

## **ATTORNEYS NICOLAS CEJAS, SCOTT KOZAK DISCUSS COLLATERAL SOURCE RULE IN IADC ARTICLE**

Litigation attorneys Nicolas Cejas and Scott Kozak recently co-authored an article discussing the collateral source rule, and the impact of past and new tort reform legislation affecting its application in personal injury, and particularly medical malpractice cases. The article, “Re-Thinking the Collateral Source Rule,” appeared in the March 2017 issue of the International Association of Defense Counsel’s (IADC) Medical Defense and Health Law Committee Newsletter.

The collateral source rule prevents those accused of civil wrongdoing from reducing their liability to an injured party by introducing evidence of collateral source payments – payments by third parties (often insurance companies) to the injured party or a medical provider for the injured party as a result of injuries caused by the defendant. Many states in recent years have taken steps to limit this rule or do away with it. Cejas and Kozak’s article discusses the basic elements of the collateral source rule, explores the ways it is applied in different jurisdictions, and identifies best discovery practices for defense attorneys in medical defense cases.

A member of the firm’s Tort and Catastrophic Events practice area, Cejas focuses primarily on representing major hospitals, doctors, nurses and other professionals facing catastrophic injury and other medical malpractice claims. He also defends clients in premises liability, product liability, insurance and commercial actions.

A skilled trial lawyer, Kozak focuses on health care, product liability, complex commercial, toxic tort and environmental litigation. He has extensive federal and state trial experience and has led clients through successful mediations, arbitrations and settlement activities. He also co-founded the firm’s Agribusiness and Food industry team.

### **PEOPLE**

Nicolas P. Cejas

### **SERVICES AND INDUSTRIES**

Medical Malpractice

Mass Tort and Catastrophic Loss