responses to herpes simplex virus infection,” NeuroImmunoModulation, 5:22-35, 1998.
- “Morphine-induced suppression of saccharin intake is correlated with elevated corticosterone levels,” Brain Research, 863:52-58, 2000.
- “Mechanisms underlying chemical sympathectomy-induced suppression of herpes simplex virus-specific cytotoxic T lymphocyte activation and function,” Journal of Neuroimmunology, 110:45-56, 2000.
- “Chemical sympathectomy alters cytotoxic T lymphocyte responses to herpes simplex virus infection,” Annals of the New York Academy of Sciences, 917:923-934, 2000.

Nassau County Supreme Court Denies Hospital's Motion for Summary Judgement in Slip and Fall Case, Finding Insufficient Support on The Issue Of Constructive Notice

August 30, 2021

Written by: Daniele DeZago, Esq

Edited by: Nicole A. Callahan, Esq.

Judge Voutsinas denied defendant Mercy Medical Center's motion for summary judgment in an alleged slip and

Monroe Supreme Court Denies Motion to Dismiss Holding That A Plaintiff Can Bring a Child Victims Act Cause of Action Under a Theory of Premises Liability

August 7, 2021

Written by: Eve Soldatos, Esq.

Edited by: Nicole A. Callahan, Esq.

Plaintiff brought an action against Churchville-Chili Central School District ("CCCS") claiming that an employed teacher and coach of

Judge Rakoff of the Southern District of New York Applies State Pleading Requirements to Grant Motion for Remand in Favor of Products Liability Plaintiff in Resnik v. Rite Aid of New York, Inc., et al. – Determining that Plaintiff did not Fraudulently Join Codefendants

July 28, 2021

Written by: Evan M. O'Hara, Esq.

Editor: Nicole A. Callahan, Esq.

On July 12, 2021, the Honorable Jed S. Rakoff, United States District Judge for the Southern

Young v. 1530 Rosedale Partners, LLC, et al. – Plaintiff Not Required to Show Freedom From Comparative Negligence In Addition to Establishing Defendant's Negligence on Summary Judgment

[July 9, 2021](#)

Written by: Eve Soldatos, Esq.

Edited by: Nicole A. Callahan, Esq.

In this Bronx-venued Supreme Court action, plaintiff, who is blind, alleges that she lost her balance

New York Public Health Law § 2801 Does Not Apply to Adult Homes

[June 29, 2021](#)

Written by: Daniele DeZago, Esq.

Edited by: Nicole A. Callahan, Esq.

The applicability of New York Public Health Law § 2801 has been limited thanks to a

New York State Senate Passes Adult Survivors Act For Victims of Sexual Assault

[June 14, 2021](#)

Author: Eve Soldatos, Esq.

Editor: Nicole Callahan, Esq.

On June 3, 2021, the New York State Senate passed Senate Bill S66, also known as the Adult Survivors

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