

## **CURRICULUM VITAE**

### **BERNARD S. VALLEJOS**

**FARRELL, WHITE & LEGG PLLC**  
**The Farrell Building**  
**914 Fifth Avenue**  
**P.O. Box 6457**  
**Huntington, West Virginia 25772-6457**  
**Telephone: (304) 522-9100**  
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### **PROFESSIONAL**

**FARRELL, WHITE & LEGG PLLC**  
Member  
Huntington, West Virginia  
(2013 – present)

**MARSHALL UNIVERSITY**  
**ADJUNCT INSTRUCTOR**  
College of Information Technology and Engineering  
Weisberg Division of Engineering  
Huntington, West Virginia  
(2016, present)

**FARRELL, WHITE & LEGG PLLC**  
Senior Associate  
Huntington, West Virginia  
(2011 – 2012)

**FARRELL, FARRELL & FARRELL, PLLC**  
Associate  
Huntington, West Virginia  
(2005 – 2010)

**FARRELL, FARRELL & FARRELL, PLLC**  
Law Clerk / Summer Associate  
Huntington, West Virginia  
(Summer 2004)

**MASSACHUSETTS ASSOCIATION OF HEALTH PLANS (MAHP)**  
Intern  
Boston, Massachusetts  
(Summer 2003)

## **EDUCATION**

**BOSTON UNIVERSITY SCHOOL OF LAW**  
Boston, Massachusetts  
*Juris Doctor*, Concentration in Health Law, 2005

**UNIVERSITY OF NOTRE DAME**  
Notre Dame, Indiana  
Bachelor of Arts, Philosophy and Pre-Professional Studies/Pre-Medicine, 2002  
*Cum Laude*

## **PROFESSIONAL ORGANIZATIONS AND SOCIETIES**

International Association of Defense Counsel (IADC)  
➤ Dine Around Chair, Annual Meeting (2019)

Defense Trial Counsel of West Virginia (DTCWV)  
➤ Board of Governors, 2014 – present  
➤ Chair of Medical Liability Committee, 2010 – 2011  
➤ Vice Chair of Medical Liability Committee, 2007 – 2010  
➤ Steering Committee Member for various programs initiated by Young Lawyers Committee, 2009 – 2015

Defense Research Institute (DRI)  
➤ Vice Chair of Medical Liability and Health Care Law Committee Online Community, 2014 – 2016  
➤ Membership Vice Chair of Medical Liability and Health Care Law Committee, 2009 – 2013  
➤ Young Lawyers Liaison Vice-Chair of Medical Liability and Health Care Law Committee, 2007 – 2009

West Virginia State Bar  
American Bar Association  
Cabell County Bar Association

## **AWARDS & RECOGNITIONS**

Best Lawyers in America  
➤ Medical Malpractice Law – Defendants (2019)  
➤ Litigation – Health Care (2019)

- Health Care Law (2017 – present)
- Defense Trial Counsel of West Virginia (2018)
- Best Newsletter Article by Regular Member, for  
“Laying the Proper Foundation for the Introduction of  
Documentary Evidence at Trial”
- The State Journal (2017)
- Generation Next: 40 Under 40 Winner
- Chambers USA
- Up and Coming (2017 – present)
- Recognised Practitioner (2016 – 2017)
- Martindale-Hubbell (2015 – present)
- Distinguished (4.3 out of 5)
- Super Lawyers (2014 – present)
- Rising Star in Defense: Products Liability
- Defense Trial Counsel of West Virginia (2014)
- First ever recipient of Young Lawyer of the Year award

## **FEDERAL COURT PRACTICE**

Admitted to United States District Court for the Southern District of West Virginia since 2005

## **STATE COURT PRACTICE**

Admitted to practice before all Courts in West Virginia since 2005

Admitted to practice before all Courts in Kentucky since 2015

## **BOOK CHAPTERS PUBLISHED**

Tamela J. White & Bernard S. Vallejos, *Key Federal Agencies Regulating Pharmaceuticals*, in Michael E. Clark, Pharmaceutical Law: Regulation of Research, Development, and Marketing, ABA Health Law Section (2007).

Tamela J. White & Bernard S. Vallejos, *Key Federal Agencies Regulating Pharmaceuticals*, in Michael E. Clark, Pharmaceutical Law: Regulation of Research, Development, and Marketing, ABA Health Law Section, 2008 Supplement (2008).

Tamela J. White & Bernard S. Vallejos, *Key Federal Agencies Regulating Pharmaceuticals*, in Michael E. Clark, Pharmaceutical

Law: Regulation of Research, Development, and Marketing, ABA Health Law Section, 2009 Cumulative Supplement (2009).

Tamela J. White & Bernard S. Vallejos, *Key Federal Agencies Regulating Pharmaceuticals*, in Michael E. Clark, Pharmaceutical Law: Regulation of Research, Development, and Marketing, ABA Health Law Section, 2010 Cumulative Supplement (2010).

Tamela J. White & Bernard S. Vallejos, *Key Federal Agencies Regulating Pharmaceuticals*, in Michael E. Clark, Pharmaceutical Law: Regulation of Research, Development, and Marketing, ABA Health Law Section, 2011 Cumulative Supplement (2011).

Tamela J. White & Bernard S. Vallejos, *Key Federal Agencies Regulating Pharmaceuticals*, in Michael E. Clark, Pharmaceutical Law: Regulation of Research, Development, and Marketing, ABA Health Law Section, 2012 Cumulative Supplement (2012).

Tamela J. White & Bernard S. Vallejos, *Key Federal Agencies Regulating Pharmaceuticals*, in Michael E. Clark, Pharmaceutical Law: Regulation of Research, Development, and Marketing, ABA Health Law Section, 2013 Cumulative Supplement (2013).

Tamela J. White & Bernard S. Vallejos, *Key Federal Agencies Regulating Pharmaceuticals*, in Michael E. Clark, Pharmaceutical Law: Regulation of Research, Development, and Marketing, ABA Health Law Section, 2014 Cumulative Supplement (2014).

Tamela J. White & Bernard S. Vallejos, *Key Federal Agencies Regulating Pharmaceuticals*, in Michael E. Clark, Pharmaceutical Law: Regulation of Research, Development, and Marketing, ABA Health Law Section (2d ed. 2015).

Tamela J. White & Bernard S. Vallejos, *State Regulatory Schemes for Pharmaceuticals and Related Issues*, in Michael E. Clark, Pharmaceutical Law: Regulation of Research, Development, and Marketing, ABA Health Law Section (2d ed. 2015).

Tamela J. White & Bernard S. Vallejos, *Key Federal Agencies Regulating Pharmaceuticals*, in Michael E. Clark, Pharmaceutical Law: Regulation of Research, Development, and Marketing, ABA Health Law Section, 2d ed. 2016 Supplement (2016).

Tamela J. White & Bernard S. Vallejos, *State Regulatory Schemes for Pharmaceuticals and Related Issues*, in Michael E. Clark, Pharmaceutical Law: Regulation of Research, Development, and

Marketing, ABA Health Law Section, 2d ed. 2016 Supplement (2016).

Tamela J. White & Bernard S. Vallejos, *Key Federal Agencies Regulating Pharmaceuticals*, in Michael E. Clark, Pharmaceutical Law: Regulation of Research, Development, and Marketing, ABA Health Law Section, 2d ed. 2017 Supplement (2017).

Tamela J. White & Bernard S. Vallejos, *State Regulatory Schemes for Pharmaceuticals and Related Issues*, in Michael E. Clark, Pharmaceutical Law: Regulation of Research, Development, and Marketing, ABA Health Law Section, 2d ed. 2017 Supplement (2017).

Tamela J. White & Bernard S. Vallejos, *Key Federal Agencies Regulating Pharmaceuticals*, in Michael E. Clark, Pharmaceutical Law: Regulation of Research, Development, and Marketing, ABA Health Law Section, 2d ed. 2018 Supplement (2018).

Tamela J. White & Bernard S. Vallejos, *State Regulatory Schemes for Pharmaceuticals and Related Issues*, in Michael E. Clark, Pharmaceutical Law: Regulation of Research, Development, and Marketing, ABA Health Law Section, 2d ed. 2018 Supplement (2018).

## **LEGAL PUBLICATIONS**

Bernard S. Vallejos, *Fraud and Abuse: Standards Promulgated for Complaints Alleging Violations of the False Claims Act (“FCA”) and Clarification of Provisions of the FCA* – U.S. ex rel. Bledsoe v. Community Health Systems, Inc., 29 AM. J.L. & MED. 545 (2003).

Bernard S. Vallejos, *The Status of Expert Witness Testimony in West Virginia – State and Federal Standards*, DEFENSE TRIAL COUNSEL OF WEST VIRGINIA 2007 ANNUAL MEETING NOTEBOOK OF ARTICLES (2007).

Bernard S. Vallejos, *The Status of Expert Witness Testimony in West Virginia – A Review of State and Federal Standards*, DEFENSE TRIAL COUNSEL OF WEST VIRGINIA 2008 ANNUAL MEETING NOTEBOOK OF ARTICLES (2008).

Bernard S. Vallejos and Natalie Chapin Shaefer, *Recent Product Liability Decisions in Virginia*, included in Cynthia P. Arends and

R. Craig Mayfield, *Red, Orange, Yellow, Green, Blue, Indigo, Violet: Full Spectrum of Recent Product Decisions*, DEFENSE RESEARCH INSTITUTE 2009 PRODUCT LIABILITY CONFERENCE COURSE MATERIALS (2009).

Bernard S. Vallejos, *An Update on the Law of Experts in West Virginia*, WEST VIRGINIA CONTINUING LEGAL EDUCATION (2009).

Bernard S. Vallejos, *Medical Malpractice Liability Update*, WEST VIRGINIA CONTINUING LEGAL EDUCATION (2011).

Bernard S. Vallejos, *Overview of the September 2, 2014 Amendments to the West Virginia Rules of Evidence*, DEFENSE TRIAL COUNSEL OF WEST VIRGINIA 2015 ANNUAL MEETING NOTEBOOK OF ARTICLES (2015).

Bernard S. Vallejos, *Federal Circuit Products Liability Case Law Update*, included in Jonathan M. Hoffman, *Case Law Update*, DEFENSE RESEARCH INSTITUTE 2015 PRODUCTS LIABILITY CONFERENCE COURSE MATERIALS (2015).

Bernard S. Vallejos and Susan Carleo, *Sepsis: The Medicine, Claims, and Defenses*, DEFENSE RESEARCH INSTITUTE 2016 MEDICAL LIABILITY AND HEALTH CARE LAW COURSE MATERIALS (2016).

Bernard S. Vallejos and Susan Carleo, *Sepsis: The Medicine, Claims, and Defenses*, DEFENSE RESEARCH INSTITUTE MARCH 2016 FOR THE DEFENSE (2016).

Bernard S. Vallejos and Susan Carleo, *Sepsis: The Medicine, Claims, and Defenses*, J. LEGAL NURSE CONSULTING, 27:22-30 (2016).

Bernard S. Vallejos and Erik W. Legg, *Supreme Court of Florida Rules Medical Malpractice Noneconomic Damages Caps Unconstitutional . . . Again*, INTERNATIONAL ASSOCIATION OF DEFENSE COUNSEL JULY 2017 COMMITTEE NEWSLETTER, MEDICAL DEFENSE AND HEALTH LAW (2017).

Bernard S. Vallejos and Bradley D. Dunkle, *Laying the Proper Foundation for the Introduction of Documentary Evidence at Trial*, DEFENSE TRIAL COUNSEL OF WEST VIRGINIA FALL 2017 NEWSLETTER (2017).

Bernard S. Vallejos, *Subject Matter Jurisdiction in the Context of Pre-Suit Notice Requirements for Medical Professional Liability Act Cases – A Review of State ex rel. PrimeCare Medical of West Virginia, Inc. v. Faircloth, et al.*, DEFENSE TRIAL COUNSEL OF WEST VIRGINIA FALL 2019 NEWSLETTER (2020).

## **PRESENTATIONS**

Bernard S. Vallejos, *Admissibility of Expert Witness Testimony in State and Federal Courts in West Virginia*

- Defense Trial Counsel of West Virginia 2008 Annual Meeting, Glade Springs Resort, Beckley, West Virginia

Bernard S. Vallejos, *Medical Malpractice Liability Update*

- West Virginia Continuing Legal Education 2011 “Litigation” Seminar, Canaan Valley Resort, Davis, West Virginia

Bernard S. Vallejos, *Objecting at Deposition*

- Defense Trial Counsel of West Virginia 2011 Deposition Boot Camp, Jackson Kelly, PLLC, Charleston, West Virginia

Bernard S. Vallejos, *Social Media and the Law Office* (Moderator)

- Lorman Education Services 2012 Social Media Law Seminar, Holiday Inn Express Civic Center, Charleston, West Virginia

Bernard S. Vallejos, *Issues Arising with Electronic Medical Records* (Moderator)

- Lorman Education Services 2012 Medical Records Law Seminar, Holiday Inn Express Civic Center, Charleston, West Virginia

Bernard S. Vallejos, *Discovery Strategies*

- Defense Trial Counsel of West Virginia 2013 Evidence and Discovery Seminar, Jackson Kelly PLLC, Charleston, West Virginia

Bernard. S. Vallejos and Susan Carleo, *Sepsis: The Medicine, Claims, and Defenses*

- Defense Research Institute 2016 Medical Liability and Health Care Law Seminar, Marriott New Orleans, New Orleans, Louisiana

Bernard S. Vallejos, *To Snoop or Not to Snoop: That is the Question; Discovery Via Social Media and Other “Non-Traditional” Resources*

- Defense Trial Counsel of West Virginia 2017 Evidence and Discovery Seminar, Robinson & McElwee, PLLC, Charleston, West Virginia

Bernard S. Vallejos, *Ethics of Social Media Discovery*

- Defense Trial Counsel of West Virginia 2018 Annual Meeting, Stonewall Jackson Resort, Roanoke, West Virginia

Bernard S. Vallejos, *Recent Amendments to the West Virginia Peer Review Statute*

- Legal Assistants Paralegals of Southern West Virginia (LAPSWV) 2019 Spring Meeting, Mountwest Community & Technical College, Huntington, West Virginia

## **REPORTED OPINIONS**

*Dellinger v. Pediatrix Medical Group, P.C.*, 232 W. Va. 115, 750 S.E.2d 668 (2013).

*Hurley v. Wayne County Board of Education, et al.*, Civil Action No. 3:16-9949, 2017 WL 2454325 (S.D. W. Va. June 6, 2017).

*Callihan v. Surnaik Holdings of WV, LLC*, Civil Action No. 2:17-cv-04386, 2018 WL 6313012 (S.D. W. Va. Dec. 3, 2018).

*Haywood v. Caretta Minerals, LLC*, Civil Action No. 1:19-00264, 2020 WL 1520245 (S.D. W. Va. Mar. 30, 2020).

## **BOSTON UNIVERSITY** **SCHOOL OF LAW** **HONORS & ACCOMPLISHMENTS**

American Journal of Law and Medicine

- Managing Editor, 2004 – 2005
- Associate Editor, 2003 – 2004

Extern in the Office of the General Counsel of Partners Healthcare System in Boston, Massachusetts

Health Law Association Executive Board Member

Student Representative for National Student Health Law Association

Member of Student Judicial Panel



Student Advisor  
GEAR UP Mentor  
Assistant Captain for BU Law Intramural Soccer Team

**UNIVERSITY OF  
NOTRE DAME  
HONORS & ACCOMPLISHMENTS**

*Cum Laude* graduate  
Dean's List (multiple semesters)  
Teaching Assistant for Biology 201L  
Member of Housing Committee for 3<sup>rd</sup> National Undergraduate  
Conference for Bioethics  
Tutor in Program for Underprivileged Children: "There Are  
Children Here"

**COMMUNITY  
ACTIVITIES & AWARDS**

Key Note Speaker, St. Joseph Central Catholic High School 2020  
Virtual Commencement, 2020  
Coach, St. Joseph Vex Robotics Elementary School Team 34107F,  
2019-present  
Member of Board of Directors for Brady Steps Charitable  
Foundation, 2017 – present  
Member of Board of Advisors for St. Joseph Catholic Grade  
School, 2014 – present  
Cubmaster, Boy Scouts of America, Buckskin  
Council, Adena District, Pack 14, 2017 – present  
Webelos Den Leader, Boy Scouts of America, Buckskin  
Council, Adena District, Pack 14, 2018 – present  
Bear Scout Den Leader, Boy Scouts of America, Buckskin  
Council, Adena District, Pack 14, 2017 – 2018  
Fund Development Chair, Boy Scouts of America, Buckskin  
Council, Adena District, 2016 – 2017  
Wolf Scout Den Leader, Boy Scouts of America, Buckskin  
Council, Adena District, Pack 14, 2016 – 2017  
Cub Scouter of the Year, Boy Scouts of America, Buckskin  
Council, Adena District, 2016  
Tiger Scout Den Leader, Boy Scouts of America, Buckskin  
Council, Adena District, Pack 14, 2015 – 2016  
Grade Captain for St. Joseph Catholic Grade School Annual Fund  
2013 – 2015  
Coach for YMCA Youth Soccer  
2012 – 2016  
Member of Physical Education Committee of YMCA

2009 – 2015  
Assistant Coach for St. Joseph Central Catholic High School  
Men's Soccer Team, 2005 – 2008