



Flaherty
Sensabaugh
& Bonasso, PLLC



Office Address:

200 Capitol Street
Charleston, WV 25301

Phone:

304-347-4232

Fax:

304-345-0260

E-mail:

tflaherty@fsblaw.com

Thomas V. Flaherty

Member

Practice Concentrations:

- Civil Litigation
- Personal Injury Litigation
- Workplace Liability
- Appellate Practice
- Insurance Coverage/Extracontractual Exposure
- Mediation

Education:

- J.D., West Virginia University College of Law (1974)
- B.S., West Virginia University (1971)
 - Business Administration

Court Admissions:

- United States Supreme Court (1993)
- United States Court of Appeals for the Fourth Circuit (1978)
- United States Courts of Appeals for the Sixth Circuit (1978)
- United States Claims Court (1990)
- Supreme Court of Appeals of West Virginia (1974)
- United States District Court for the Southern District of West Virginia (1974)
- United States District Court for the Northern District of West Virginia (1979)

Professional Involvement:

- West Virginia State Bar
 - President (1995-1996)
 - Board of Governors (1985-1987; 1990-1995)
 - Chairman of the Board (1996-1997)
- West Virginia Bar Association
- Defense Trial Counsel of West Virginia (DTCWV)
 - Charter Member
 - Original Officer
- Kanawha County Bar Association (President, 1983-1984)
- West Virginia Law Institute
- Defense Research Institute (DRI)
- Trucking Industry Defense Association (TIDA)
- American Bar Association
- Eastern Mineral Law Foundation (EMLF)

Community Involvement:

- Chairman, Board of Directors, BrickStreet Mutual Insurance Company (January 2009 – Present)
- West Virginia Employers Mutual Insurance Company, d/b/a BrickStreet Insurance, Board of Directors (2006-Present)
- Legal Aid Society of Charleston (Former Member - Board of Directors)
- Ronald McDonald House of Southern West Virginia (Former Member - Board of Directors)
- Daymark, Inc. (Former Member - Board of Directors)
- St. Anthony School Board (Former President)

- Governor's Judicial Advisory Committee (1992-2004)
- Member, West Virginia Roundtable
- Member, Mountaineer Athletic Club of West Virginia University
- Deerfield Village Owners' Counsel (1989-1999, President - 1997-1999)
- Former Coach - Little League Baseball, Grade School Basketball
- Chairman, Board of Directors, BrickStreet Mutual Insurance Company (January 2009 - Present)

Teaching & Lecturing:

- Frequent Lecturer for West Virginia Mandatory Continuing Legal Education Commission, Defense Trial Counsel of West Virginia, West Virginia Trial Lawyers Association, National Business Institute, West Virginia Business Summit, Virginia Trial Lawyers Association, Energy and Mineral Law Foundation and Client Groups. Recent presentations include:
 - *Mediation*, Defense Trial Counsel of West Virginia (2008)
 - *Employer's Immunity Under Workers' Compensation Statutes*, Energy and Mineral Law Foundation (2007)
 - *Joint and Several Liability Law: Changes in the Law and the Impact on Settlement and Litigation Strategies*, West Virginia Trial Lawyers Association (2007)
 - *Insurance Coverage Litigation*, National Business Institute (2007)
 - *Electing Judges in Virginia: Would that Assure Judicial Independence?*, Virginia Trial Lawyers Association Annual Meeting (2005)
 - *Trial Lawyer's Mistakes: Eliminating Yours, Exploiting Theirs*, Virginia Trial Lawyers Association 43rd Annual Convention (2002)

Writings & Publications:

- *Employers' Immunity Under Workers' Compensation Statutes: Deal or No Deal?*, 28th Annual Energy and Mineral Law Institute (2007)
- *Developments in West Virginia's Insurance Bad Faith Law - Where Do We Go From Here?*, 98 West Virginia Law Review 267 (1995)
- *Constitutional Law - Due Process of Law - Creditors' Rights and Prejudgment Remedies*, 76 West Virginia Law Review 24 (1973)
- *Insurance Coverage Litigation*, National Business Institute (2007)
- *How to Evaluate and Settle Personal Injury Claims in West Virginia*, Professional Education Systems, Inc. (1992)
- *Avoiding Reversible Error in Examination of Witnesses and Jury Argument*, West Virginia Continuing Legal Education (1983)

Awards & Honors:

- The Best Lawyers in America (1995-Present)
 - Named "Charleston, West Virginia *Best Lawyers* Personal Injury Litigator of the Year" (2009)
- West Virginia Super Lawyers
 - Top Ten, First Edition (2007)
 - Top Ten (Second Top Point Getter (2008))
- Martindale-Hubbell Peer-Review Rated AV®
- American College of Trial Lawyers, Fellow (Inducted 1996)
- International Academy of Trial Lawyers, Fellow (Elected 1999)
- American Board of Trial Advocates (ABOTA), Advocate (Inducted 1996)
- International Association of Defense Counsel (IADC) (Inducted 2003)
- West Virginia Bar Foundation, Fellow (Inducted 2003)
- Fourth Circuit Judicial Conference, Permanent Member
- American Inns of Court, Judge John A. Field, Jr. Chapter (Charter Member)
- Chambers USA, America's Leading Lawyers for Business (2005-Present)

- Outstanding Service Award - DTCWV
- Outstanding Service Award - West Virginia State Bar

Reported Cases:

- *State ex rel. Citifinancial, Inc. v. Madden*, 672 S.E.2d 365 (W.Va. 2008)
- *Horkulic v. Galloway*, 222 W.Va. 450, 665 S.E.2d 284 (2008)
- *West Virginia University Board of Governors ex rel West Virginia University v. Rodriguez*, 543 F.Supp.2d 526 (N.D.W.Va. 2008)
- *Wetzel v. Employers Service Corp. of West Virginia*, 221 W.Va. 610, 656 S.E.2d 55 (2007)
- *In re Tobacco Litigation*, 218 W.Va. 301, 624 S.E.2d 738 (W.Va., 2005)
- *Goodwin v. Bayer Corp.*, 218 W.Va. 215, 624 S.E.2d 562 (W.Va. 2005)
- *Bennett v. Asco Services, Inc.*, 218 W.Va. 41, 621 S.E.2d 710 (W.Va. 2005)
- *Deskins v. S.W. Jack Drilling Co.*, 215 W.Va. 525, 600 S.E.2d 237 (W.Va. 2004)
- *State ex rel. E.I. Dupont De Nemours and Co. v. Hill*, 214 W.Va. 760, 591 S.E.2d 318 (W.Va., 2003)
- *Stafford EMS, Inc. v. J.B. Hunt Transport, Inc.*, 270 F.Supp.2d 773 (S.D.W.Va. 2003)
- *Marks v. Watters*, 322 F.3d 316 (W.Va. 2003)
- *Marks v. West Virginia Dept. of Health & Human Resources*, 181 F.Supp.2d 639 (S.D.W.Va. 2002)
- *Shonk Land Co., LLC v. Ark Land Co.*, 170 F.Supp.2d 660 (S.D.W.Va. 2001)
- *Westwood v. Fronk*, 177 F.Supp.2d 536 (N.D.W.Va. 2001)
- *Harris v. Allstate Ins. Co.*, 208 W.Va. 359, 540 S.E.2d 576 (W.Va. 2000)
- *State ex rel. Huffman v. Stephens*, 206 W.Va. 501, 526 S.E.2d 23 (W.Va. 1999)
- *Devine v. American Ben. Corp.*, 56 F.Supp.2d 679 (S.D.W.Va. 1999)
- *Devine v. American Ben. Corp.*, 27 F.Supp.2d 669 (S.D.W.Va. 1998)
- *State ex rel. Erie Fire Ins. Vo. v. Madden*, 204 W.Va. 606, 515 S.E.2d 351 (W.Va. 1998)
- *Hager v. Marshall*, 202 W.Va. 577, 505 S.E.2d 640 (W.Va. 1998)
- *Matter of Starcher*, 202 W.Va. 55, 501 S.E.2d 772 (W.Va. 1998)
- *Stump v. Ashland, Inc.*, 201 W.Va. 541, 499 S.E.2d 41 (W.Va. 1997)
- *State ex rel. West Virginia Fire & Cas. Co. v. Karl*, 199 W.Va. 678, 487 S.E.2d 336 (W.Va. 1997)
- *Costilow v. Elkay Min. Co.*, 200 W.Va. 131, 488 S.E.2d 406 (W.Va. 1997)
- *State ex rel. Blankenship v. Richardson*, 196 W.Va. 726, 474 S.E.2d 906 (W.Va. 1996)
- *Wisman v. William J. Rhodes and Shamblyn Stone, Inc.*, 191 W.Va. 542, 447 S.E.2d 5 (W.Va. 1994)
- *Powroznik v. C. & W. Coal Co.*, 191 W.Va. 293, 445 S.E.2d 234 (W.Va. 1994)
- *Henderson v. Meredith Lumber Co., Inc.*, 190 W.Va. 292, 438 S.E.2d 324 (W.Va. 1993)
- *Kaiser Aluminum and Chemical Corp. v. Westinghouse Elec. Corp.*, 981 F.2d 136 (W.Va. 1992)
- *United Mine Workers of America v. Faerber*, 179 W.Va. 73, 365 S.E.2d 353 (W.Va. 1986)
- *United Mine Workers of America v. Faerber*, 179 W.Va. 65, 365 S.E.2d 345 (W.Va. 1986)
- *Farmer v. L. D. I., Inc.*, 169 W.Va. 305, 286 S.E.2d 924 (W.Va. 1982)
- *Mollohan v. Black Rock Contracting, Inc.*, 160 W.Va. 446, 235 S.E.2d 813 (W.Va. 1977)