



## L. KRISTOPHER RATH

LRATH@HUTCHLEGAL.COM

HUTCHISON & STEFFEN

ATTORNEYS

L. Kristopher Rath is a partner practicing primarily in medical malpractice, healthcare professionals advocacy, administrative law, commercial and business litigation, insurance coverage, and insurance defense. Kristopher was born in the city of Leeds in Yorkshire, England. He moved to the United States as a young child and grew up in Boston and Maryland, where his father practiced medicine as a pulmonary specialist.

Kristopher attended the University of Chicago, where he received his A.B. in Biological Sciences in 1987. After working for the Smithsonian Institution, he received an M.B.A. degree from Tulane University in New Orleans, Louisiana, in 1990. From 1990 to 1992, Kristopher worked in as a Budget Analyst for the Department of Treasury in Washington, D.C.

Kristopher then returned to Tulane for Law School. While in Law School, Kristopher was President of the Asian Law Students Association and Vice-president of Tulane's Federalist Society. He also had a case note published on property owner rights in the Tulane Environmental Law Journal.

After obtaining his J.D., cum laude, from Tulane in 1995, Kristopher began practicing law in Las Vegas, Nevada. He has published cases on personal jurisdiction (*Abraham v. Agusta, S.P.A.*, 968 F.Supp. 1403 (D.Nev. 1997)), insurance coverage law (*Collins v. Farmers Ins. Exch.*, 61 F.Supp.2d 1124 (D.Nev. 1999)), copyright law (*Germaine Music v. Universal Songs of Polygram*, 275 F.Supp.2d 1289 (D. Nev. 2003)), and Pharmacy Liability (*Sanchez v. Walmart*, 221 P.3d 1276 (Nev. 2009)). Kristopher has represented his clients at trial, arbitration, mediation, and before the Nevada Board of Medical Examiners, as well as the Nevada Dental Board, Pharmacy Board, Board of Nursing, Board of Osteopathic Physicians, Chiropractic Physicians Board of Nevada, State of Nevada Board of Examiners for Audiology and Speech Pathology, Board of Physical Therapists, Nevada State Board of Veterinary Medical Examiners, Nevada Real Estate Commission, and Accounting Board. His appellate experience includes successful resolution of a products liability action in which the Nevada Supreme Court upheld his client's loan receipt agreement (*Norton Co. v. Fergestrom*, 2001 WL 1628302 (Nev. 2001) (slip opinion)) and the granting of several writs by the Nevada Supreme Court which allowed for dismissal of claims against his clients.

Outside of the office, Kristopher is an Extra class, FCC licensed amateur radio operator. He also enjoys landscape photography, hiking, and off-roading in the Southern Nevada Mountains and Desert. Kristopher was a delegate to the 2000 and 2002 Clark County Republican Party Conventions. He is the founding president of The South Asian Bar Association of Las Vegas, a chapter of the North American South Asian Bar Association.

### **Representative Engagements**

*Matthews v. Fergestrom*, a one-week jury trial which resulted in a directed verdict in the client's favor upheld by the Nevada Supreme Court (2001 WL 1628302 (Nev. 2001) (slip opinion)).

CONTINUED ON BACK....

### AREAS OF PRACTICE

Administrative Law  
Business & Commercial  
Litigation  
Healthcare  
Professionals  
Advocacy  
Insurance Defense  
Professional Liability  
Defense

702.385.2500  
HUTCHLEGAL.COM

*Silva v. Gordon*, Case No. CV-S-98-1175-LDG(RLH), a two-week jury trial in Nevada federal court involving allegations of chronic back pain and permanent disability, resulting in a defense verdict for the client.

*Milton v. Jones and Steele*, Case No. A367243, a two-week jury trial in a medical malpractice wrongful death action for misdiagnosis of breast cancer, which resulted in a defense verdict in the client's favor.

*Delmar Gardens of Green Valley, Inc. adv. Volk*, Case No. A444157 (Dept. 13, Las Vegas, Nev. 2004), a three-week jury trial involving a wrongful death claim arising from alleged abuse and improper care of a nursing home resident where the plaintiff requested \$6 million in closing arguments and the jury returned a verdict for \$300,000, nearly half of the amount the client offered to settle the case before trial.

*Mann v. Camacho*, Case No. CV-20997, a bench trial in the Fifth Judicial District Court, Pahrump, NV, which resulted in the client obtaining a judgement in his favor on defendant's breach of a promissory note.

*Mitchell v. Freeman*, Case No. A503996, a two week trial before a three judge arbitration panel regarding claims by a shareholder against officers and directors of an energy company raising issues of corporate governance, breach of fiduciary duties, and a buy out of minority interest resulting in a judgment in favor of clients.

*Osteopathic Board vs. Wu*, a 2009 trial before the Nevada Osteopathic Board in which Mr. Rath represented a physician accused of malpractice in which the Board sought summary suspension. Three out of the four claims were dismissed at trial and the remaining one subsequently dismissed.

Mr. Rath has also successfully defended numerous Physicians and St. Rose Hospital before the Nevada Medical Dental Screening Panel. He has also represented Physicians before the Nevada Board of Medical Examiners, Dentists before the State Dental Board and Pharmacists, and Physical Therapists before their state boards. This includes trials before the Nevada Boards of Osteopathic Medicine, Dentistry, and Physical Therapists. He has also represented numerous clients in the Nevada mandatory arbitration system and has successfully represented clients at mediations in multi-million dollar medical malpractice and insurance coverage claims. Additionally, he has acted as a hearing officer for Sierra Health's due process hearings reviewing its credentialing committee's decisions and as a hearing officer for Desert Springs Hospital in Las Vegas.