

Of Counsel
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(808) 537-6100

Education:

Indiana University
J.D. (1977), Cum Laude
American Jurisprudence Award, Property Law

Purdue University
B.A. (1973)

Areas of Practice:

Commercial Litigation, Professional Negligence, Personal Injury, Medical Malpractice, Wrongful Death, Substantial Economic Loss/Product Defects, Corporate and Commercial, Shareholder Derivative and Direct Claims in Closely Held Corporations, White Collar Criminal Defense, 3rd Party Aspects of Work Injuries, Consumer Fraud, Unfair Deceptive Business Practices

Admissions:

Licensed in Hawai'i (1978)
Licensed in Indiana (1977, inactive)
Admitted to practice on cases in Colorado and the 9th and 11th Federal Circuit Courts of Appeals

Professional Activities:

Hawaii State Bar Assoc., CLE Committee Chair
Hawaii Supreme Court Professionalism Committee
Lawyer Representative, Judicial Conference
American Bar Association
ABOTA (American Board of Trial Advocates)
American Inns of Court
Member of Bench/Bar committees at various times, State and Federal
President, Hawai'i Association for Justice, 2008-09
Hawai'i Women Lawyers
ACLU Hawai'i
American Association of Justice
Pound Civil Justice Institute, Member Fellow

JUDITH ANN PAVEY

Hawaii Commercial Litigation and Honolulu Personal Injury attorney, Judith Ann Pavey has over 45 years of experience in litigation and litigation related alternative dispute resolution. She began her litigation career while still in law school where she received a special certification from the Indiana Supreme Court to act as a prosecutor on criminal cases in Marion County juvenile, misdemeanor and felony courts. Upon graduation she was hired by a high-profile litigator in Hawai'i, where she established her reputation as a skilled and successful lawyer in criminal, personal injury and other civil litigation matters. After 7 years, in 1985 Ms. Pavey started her own firm and continued to focus primarily on plaintiffs' personal injury cases, including those involving medical/legal malpractice and defective products causing substantial physical and/or economic damages. She also continued to handle selected criminal, wrongful termination and sexual harassment cases and worked on construction and contract litigation as well.

Ms. Pavey was one of the lead litigators representing minority shareholders in a closely held corporation involving a federally regulated institution in which both direct and derivative claims were prosecuted. That was successfully resolved in 2008. That lawsuit brought her to Starn O'Toole Marcus & Fisher in September 2008 where she continues to work on commercial and corporate litigation matters, as well as professional negligence cases involving serious physical and economic damages.

Ms. Pavey has been recognized in both commercial litigation and personal injury practice areas.

Ms. Pavey was named to ***The Best Lawyers in America®***, **"Lawyer of the Year"** in Honolulu list, in the practice area(s) of ***Litigation-Banking & Finance*** **(2013, 2018, 2023)**, ***Product Liability Litigation*** **(2014 & 2019)** and ***Medical Malpractice Law*** **(2020, 2023).**

Ms. Pavey is recognized by ***The Best Lawyers in America®*** in the practice areas of Medical Malpractice Law, Personal Injury Litigation-Plaintiff, Product Liability Plaintiff, Appellate Practice, Arbitration, Litigation-Banking & Finance, Construction Litigation and Commercial Litigation.

Ms. Pavey is recognized as a **"Litigation Star"** by ***Benchmark Plaintiff***, and by ***Chambers and Partners USA Leading Lawyers for Business*** in the area of

Litigation: General Commercial.

She has also been selected for inclusion to the **Hawaii *Super Lawyers*®** list, Business Litigation, and selected to the ***2016* Hawaii *Super Lawyers*®, "Top 25"** list. Ms. Pavey has the highest rating ***AV*®** from ***Martindale Hubbell*®** for both her skill and ethics.

Medical Malpractice, Settlement $7M

At birth, C.S' had a shunt implanted into the head to relieve pressure from hydrocephalus. Since the implantation, the shunt developed a history of malfunctioning. It is standard practice to be acutely aware of changes in the child's medical condition, because the changes can signal a shunt malfunction, which, if left untreated, can result in brain damage. There was, in this case, both a failure to investigate changes that had been noted over the days leading up to the ER visit, and then once C.S.' condition was bad enough that the mother rushed the child to the emergency room, the staff and the neurosurgical team did not attend to C.S. with the required urgency. By the time the neurosurgeon physically observed C.S. in the ER, the child's condition was so dire that they performed surgery right in the ER. The delay resulted in severe brain damage.

"Of counsel Judith Pavey is considered a crucial part of the team by those in the market and regularly appears on high-profile international disputes. Her practice incorporates personal injury litigation, as well as product liability disputes."
Chambers and Partners, USA Directory of America's Leading Lawyers for Business

"Judith Pavey is praised for the tenacity and persistence she brings to her litigation and alternative dispute resolution practice."
Chambers and Partners, USA Directory of America's Leading Lawyers for Business

"A very skilled trial lawyer."
Chambers and Partners, USA Directory of America's Leading Lawyers for Business

"Judith Pavey is one of the best attorneys. She is really concerned about the client, understands the problems, and is so knowledgeable in litigation matters. She is a person of high ethics and has great perseverance in her work. She is dedicated, hardworking, and trustworthy.
The Best Lawyers In America©, Client Comment

"Judith Pavey worked on the major business litigation cases that we had and Terry O'Toole was the lead attorney; they were an awesome team. They are both highly knowledgeable and skilled in their field. Judith did outstanding research for our case; we highly recommend her and would use her again."
The Best Lawyers In America©,Client Comment

"Judith Pavey is representing various Hawaiian consumers in a class action suit against Volkswagen regarding its use of a 'defeat device' to cheat in EPA emissions tests. Interviewees note that "she's been around a long time and has a very varied practice." She specializes in medical malpractice, personal injury and product liability claims"
Chambers and Partners, USA Directory of America's Leading Lawyers for Business

"Judith Pavey is one of the best attorneys. She is really concerned about the client, understands the problems, and is so knowledgable in litigation matters. She is a person of high ethics and has great perseverance in her work. She is dedicated, hardworking, and trustworthy."
The Best Lawyers In America©, Client Comment

Judy Pavey is singled out for her depth of experience litigating plaintiff's personal injury cases in addition to medical and professional malpractice. She is called "extremely personable" and effective in communicating to both juries and judges.
Benchmark Litigation Comment

"The "very talented" Judy Pavey has over 40 years' experience, with notable expertise in white-collar criminal matters, in addition to legal and medical malpractice, personal injury, construction and contract litigation.""
Chambers and Partners USA Leading Lawyers for Business, Client Comment