

## \$1,000.000 SETTLEMENT IN BRACHIAL PLEXUS CASE

### *Medical Malpractice Trial Report*

#### **BIRTH INJURY Medical Malpractice Lawsuit: Excessive Traction Results in Permanent Brachial Plexus Injury**

The Plaintiff was an 18 year old with a twin gestation pregnancy. A urine culture was reported as positive for e coli bacteria. During the visit a seven-day prescription of amoxicillin was ordered.

The following day the Plaintiff presented for a scheduled ultrasound. The ultrasound technician noted the Plaintiff was nauseous and vomiting all day, and that she vomited two basins of green fluid while in the ultrasound room. In addition the Plaintiff was febrile to 102. 4 as well as complaining of back pain. In response, the Plaintiff was sent for intravenous fluids and one dose of Zofran and then discharged.

A day later the Plaintiff called the doctor to report her concern that she was not eating very much. She was told she should drink a quart of Gatorade.

The next day the Plaintiff went to the hospital complaining of vomiting and diarrhea. She was given intravenous hydration and was also prescribed Tylenol. She was again discharged without receiving intravenous antibiotics.

The next day she again presented the hospital. She was given one dose of Mefoxin intravenously and discharged.

The following day the Plaintiff presented to the hospital in preterm labor complaining of cramps and bleeding. She was found to have urosepsis. She was admitted, given one dose of intravenous mefoxin and then transferred to another hospital, the preterm labor progressed at twenty-three weeks she delivered her twins vaginally with fetal demise on delivery.

The doctors failed to appreciate, diagnose and appropriately treat pyelonephritis given the symptoms, which included flank pain, nausea and vomiting with fever, all in the face of a known E. Coli asymptomatic bacteriuria that was resistant to ampicillin. The doctors failed to timely admit the Plaintiff and failed to administer appropriate intravenous antibiotics for the E. Coli pyleonephritis. Had the E. Coli asymptomatic bacteriuria been properly treated with oral antibiotics to which the E. Coli was sensitive, more likely than not, it would not have progressed to pyelonephritis and urosepsis causing preterm labor and fetal demise.

Following mediation the case was settled for the amount of \$1,000,000.