

Woman suffering with preeclampsia has fluid overload, dies

Defense: Mother delayed going to hospital for three hours after being told to go immediately

\$1.5 million

In a confidential lawsuit filed in Wayne County Circuit Court, plaintiff's estate asserted defendant hospital and defendant physicians were negligent for preeclampsia mismanagement and for not referring decedent mother for obstetrical management.

Though a diagnosis of preeclampsia was made, once plaintiff's decedent was admitted to the hospital, a PA and obstetrician worsened her condition by causing iatrogenic fluid overload and failing to secure the patient's airway leading to a cardiopulmonary arrest, anoxic brain damage, and death.

Plaintiff asserted that compliance with the standard of care would have prevented death.

Defendants contended plaintiff could not articulate what else the doctor should have done other than evaluating the patient and recommending that she proceed immediately to the hospital for further evaluation. Further argued was that the mother was told to go directly to the hospital, but she did not, and delayed for more than three hours before going to the hospital.

The matter settled for \$1.5 million.

Type of action: Medical malpractice, wrongful death

Type of injuries: Maternal birth injury, maternal death caused by failure to properly treat preeclampsia

Name of case: Confidential

Court/Case no./Date: Wayne County Circuit Court; Confidential; April 2009

Settlement amount: \$1.5 million

Attorneys for plaintiff: Brian J. McKeen, Terry A. Dawes

Attorney(s) for defendant: Withheld

Key to winning: Focus on the defendants' failure to adequately identify and properly treat intrapartum problems



McKEEN



DAWES

Dehydrated woman has debilitating stroke

Medication discontinued, hospital contends physician not its agent

\$1.4 million

In a confidential lawsuit filed in Washtenaw County Circuit Court, plaintiff asserted defendants were negligent for failing to prevent, recognize and treat severe dehydration and severe hypernatremia (elevated serum sodium), resulting in a debilitating stroke when blood clotted in her brain.

In early 2004, plaintiff presented to the hospital, complaining of nausea and vomiting. Examination and tests revealed that she suffered from dehydration and elevated sodium levels. She was on medication that regulated her urine output for her diabetes insipidus, a condition marked by the inability to control the loss of water.

Inexplicitly, one of the defendant physicians discontinued this medication, worsening the sodium elevation and dehydration she was already experiencing. Over a period of days, the woman's fluid deficit grew to 22,000 cc (5.8 gallons), ultimately resulting in a massive stroke, which caused severe brain damage.

Plaintiff was permanently disabled and unable to return to work as a mortgage banker.

Defendant hospital argued that defendant physician was not its agent under the doctrine of ostensible agency.

The matter settled for \$1.4 million.

Type of action: Medical malpractice *

Type of injuries: Stroke and permanent injury after failure to properly diagnose and treat severe dehydration and hypernatremia (elevated serum sodium)

Name of case: Confidential

Court/Case no./Date: Washtenaw County Circuit Court; confidential; May 2009

Settlement amount: \$1.4 million

Attorneys for plaintiff: Brian J. McKeen, Terry A. Dawes

Attorney(s) for defendant: Withheld