

**Robert P. Fitzsimmons, J.D.**

Founding Member, Brain Injury Research Institute

Robert P. Fitzsimmons is a founding member of the Brain Injury Research Institute and a trial lawyer experienced in professional sports-related injuries. Mr. Fitzsimmons served as counsel for the late Mike Webster, a Hall of Fame center from the Pittsburgh Steelers, in his disability claim and lawsuit against the National Football League, which to date is the only successful disability lawsuit against the NFL.

Mr. Fitzsimmons is one of three founding members, Co-Director & General Counsel for the Brain Injury Research Institute at West Virginia University.



In 1985, Mr. Fitzsimmons was elected to a three-year term to the governing body of the West Virginia State Bar, the Board of Governors. He was appointed as a Commissioner of the State of West Virginia (Boxing) Commission by Governor Bob Wise and served from 2003 through 2007. He has also served as a member of the West Virginia State Bar Disciplinary Board Investigative Committee since 2004.

Mr. Fitzsimmons has tried numerous jury trials including the largest insurance bad faith verdict in West Virginia of \$39 million (*Kocher v. Oxford Insurance Co.*). He has also been counsel in over 50 published legal opinions, the majority of which were published by the West Virginia Supreme Court of Appeals.

Mr. Fitzsimmons also represented West Virginia University in its successful lawsuit against WVU's former football coach, Rich Rodriguez, who went to the University of Michigan.

Mr. Fitzsimmons received a Juris Doctor degree with highest honors from the University of Baltimore School of Law in 1978, where he was inducted into the Heusler Legal Honor Society. Mr. Fitzsimmons also received a Bachelor of Science degree from Allegheny College in 1974.

Mr. Fitzsimmons is admitted to practice law in the states of West Virginia, Pennsylvania, Ohio and North Carolina. He is also admitted to practice in the United States District Courts for the Northern and Southern Districts of West Virginia and the Southern District of Ohio, the Fourth Circuit Court of Appeals and the United States Supreme Court.

He is an author of "Chronic Traumatic Encephalopathy, Suicides & Parasuicides in Professional American Athletes" Omalu, Bailes, Hammers & Fitzsimmons, *American Journal of Forensic Medical Pathology*, vol. 31, no. 1, March 2010.

He also co-authored the article "What These Legal Authorities Expect from the Independent Medical Examiner" published in the *International Journal of the American Academy of Disability Evaluating Physicians* in 1996. In 2008, Mr. Fitzsimmons was the #1 vote getter of all attorneys in the State of West Virginia evaluated as "Super Lawyers." "Super Lawyers" is a publication naming outstanding attorneys in each state determined by peer review and professional achievement.