
Litigators Win Major Medical Malpractice Suit

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Hale and Dorr litigators recently won a record-setting \$5,000,000 medical malpractice verdict in a case involving a post-operative recuperation which went awry after routine back surgery.

Our client developed a heart arrhythmia known as atrial fibrillation, which prompted a cardiologist to order him moved to a telemetry unit to ensure that he did not develop a clot and suffer an embolic stroke. Although the events were denied by the nurses, our client's son testified that his father had been removed from the cardiac monitor when he visited his father several hours before the occurrence of a catastrophic stroke. A robust athlete at the time, our client was tragically rendered a quadriplegic, unable to speak, by the stroke.

Although a well-respected cardiology expert testified on our client's behalf that he "must have" suffered an additional episode of atrial fibrillation which caused the stroke, there was no affirmative evidence that that had occurred, until just days before the trial. Our lawyers noted a seemingly innocuous legend, "learning ECG rhythm," in small print on the first telemetry strip printed out after the stroke and were able to prove during the course of the trial that the only circumstance which could have produced that legend was a deletion of the record indicating that an arrhythmia alarm had sounded during the fateful night.