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Trial Reports

Medical Malpractice

Surgeon Failed To Discover Artery Severed During Child's Leg Operation -- Fifty Percent Partial Permanent Leg Disability -- Settlement

Brief statement of claim: Plaintiff, an 18 year old male brought a medical negligence action against an orthopaedic surgeon in eastern North Carolina for negligently performing a discoid meniscus operation of Plaintiff's leg when Plaintiff was 7 years old which resulted in the Plaintiff suffering compartment syndrome and a 50% partial permanent disability of Plaintiff's left lower leg. Plaintiff contended that the orthopaedic surgeon was negligent in cutting the popliteal artery and in failing to provide proper follow-up treatment to diagnose the popliteal artery injury.

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Principal injuries (in order of severity): 50% partial permanent disability of left leg

Special damages: Plaintiff's medical bills had been paid by the Crippled Childrens Fund and he therefore had very little special damages.

Tried or settled: Settled

County where tried or settled: Cumberland

Case name and number: Under confidential settlement, the case will be identified as William Jackson v. Eastern North Carolina Orthopaedic Surgeon, Cumberland County Superior Court.

Date concluded: May 1994

Name of Judge: Unassigned

Amount: \$533,733

Insurance carrier: Medical Mutual Insurance Company

Expert witnesses and areas of expertise: J. Leonard Goldner, M.D., Richard Bruch, M.D. and Wayne Venters, M.D.

Attorneys for Plaintiff: Donald R. Strickland of Blanchard, Twigg, Abrams & Strickland, P.A., Raleigh; Steve Melvin of Maxwell & Melvin, Fayetteville

Other useful info: Plaintiff was able to retain three in-state orthopaedic surgeons as expert witnesses.

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