

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
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Granted Appeal Summary

Case

KATHERINE LOUISE CARTER, EXECUTOR OF THE ESTATE OF WORTH HARRIS CARTER, JR., DECEASED v. WAKE FOREST UNIVERSITY BAPTIST MEDICAL CENTER, ET AL.

(Record Number 230260)

From

The Court of Appeals of Virginia.

Counsel

Monica T. Monday and David R. Berry (Gentry Locke) and James W. Haskins and Scott C. Wall (Young, Haskins, Mann, Gregory & Wall, P.C.) for appellant.

S. Virginia Bondurant Price, Nicholas J. Giles and Alicia M. Penn (McGuireWoods LLP) and Matthew E. Kelley (Frith Anderson + Peake) for appellee.

Assignments of Error

1. The Court of Appeals erred in concluding that the circuit court lacked personal jurisdiction over Wake Forest University Baptist Medical Center and Wake Forest University Health Sciences.
2. The Court of Appeals, like the circuit court, erred in concluding that the application of Virginia's long-arm statute, as applied to Wake Forest University Baptist Medical Center and/or Wake Forest University Health Sciences, would be inconsistent with the Due Process Clause of the Fourteenth Amendment of the United States Constitution.
3. The Court of Appeals, like the circuit court, erred in concluding that neither Wake Forest University Baptist Medical Center nor Wake Forest University Health Sciences purposefully availed themselves of the privilege of conducting activities within the Commonwealth of Virginia, and that their transacting of business in Virginia, including their virtual communications with Mr. Carter and Ms. Carter as part of their medical treatment, did not constitute purposeful availment.

4. The Court of Appeals erred in holding that follow-up medical care does not confer personal jurisdiction on a non-resident health care provider, including the defendants in this case.
5. To the extent the Court of Appeals found that exercising personal jurisdiction over Wake Forest University Baptist Medical Center and/or Wake Forest University Health Sciences would not be constitutionally reasonable, it erred.