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## News & Publications

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### Say It Isn't So

**Cheryl A. Garber and John J. Haggerty**

*The Legal Intelligencer*

**March 9, 2010**

Maloney v. Valley Medical Facilities Inc., a case involving medical malpractice against internist Maurice Prendergast and radiologist Richard E. Brennan for alleged negligence in failing to timely diagnose and treat the plaintiff's wife, has prompted a evolution of principal/agent decisional law. From this case, a release of a principal no longer automatically acts as a release of an agent where parties have expressly carved out or excepted claims against the agent. Although this decision will impact the law and suggests the court will conduct a fact sensitive analysis and focus on the intention of the parties, the full extent of the impact is still unclear.

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