

# LEGAL UPDATE

## CUNNINGHAM BOUNDS

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SPRING 2026

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## Case Resolution: Jones Act "Maintenance & Cure" Failure Led to Catastrophic Injury

Cunningham Bounds resolved a major maritime injury case on behalf of an Alabama seaman who suffered devastating, permanent injuries after his pneumonia was mismanaged and critical care was delayed. The case illustrates a core principle of maritime law: when a seaman becomes ill or injured in service of the vessel, the employer has a duty to provide timely, competent medical care, and the employer can be held responsible for negligent care provided by the medical provider it selects.

Our client was working as a crewmember aboard a tugboat operating in Jacksonville, Florida. He became seriously ill and was transported to a local urgent care. The medical records later confirmed that the seaman was suffering from pneumococcal pneumonia. At the clinic, however, he was incorrectly diagnosed and improperly treated, then released rather than admitted to a hospital. The nurse practitioner responsible for the treatment acknowledged that her care fell below the standard of care on multiple fronts.

Over the remainder of that day, the pneumonia progressed into sepsis and disseminated intravascular coagulation, leading to gangrene.

The results were life-altering:

- **Left leg amputated below the knee**
- **Forward portion of the right foot amputated**
- **Amputation of all fingers on both hands,** plus additional amputation involving the left thumb

He was hospitalized at Providence Hospital in Mobile, followed by inpatient rehabilitation at Rotary Rehabilitation and later required additional revision surgeries.

We filed suit on our client's behalf in Mobile County Circuit Court, asserting claims including Jones Act negligence, unseaworthiness, failure to provide timely cure, and related maritime

remedies. A central liability issue was the vessel owner's responsibility for the medical negligence of the clinic it chose to treat its crew. Attorney Billy Bonner of Cunningham Bounds, who represented the client, stated: "Vessel owners

are required to provide crew members with competent medical treatment. When a vessel owner prioritizes its bottom line over the medical interests of a crew member, we do everything in our power to hold the owner fully accountable.

*The settlement in this case ensured that our client would never have to rely on someone else for top-quality medical care."*

### Why This Case Matters

This resolution underscores why maritime protections exist and why they are enforced. Seamen rely on their employers not only for a paycheck, but for safety, medical access, and competent care when something goes wrong, often far from home and far from immediate emergency resources.

In this case, what began as a treatable illness became catastrophic. The claims brought in this lawsuit by Cunningham Bounds sought to ensure that accountability followed the decisions that delayed proper care and forever changed a man's life.



**Billy Bonner**

# Accolades

## Cunningham Bounds Recognized by Benchmark Litigation 2026

Cunningham Bounds has been ranked “Highly Recommended,” shortlisted as “Alabama Firm of the Year,” and has had several attorneys recognized as Litigation Stars.

Cunningham Bounds is proud to receive Benchmark Litigation’s highest honor with a “Highly Recommended” ranking. Benchmark Litigation is one of the world’s leading guides to premier litigation firms and litigators, providing rankings based on extensive peer review and comprehensive market analysis.

As one of only five firms nominated for Alabama Firm of the Year, this recognition

highlights the exceptional work and tireless advocacy that Cunningham Bounds attorneys bring to the courtroom.

**Toby Brown, Skip Finkbohner, Steve Nicholas, David Cain, Billy Bonner, Brian Duncan, and Lucy Tufts** were

recognized as Litigation Stars by Benchmark Litigation, an honor reserved for attorneys who demonstrate excellence in the courtroom. **Robert Mitchell** was recognized as a Future Star for his emerging leadership and expertise in Personal Injury law.



## Strategic Growth in Atlanta and Mobile: Cunningham Bounds Announces Key Additions

Cunningham Bounds is pleased to announce two significant developments reflecting the firm’s continued growth and commitment to high-stakes advocacy: the addition of veteran medical malpractice attorney **Lance Lourie** to its Atlanta office and the elevation of **Joseph McGowin** to Partner.

Lance Lourie joins the firm’s growing Georgia practice with nearly 40 years of experience handling complex medical malpractice and nursing home abuse litigation. Over the course of his career, Lourie has recovered hundreds of millions of dollars for clients, including a \$40 million medical malpractice verdict, a \$15 million nursing home abuse verdict, and a landmark \$600 million

whistleblower settlement involving Botox marketing. Early in his career, Lourie spent more than a decade defending hospitals and physicians, experience that now provides plaintiff clients with a strategic advantage. He has also argued a precedent-setting case before the Georgia Supreme Court that expanded medical negligence claims against the state.

Cunningham Bounds also announced the promotion of Joseph McGowin to Partner, recognizing his proven trial record and dedication to representing individuals and families harmed by corporate and institutional wrongdoing. McGowin’s practice focuses on high-stakes litigation

where defendants deploy substantial resources to avoid accountability. He is known for meticulous preparation, strong courtroom advocacy, and steady judgment in complex cases.

McGowin has secured significant results for clients, including a \$36 million settlement for a Mobile County resident injured in a motor vehicle collision, a \$6.25 million settlement for an offshore worker, and a \$6 million wrongful death settlement involving a railroad worker. He has also obtained multiple medical malpractice verdicts exceeding \$4 million and consistently achieves seven-figure recoveries in maritime, industrial, and wrongful death cases. His work has been recognized by *Best Lawyers: Ones to Watch®* (2024–2026), *Super Lawyers Rising Stars*, and *Mobile’s 40 Under 40* (2026), with multiple verdicts featured by TopVerdict.com.

Together, these announcements reflect Cunningham Bounds’ continued investment in experienced trial lawyers and its mission to deliver exceptional advocacy for clients across the Southeast.



# In Our Community —

## 10th Annual Downtown Cajun Cook-Off Raises \$55,000 for the Child Advocacy Center

For more than 65 years, Cunningham Bounds has been committed to serving those in need, not only through advocacy in the courtroom, but also through meaningful support of organizations that strengthen our community. One of those partnerships we value most is with the Child Advocacy Center.

Since 1988, the Child Advocacy Center has provided a safe, welcoming environment for children in the Mobile area who have experienced abuse. Designed to be a “special place,” the Center ensures that every child who walks through its doors feels supported, valued, and heard by the professionals dedicated to their care.

In 2015, Cunningham Bounds partnered with the Child Advocacy Center to launch the Downtown Cajun Cook-Off, and we have proudly served as the event’s signature sponsor ever since. This year marked a milestone, the 10th Annual Cook-Off, and the event was a tremendous success.



Held in downtown Mobile, the Cook-Off brought together the community for a day of live music, great food, and friendly competition among teams showcasing their best Cajun cuisine. Thanks to the generosity of sponsors, participants, and attendees, the event raised **\$55,000 this year alone** in support of the Child Advocacy Center and has generated more than \$700,000 since its inception.

We are grateful to everyone who helped make this year’s event possible and look forward to continuing this tradition of giving back for years to come.



### LEGALUPDATE CUNNINGHAM BOUNDS

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# Research Links Private Equity Hospital Ownership to Increased Patient Deaths

A nationwide study published in *Annals of Internal Medicine* found that emergency department death rates increased at U.S. hospitals after they were acquired by private equity firms. Medicare patients experienced a 13% rise in deaths compared to similar hospitals that were not acquired. Researchers linked the increase to significant staffing and salary cuts following private equity takeovers, particularly in emergency and intensive care units.

## Why This Matters

The findings raise serious concerns about how profit-driven hospital ownership can impact patient safety and quality of care. As private equity continues to expand in health care, the study underscores the need for greater transparency, oversight, and accountability to ensure financial strategies do not come at the expense of patient outcomes, an issue increasingly drawing the attention of lawmakers and regulators nationwide.

**Medicare patients experienced a 13% rise in deaths**

