



**Michael Madden**

Shareholder

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Mike has over 30 years of wide-ranging trial and appellate experience at every level of the state and federal court systems. His current practice focuses on medical liability and regulatory matters, Medicaid and health insurance payment issues, class action litigation, including employment disputes, constitutional litigation, and related appeals. He has been lead counsel on more than 50 appeals resulting in published opinions. Before joining Bennett Bigelow & Leedom, Mike served for 18 years with the Washington Attorney General's Office, where he represented and advised state agencies and officers in some of the most complex litigation they faced. He is a fellow in the American College of Trial Lawyers, is ranked 'AV Preeminent' by Martindale Hubbell, and has been listed *Best Lawyers in America* under three different categories since 2016.

**REPRESENTATIVE CASES**

- Successfully represented pediatric hospital in challenge to “narrow networks”
- Obtained defense verdict for hospital in medical negligence case involving delayed diagnosis of heart condition
- Obtained Ninth Circuit ruling overturning lower court decision holding Washington Personality Rights Act unconstitutional
- Successfully resolved class action litigation challenging use of medical liens
- Led successful litigation to prevent implementation of reductions in Medicaid coverage for emergency medical services
- Defeated certification of national class in insurance coverage dispute
- Reversed decision not to extend Medicaid rate enhancements to organ transplant patients
- Obtained \$25 million recovery for hospitals in breach of contract suit against state Medicaid agency
- Trial counsel in successful challenge to state's administration of mental health system
- Lead counsel in successful challenge to state's imposition of illegal data fee on hospitals
- Lead counsel for state hospital and medical associations in litigation successfully opposing conversion of health care contractor to for-profit status

- Defended Seattle Public School’s student assignment policy before the U.S. Supreme Court
- Successfully defended the University of Washington law school’s admissions program
- Defeated class certification in employment class action by university faculty
- Lead counsel in successful jury trial defense of RICO, conspiracy, and medical negligence claims concerning off-label use of bone cement in spine surgery

#### **AWARDS AND RECOGNITION**

- American College of Trial Lawyers, Fellow
- Martindale-Hubbell “AV Preeminent™” rated
- Selected to Washington’s *Super Lawyers* list, 2003, 2005, 2007-2019
- *The American Lawyer and Corporate Counsel*  
Top Rated Lawyers – Healthcare, Litigation, & Appeals
- Listed in *Best Lawyers in America*  
Appellate Practice, 2016, 2020  
Litigation – Health Care, 2016, 2020  
Medical Malpractice – Defendants, 2016 – 2020  
Layer of the Year, Litigation – Health Care, 2019  
Lawyer of the Year, Medical Malpractice – Defendants, 2020

#### **PROFESSIONAL AND COMMUNITY INVOLVEMENT**

- Washington Defense Trial Lawyers  
Trustee, 1995-1998  
Government Liability Section, Chair, 1996-1997  
Technology Committee, Chair, 1997
- Washington State Society of Healthcare Attorneys
- Defense Research Institute

#### **EDUCATION**

**Boston University School of Law, J.D., *cum laude* 1978**

**Clark University, A.B. 1975**

**BAR AND COURT ADMISSIONS**

Washington State Bar Association  
Commonwealth of Massachusetts Bar (inactive)  
U.S. Supreme Court  
U.S. Court of Appeals, Ninth Circuit  
U.S. District Court, Western District of Washington  
U.S. District Court, Eastern District of Washington