

CURRICULUM VITAE

NAME:

THEODORE BABBITT

PERSONAL DATA:

Date of Birth: January 9, 1942
Married - wife's name: Adrienne
Two children - Phillip; and Andrea

PROFESSIONAL ADDRESS:

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Post Office Box 4426
West Palm Beach, Florida 33402
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Web site: www.babbitt-johnson.com

PROFESSION:

Attorney

PRACTICE AREAS:

Personal Injury; Wrongful Death; Professional
Negligence and Defective Product Litigation

EDUCATION:

University of Florida, Juris Doctor, August 14, 1965.

University of Florida, Bachelor of Arts, cum laude, April 20, 1963.
Psychology.

Palm Beach Junior College, 1960-1961

ADMISSIONS AND CERTIFICATIONS:

The Florida Bar, October, 1965

Supreme Court of the United States, 1969

United States Circuit Court, Eleventh Circuit

United States District Court, Southern District of Florida - Trial Bar

National Board of Trial Advocacy - certified as a Civil Trial Advocate

The Florida Bar - Board Certified Civil Trial Lawyer

Emergency Medical Technician

PROFESSIONAL ASSOCIATIONS:

THE INNER CIRCLE OF ADVOCATES

AMERICAN COLLEGE OF TRIAL LAWYERS

AMERICAN BOARD OF PROFESSIONAL LIABILITY ATTORNEYS

INTERNATIONAL ACADEMY OF TRIAL LAWYERS

AMERICAN BOARD OF TRIAL ADVOCATES

"THE BEST LAWYERS IN AMERICA," published by Woodward White
(twenty years)

WHO'S WHO - THE CONTINENTAL EDITION

AMERICAN MENSA SOCIETY, Life Member

AMERICAN INNS OF COURT, Charter Member

PALM BEACH COUNTY BAR ASSOCIATION

FLORIDA BAR ASSOCIATION

NATIONAL CONFERENCE OF BAR PRESIDENTS

AMERICAN BAR ASSOCIATION

ACADEMY OF FLORIDA TRIAL LAWYERS

THE ASSOCIATION OF TRIAL LAWYERS OF AMERICA

THE AMERICAN SOCIETY OF LAW & MEDICINE

TRIAL LAWYERS FOR PUBLIC JUSTICE

**OFFICES AND
COMMITTEE CHAIRMANSHIPS:**

GOVERNOR'S TASK FORCE ON MEDICAL MALPRACTICE
(Appointed by Governor Bob Graham)

FLORIDA BAR ASSOCIATION

Chairman - Civil Procedure Rules Committee of the Florida Bar, 1976 -1977
(Member 1973 - 2002)

Vice-Chairman - Civil Procedures Rules Committee, 1991

Chairman - Medical Mediation Rules Subcommittee of the Florida Bar, 1980
- 1982

Chairman - Grievance Committee, Palm Beach County, 1981 (Member 1979 - 1981)

Chairman - Medical Malpractice Rules Subcommittee, 1986 - 1988

Chairman - Form Interrogatories Subcommittee, 1986

Chairman - Civil Trial Certification Law Committee, 1988 to 1989

Chairman - Civil Trial Certification Examination Committee, 1987; Vice-Chairman 1986

Chairman - Deposition Conduct, 1995

Florida Medical Association Conciliatory Committee, 1989

Rules of Judicial Administration Committee of the Florida Bar, 2003-2004

PALM BEACH COUNTY BAR ASSOCIATION

President, 1976

President-Elect, 1975

Secretary, 1974

Treasurer, 1973

Member of Board of Directors, 1970-1978

Chairman - Law Week Committee, 1967

Chairman - Medical Legal Committee, 1970-1972

Chairman - Circuit Court Civil Practices Committee 1973-1974

Chairman - Judicial Poll Subcommittee 1986-1988

THE ACADEMY OF FLORIDA TRIAL LAWYERS

Member of Board of Directors, 1982 - 1984 (Member 1965 - present)

Diplomate, 1982 - present

Medical Malpractice Task Force of the Academy of Florida Trial Lawyers - 1993 - present

THE ASSOCIATION OF TRIAL LAWYERS OF AMERICA

Diplomate

Past Co-Dean of Medical Malpractice Specialized Courses of ATLA, 1987 (Member 1965 - present)

PALM BEACH COUNTY LEGAL AID SOCIETY

Vice President, 1977-1978 (Member 1965 to Present)

JOHN MARSHALL BAR ASSOCIATION (Student Bar Association)

President, 1964

Secretary, 1963

**ADDITIONAL
COMMITTEE MEMBERSHIPS**

Federal Practice Committee - Palm Beach County Bar Association, 1974-1975

Trial Lawyer/Judiciary Liaison Committee - Florida Bar Association, 1980.

Abuse of Discovery Subcommittee - Florida Bar Association, 1983-1984

Speakers Bureau - Academy of Florida Trial Lawyers, 1984 - 1987

Medical Malpractice Arbitration Advisory Committee - Palm Beach County Bar Association, 1985 - Present.

Judicial Relations Committee - Palm Beach County Bar Association, 1986 - 1988.

Section of Tort and Insurance Practice - American Bar Association, 1986-87.

THE FLORIDA BAR - FLORIDA MEDICAL ASSOCIATION
CONCILIATORY COMMITTEE, 1989

SUPREME COURT OF FLORIDA - Committee on Appointment and
Assignment of Senior Judges - 2001 - 2003

SUPREME COURT OF FLORIDA - Work Group on Standards on Jury
Panel Sizes - 2004 - 2005

SUPREME COURT OF FLORIDA - Task Force on Management of Cases
Involving Complex Litigation - 2006 - 2008

PUBLICATIONS

Certification Examination Question for Civil Trial Lawyers, Topic:
"Negligence", 1984.

Form Interrogatories for Automobile Negligence cases in conjunction with
membership on Abuse of Discovery Subcommittee.

You CAN Take it With You - the Videotaped Will, by Theodore Babbitt,
Philandrea Press, 10/84.

"Staying Out of Malpractice Suits", for the South Florida Medical Review,
9/85.

Certification Examination Question for Civil Trial Lawyers, Topic: "Medical Malpractice", 1986.

"Hospital Records - Introducing Them as Evidence, Using them at Trial", for TRIAL, The Monthly Magazine of The Association of Trial Lawyers of America, March 1988.

□Refuting ERISA Preemption of State Law Claims in HMO Cases, for Trial Magazine, 5/98.

Author of 141 articles on legal subjects including:

Author of a monthly column in the Palm Beach County Bar Bulletin Commenting on recent cases and published continuously since October of 1978.

LECTURES

"Trial Psychology" to the Trial Lawyers Section of the Florida Bar. Tampa, FL., 10/78 and 10/80.

"The New Wrongful Death Act", to the Florida Bar CLE program in West Palm Beach, Miami and Pensacola, FL 1982.

Lecturer and trial team member for the National Institute of Trial Advocacy. Chapel Hill, N.C., 1977 - 1979.

"Anatomy of a Medical Malpractice Case", to the Academy of Florida Trial Lawyers. Vail, CO., 12/79.

"Law and Medicine", to the Academy of Florida Trial Lawyers in Seminar entitled New Development & Creative Techniques in Personal Injury Litigation. Vail, CO, 12/83

"Legal Liability of EMT's and Paramedics", to the Palm Beach County EMT's and Paramedics, West Palm Beach, FL, 1984.

"Law Office Management" to the Academy of Florida Trial Lawyers in seminar entitled Effective Organization of Your Trial and Trial Preparation. Crested Butte, CO., 3/84.

"The Tort System, Trial by Jury", for the Palm Beach Kiwanis Club, 7/84

"Requests for Admissions and Physical and Mental Examinations of Persons", in conjunction with a Hampton Seminars, Inc. program entitled Documentary and Other Non-Depositional Discovery - Plowing the Paper Trail. Miami and Tampa, FL, 10/85.

"Dealing with Damages in Personal Injury Litigation: Wrongful Death" for the Personal Injury Continuing Legal Education Committee of the Palm Beach County Bar Association. West Palm Beach, FL 2/86.

"Personal Injury Seminar" for the Personal Injury/Wrongful Death Continuing Legal Education Committee of the Palm Beach County Bar Association. West Palm Beach, FL 2/17/87.

"Effective Utilization of Written Interrogatories and Requests to Produce: Plaintiff's Perspective" for the American Bar Association. Orlando, FL 2/18/87.

"How to Stay Out of a Lawsuit" for the Medical Risk Management Seminar of Good Samaritan Health Systems, Inc. West Palm Beach, FL 9/26/87.

"Use of Medical Records in Proving Damages" for the Association of Trial Lawyers of America. Dallas, TX 10/23/87.

"Opening Statement" for 7th Annual Divorce Law Update and 1989 Civil Litigation Conference by the Law Education Institute, Inc. Vail, CO 1/7/89.

"Pretrial and Courtroom Use of Records" for the AFTL 1989 Annual Workhorse Seminar. Tampa, FL 2/2/89.

"Doctors Operating Out of Their Specialty in the Area of Cosmetic Surgery" for the Association of Plastic & Reconstructive Surgery. West Palm Beach, FL 4/12/90.

"Medical Malpractice Update" for The Palm Beach County Bar Association's 8th Annual Personal Injury & Wrongful Death Seminar. West Palm Beach, FL 3/28/91.

"Medical Malpractice" for The New Mexico Trial Lawyers Foundation Convention, The Ultimate Seminar, Santa Fe, New Mexico 6/21-22/91.

"Closing Deals: Tips from the Veterans" for the AFTL Settlement, Demand Packages & Technology Seminar in Miami, FL 9/19/96.

"Deposing the Adverse Oncologist in a Failure to Diagnose Breast Cancer Case" for the ATLA 1997 Winter Convention, Boca Raton, FL 1/20/97.

"Spoliation Overcoming the Defense Objections of Risk Management Peer Review and Attorney/Client" for the Inner Circle Convention, Williamsburg, VA 10/12-17, 1997.

"Pathology Malpractice - Seeing Cancers that Aren't There or Missing Cancers That are There" for the Inner Circle Convention, Williamsburg, VA 10/12-17/97.

“Cross-Examining Medical Experts” for the Palm Beach County Bar Associations 15th Annual Personal Injury and Wrongful Death Seminar, West Palm Beach, FL 3/5/98.

“Effectively Deposing the Defense Expert in the Medical Malpractice Case” for The Academy of Florida Trial Lawyers, Orlando, FL 6/25/98.

“Error in Medicine” for the Palm Beach County Society of Plastic & Reconstructive Surgeons, Manalapan, FL 11/9/99.

“Medical Malpractice Case Law Update” for the Academy of Florida Trial Lawyers, Tampa, FL, 5/22/00.

“Winning Your Case at Trial - How to Get the Job Done” for the Academy of Florida Trial Lawyers, Tampa, FL, 2/21/02.

“Medical Malpractice: Current Threats to Winning a Medical Malpractice Case” for the Academy of Florida Trial Lawyers, Orlando, FL, 3/21/02 and Ft. Lauderdale, FL, 3/22/02.

“Cross Examination of Defendant’s Expert” for the Palm Beach County Bar Association, West Palm Beach, FL, 4/5/02.

“Jury Selection: Varied Perspectives” for the Palm Beach County Trial Lawyers Association, West Palm Beach, 4/24/03.

“Technology for Trial Lawyers” for the Palm Beach County Trial Lawyers Association, Palm Beach, 5/9/03.

“Deposition of Expert Witness” for Lorman Education Services, West Palm Beach, 12/3/03.

“Drug Eluting Stents” for Mass Torts Made Perfect, Las Vegas, 3/30/07.

PUBLIC SERVICE

THE BLUE RIBBON PANEL FOR WXEL, TV 42 - FM 90.7 -Served as Chairman 1992-93

Lead counsel Babbitt v City of North Palm Beach (action to preserve the Winter Club as a national historic building)

Charter member - Board of Directors Florida Children’s First, 2002 – present (dedicated to systemic improvement of State of Florida child custody system by pro bono representation)

Co-lead counsel in Bonnie L v State of Florida (class action on behalf of 18,000 children in State custody), pro bono representation

Counsel and Board Member of Association for Responsible Medicine, (1993 – 2002) (victims rights organization)

Rev. 5/15/03
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