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TOP Labor & Employment Lawyers 2024



Mark T. Quigley

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Mark T. Quigley's legal career spans 35 years and was primarily dedicated to insurance bad faith and employment law. In recent years, his practice has exclusively focused on employment law, a field he is deeply passionate about due to his personal history. He said witnessing his father's unjust treatment and subsequent firing by an insurance company for standing up to its president has profoundly influenced his commitment to workers' rights and fighting against workplace mistreatment.

"Employment law was a relatively new area in the 1980s. I remember when the

aerospace industry in Southern California was laying off workers by the thousands, many of whom felt they had been unlawfully terminated after decades of service," Quigley said. "There was little established law back then, and I was eager to pioneer and advocate for these displaced workers."

Among Quigley's notable achievements was securing a \$39 million jury verdict last August for a whistleblower doctor after UC San Diego failed to renew his employment contract. *Murphy v. The Regents of the University of California*, 37-2020-00032541 (S.D. Super. Ct., filed Sept. 16, 2020).

The trial centered on allegations of a \$10 million research gift being improperly diverted to the Moores Cancer Center by the university, leading to severe retaliation and termination of the whistleblower when he reported the misconduct.

"One of the main obstacles we had to overcome was that a Regents' employee fabricated documents, which led to a comprehensive investigation by nationally renowned attorneys," Quigley said. "This investigation, a pivotal part of our case, concluded that our client, Dr. Murphy, had violated UC policies and misused government property and resources."

Quigley also represents Dr. Aram Bonni, a surgeon, who complained to the vice president of medical affairs at Mission Hospital in October 2009 about defective equipment in its robotic surgery program, which he claimed ad-

versely affected patient care. Quigley said Bonni alleged that in retaliation for his complaints, Mission Hospital and St. Joseph Hospital of Orange suspended his hospital privileges and conducted an unwarranted peer review against him. *Bonni v. St. Joseph Health System* (2021) 11 Cal. 5th 995.

"The hospitals responded with an 'anti-SLAPP' motion, asserting that the conduct involved in Dr. Bonni's retaliation claim was protected peer review activities, and their actions were motivated by concerns for patient safety due to Dr. Bonni's alleged poor surgical technique," Quigley said.

The California Supreme Court overturned the lower court's ruling, allowing the case to return twice to the Appellate court and, ultimately, the Orange County trial court for further proceedings. The Supreme Court's decision emphasized the importance of both protecting the confidentiality of peer review processes and ensuring that whistleblowers are safeguarded against retaliation.

"The ruling has profound implications for the medical community and healthcare institutions," Quigley said. "It underscores the need to respect the privacy and confidentiality of peer review to ensure doctors can candidly evaluate each other's performance without fear of legal repercussions. This protection is vital for maintaining high standards of patient care."