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From the March 01, 2010 Michigan Lawyers Weekly.

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Verdicts & Settlements

Tumor bleeds into pituitary region, causes coma

Estate says decedent's condition left untreated 3 days after admission

In a medical-malpractice and wrongful death lawsuit filed in Bay County Circuit Court, plaintiff Allynn Jo Woodard, personal representative of the Estate of Chester L. Woodard asserted that defendants Dr. Dhana Dev Shrestha, Dr. William Lawrence Howard and Bay Area Health Clinic were negligent by not correctly handling a brain tumor.

On Feb. 17, 2003, Chester Woodard, 49, went to Bay Medical Center with signs and symptoms of a pituitary mass, a potentially life-threatening but curable brain tumor. A brain CAT scan and MRI confirmed the condition. Shrestha, Woodard's family doctor, hospitalized him at Bay Medical Center.

On Feb. 18, Dr. Gerald Russell Schell, a neurosurgeon, determined that Woodard should probably be on steroids, and if his condition worsened from an endochronologic or visual standpoint, he would need urgent surgery.

On Feb. 20, at 4 a.m., Woodard's condition was noted to have worsened. Shrestha was contacted by phone about 5:35 a.m. regarding Woodard's neuro status. At 9:15 a.m., Woodard was transferred to ICU, where an intubation failed.

At 10:45 a.m., Schell determined that urgent surgery was necessary, and Woodard was sent to the OR. Surgery began for a pituitary apoplexy at 11:38 a.m., when it was discovered that the tumor bled into the pituitary region of his brain.

Surgery ended at 2:52 p.m., and Woodard remained in a coma. He was discharged April 30 to an extended care facility, and died on May 15, 2003.

Plaintiff asserted that Woodard's brain tumor was not correctly treated, and his condition was untreated for three days following admission to the hospital. Plaintiff's experts testified that Woodard's life would have been saved had he been correctly cared for by Shrestha.

Defendant contended that pituitary apoplexy was not within Shrestha's expertise to treat and, as such, called for the appropriate specialists (infectious disease, neurology, neurosurgery, and endocrinology) to care for the pituitary tumor.

Further, it was asserted, the specialists consulted by Shrestha asserted that surgery was necessarily delayed because of a concern for bacterial meningitis, and that it would be inappropriate to do brain surgery in the presence of such a suspected infection.

The jury returned a \$1,419,149.51 verdict for the plaintiff's estate.

Type of action: Medical malpractice, wrongful death

Type of injuries: Coma, death

Name of case: Woodard, et al., v. Lawrence, et al.

Court/Case no./Date: Bay County Circuit Court; 06-3144 NH-C; Feb. 1, 2010

Tried before: Jury

Name of judge: William J. Caprathe

Demand: \$50,000

Verdict amount: \$1,419,149.51

Insurance carrier: ProNational

Attorney for plaintiff: Albert J. Dib

Attorney(s) for defendant: Withheld

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