

# Edna McLain

Chicago, IL

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## PARTNER

***Edna McLain serves clients throughout Wisconsin, Illinois and Missouri.***

### Overview

In her 17 years of practicing law, Edna has developed a practical and pragmatic approach to resolving cases. Today, she is a fierce advocate with a calm demeanor. As a radio personality in college, Edna learned to get her message across to an audience quickly in the time she was allotted to speak. She draws on that experience today, as she forms oral arguments to solve problems.

As a member of the firm's Health Care Service Group, Edna defends hospitals, physicians, nurses and oral surgeons in complex medical negligence cases. She works with clients to coordinate discovery responses, prepares clients for depositions, negotiates settlements, prepares and argues motions, and manages trial preparation. She has tried multiple medical negligence cases to defense verdicts and has successfully argued an appeal before the Illinois Second District Appellate Court. Edna is licensed to practice in Illinois, Wisconsin and Missouri.

Edna also defends hospitals, religious and nonprofits institutions in sexual abuse claims. She has handled both pre-suit investigations of and litigated sexual abuse claims and provided advice and counsel to manage such claims that are both covered and not covered by insurance policies.

Edna has previous experience managing thousands of trial-set asbestos cases in several jurisdictions from filing, and when necessary, to verdict. She has assisted clients in preparing corporate representative witnesses for deposition, managed large-scale document productions, and coordinated discovery for cases pending in both state and federal court and negotiated several cases to favorable settlements. Lastly, Edna has represented clients in a variety of tort claims, including motor vehicle accidents, premises liability matters, and complex products liability cases.

### SERVICES

Behavioral Health Care Providers

Health Care

Nonprofit Institutions & Tax-Exempt Organizations

### EDUCATION

Saint Louis University School of Law, J.D., 2002

University of Illinois at Urbana-Champaign, B.A., 1999

### ADMISSIONS

Illinois

Missouri

Wisconsin

## Experience

Defense of Religious and Nonprofit Institutions in Sexual Abuse Claims

Favorable Settlement for an Outpatient Center in a Premises Liability Case

Established a New Business Plan and Labor and Employment Compliance for an Expanding Therapy Group

Defense Verdict Secured for Orthopedic Surgeon in Medical Negligence Case Involving Complications from Hip Replacement Surgery

Defense Verdict Achieved for Hospital in Medical Negligence Case Involving Intubation Complications

Defense Verdict Secured for Oral Surgeon in Dental Malpractice Case Over Alleged Informed Consent Failure

Favorable Decision in Underinsured Motorist Dispute from Illinois Appellate Court

Summary Judgment for Hospital on Provider Responsibility Issue

Managed Asbestos-Related Personal Injury and Product Liability Cases for Multiple Clients Across Illinois, Missouri, and Wisconsin

Nationwide Defense for Equipment Manufacturer in Asbestos Cases

Early Dismissal Secured for Medical Device Manufacturer in Federal Personal Injury and Product Liability Case

Successful Representation of Premise Owners and Retailers in Personal Injury Cases Across Illinois and Missouri

Advised a Medical Group on Handling Online Reviews and Creating Policies for Employee Social Media Use

Advised Mental Health Provider on Practice Policies, State Reporting Requirements, Billing, and Patient Conflict Resolution

Defense Verdict Achieved for Oral Surgeon in Dental Malpractice Case Over Alleged Faulty Wisdom Tooth Extraction

## Membership & Involvement

- Co-chair: Amundsen Davis Committee for Diversity, Equity & Inclusion
- Member: American Bar Association, Section of Litigation; Missouri Bar Association; Wisconsin Bar Association; Illinois Association of Defense Trial Counsel; American Society for Health Care Risk Management (ASHRM)
- Chicago Healthcare Risk Management Society (CHRMS): President-Elect (2024-2025); Executive Board Member (2022-2024) and Program Chair

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(2022-2023)

- Editorial Board: IDC Quarterly

## Honors

- Selected to the Illinois Rising Stars list: 2011, 2014, 2015, 2016, 2017
- Illinois Defense Council Volunteer of the Year Award: 2025

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## Firm News

Edna McLain Receives 2025 Illinois Defense Council Volunteer of the Year Award  
Firm News, June 25, 2025

Edna McLain Recognized as Top Author on JD Supra for Health Care  
Firm News, *JD Supra*, April 6, 2021

Attorney Edna McLain Joins Amundsen Davis's Health Care Practice Group  
July 2019

## In the Media

Edna McLain Quoted By *ED Management* on Unified Defenses in Malpractice Claims

*ED Management* Quotes Edna McLain in Article About Patient Handoffs

Edna McLain Quoted in ED Management Article Regarding Test Order Mistakes in ED Malpractice Claims

Copay Collection Cannot Delay Care, or Hospital Risks EMTALA Violation --  
*Hospital Access Management* Interviews and Quotes Edna McLain

## Alerts

Keeping an Eye on PHI: OCR Guidance Concerning Permissible Disclosures of Reproductive Health PHI following *Dobbs*

Consent Issues During a Pandemic: What to Do if a Patient Refuses COVID-19 Testing

Liability Immunity under the PREP Act for Medical Device Manufacturers for Qualified Medical Countermeasures against COVID-19

Hospital Guidance for Meeting EMTALA Requirements in Light of COVID-19

## Speaking Engagements

A New Era: Prejudgment Interest in Illinois  
Event, Amundsen Davis, Webcast, June 16, 2021

What To Do With The Men in Blue: A Guide to the Intersection of HIPAA and Law Enforcement  
Chicagoland Healthcare Risk Management Society; Oakbrook, IL, January 17, 2020

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## Published Works

*Less v. Mercy Hosp. & Med. Ctr.*: Less Protection Under the Illinois Medical Studies Act  
Publication, *Illinois Defense Counsel Quarterly*, 2023, 2023

The Challenge of Serving in Black Robes, Not White Coats: The Second District Affirms the Denial of Patients' Requests for Ivermectin  
*Illinois Defense Counsel Quarterly*, 2022

May a Health Care Provider Refuse to Treat an Unvaccinated Patient?  
Publication, *USLAW Magazine*, Summer 2022

The Impact of Gun Violence on Hospitals and the Expansion of the Duty to Protect Patients  
*Illinois Defense Counsel Quarterly*, 2018

Context is Key: Understanding When Incident Reports are Privileged Under the Long Term Care Peer Review and Quality Assessment and Assurance Protection Act  
*Illinois Defense Counsel Quarterly*, 2017

Clash of the Titans: The Interaction of the Wrongful Death Act, Statute of Repose, Statute of Limitations and the Discovery Rule  
*Illinois Defense Counsel Quarterly*, 2016