

**Neal C. Lutterman**  
Of Counsel

“Prompt and effective communication with clients, combined with thorough preparation and aggressive advocacy form the bedrock of my practice philosophy. My goal, at the end of every case, is to leave my client feeling like my service was guided by these principles and that they were well-represented at every step in the process.”

**About Neal C. Lutterman**

Neal C. Lutterman joined Wilke, Fleury in an Of Counsel capacity in 2015. Neal’s practice focuses on the defense of physicians, hospitals, medical groups and allied healthcare providers in professional liability matters. For three and a half years prior to joining the firm, Neal was a Deputy City Attorney with the City of Stockton where he served as the Litigation Division Supervisor and was a member of the City’s municipal bankruptcy project management team. Neal also served as the primary advisory attorney to a number of key City departments, including the Police Department, Fire Department, Administrative Services Department (Finance, Budget, Accounting, Information Technology and Revenue), as well as Code Enforcement Division. Prior to his tenure with the City of Stockton, Neal was a shareholder in the litigation firm of Riggio Mordaunt Kelly & Lutterman. For nearly 15 years, Neal represented physicians, surgeons, hospitals and medical groups in professional negligence actions. Neal also successfully represented physicians before the Medical Board of California and in proceedings before hospital credentialing committees.

**Practice Areas**

- Professional Liability Defense
- Business Litigation
- Municipal Law
- Civil Rights Litigation

**Education**

- University of the Pacific: J.D. with Distinction (1994)
- University of California, Irvine: B.A. (1991)

**Professional Experience**

- September 2011-January 2015 Deputy City Attorney-City of Stockton
- January 2003-August 2011 Riggio, Mordaunt, Kelly & Lutterman: Shareholder
- April 1997-December 2002 Riggio, Mordaunt & Kelly: Associate
- November 1995-April 1997 Zumbrun & Findley: Associate

**Representative Matters**

- Jane Doe v. Family Practitioner. San Joaquin County Superior Court. Defense verdict (9-3 on causation) after nine trial days. Case involved allegations of a negligently directed referral by primary care physician resulting in the patient being lost to follow up and an over 2 year delay in the diagnosis of nasopharyngeal carcinoma. When the patient finally did return for follow up, she was diagnosed with stage 4b disease. After

undergoing lengthy treatment, she recovered. At the time of trial, she was still cancer free, however, the plaintiff's expert testified that she had a significantly decreased life expectancy. Plaintiff blackboarded damages in excess of \$1 million.

- Jane Doe v. Ob/Gyn. San Joaquin County Superior Court. Defense verdict (11-1) after eight trial days. Plaintiff alleged negligent treatment of dysfunctional uterine bleeding, followed by negligent laparoscopic assisted vaginal hysterectomy by a gynecologist/surgeon. During the procedure, the patient suffered a rent in the bowel. Following surgery, the patient developed multiple organ failure, but failed to present any classical symptoms of peritonitis, resulting in a delayed diagnosis of the bowel injury. The patient's recovery was long and difficult with a lengthy ICU stay, wound dehiscence and wound healing by secondary intention. Plaintiff blackboarded damages in excess of \$ 1 million.
- John Doe v. Occupational Medicine Physician. San Joaquin County Superior Court. Defense verdict (12-0) after 13 trial days. Plaintiff alleged negligent treatment by an occupational medicine specialist of a penetrating wound through the bottom of the great toe, resulting in a joint space infection. After lengthy follow up care, the patient complained of intractable pain resulting in the eventual amputation of the great toe. Plaintiff blackboarded damages in excess of \$800,000.

#### **Licenses And Admissions**

- State Bar of California
- Admitted to practice before all courts of the State of California
- Admitted to appear before the United States District Court, Eastern, Northern and Central Districts

#### **Professional Involvement and Memberships**

- State Bar of California
- San Joaquin County Bar Association
- Consuelo M. Callahan Inn of Court: Barrister Member 2006-2009
- Board of Governors, San Joaquin County Bar Association 2003-2006
- San Joaquin County Bar Association MCLE Committee Co-Chair
- Past Member, Association of Defense Counsel

#### **Civic and Community Involvement**

- Former Board Member, American Lung Association, Valley-Lode Branch
- Leadership Stockton, Class of 2000

#### **Personal**

Married to Joy Redmon for fifteen years with two children, Sydney and Tommy. Pastimes include cycling, hiking and snowshoeing, honing his skills as an amateur chef, and completing a never-ending list of home improvements.