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From the December 16, 2002 North Carolina Lawyers Weekly.

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## Verdicts & Settlements

### Medical Malpractice

#### Drug Suppressed Immune System — Patient Died After Foot Injury — \$1.1 Million Settlement

**Brief statement of claim:** Cristy Thompson was a 37-year-old homemaker who suffered from ulcerative colitis. The plaintiff alleged that Cristy's treating gastroenterologist was negligent in prescribing Imuran, a powerful immune system suppression drug, to treat her — then was further negligent in increasing the dosage and failing to closely monitor the patient's white blood count.

#### ADVERTISEMENT

The Imuran destroyed Cristy's immune system to the point that she was vulnerable to any minor infection. When she received a small puncture wound to her foot from a doormat, she quickly developed symptoms of a serious infection. The defendant gastroenterologist and internist allegedly failed to respond properly to the patient's complaints and she died a week later.

**Principal injuries (in order of severity):** Wrongful death

**Special damages:** Insignificant

**Tried or settled:** Settled

**County where tried or settled:** New Hanover

**Case name and number:** *Barry H. Thompson, Administrator of the Estate of Cristy O. Thompson v. Joseph W. Kittinger III et al* (New Hanover Superior Court; 99 CvS 04028)

**Date concluded:** January 2002

**Name of judge:** Mediator: Robert Beason

**Amount:** \$1.1 million

**Insurance carrier:** Medical Mutual

Expert witnesses and areas of expertise: n/a

**Attorney for plaintiff:** Jeff Erick Essen and Jay Trehy of Twiggs, Beskind, Strickland & Trehy, P.A., Raleigh

**Other useful info:** In deposition, the defendant gastroenterologist admitted that prior to prescribing the Immuran, he had incorrectly written a prescription for a less toxic medication, according to the plaintiff's counsel. The plaintiff claimed that this alleged error contributed to the defendants' incorrect decision to initiate Imuran therapy.

In depositions, each of the defense experts made admissions which were helpful to the plaintiff's case, according to plaintiff's counsel. At the time of the settlement, New Hanover County had never returned a verdict for a plaintiff in a medical negligence trial, plaintiff's counsel states.

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