



BSPH congratulates Bret C. Perry and Ronald A. Margolis on obtaining a defense verdict in favor of their client in a recent medical malpractice and wrongful death trial held in Toledo, Ohio. Plaintiff claimed that the decedent suffered her untimely death due to the Defendant's failure to recognize and identify signs and symptoms of consistent with sepsis and end organ failure during her emergency department evaluation. Due to the negligence of the Defendant, Plaintiff claims that the decedent was prematurely discharged from the emergency department only to suffer her death approximately 38 hours later. Plaintiff asked the jury to return a verdict in the amount of \$1,250,000 for the wrongful death of decedent.

The defense countered these allegations arguing that the alleged signs and symptoms of sepsis and end organ failure were most consistent with decedent's chronic medical conditions including Stage III Chronic Kidney disease, cholelithiasis, and previously diagnosed pneumonia. Further, expert testimony offered establishing that the decedent's vital signs, physical examination, and laboratory results were not consistent with a patient suffering from sepsis or end organ failure. The jury deliberated for less than one (1) hour before returning a verdict in favor of Defendant finding that the standard of care was met. The jury did not reach the issue of proximate causation.



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