

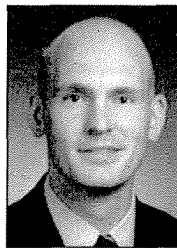
## VERDICTS & SETTLEMENTS

# Expectant mother dies after receiving powerful drug

### \$1.99 million verdict



ARROWOOD



DEWICK

In February 2004, a 32-year-old wife and mother was eight months' pregnant with her second child. She presented to a hospital emergency room complaining of shortness of breath. An examination determined that she had an elevated heart rate but normal blood pressure. An electrocardiogram showed a wide complex tachycardia.

The ER physician called the defendant doctor, the patient's treating obstetrician, for treatment recommendations. The patient had seen the doctor the day before complaining of a cough that had been present for more than two weeks.

The ER physician testified at trial that, during their conversation, he advised the doctor that the patient's heart rate was elevated and that her blood pressure was normal. He further testified that the defendant recommended treating the patient with Labetalol, a powerful anti-hypertensive drug designed to significantly reduce blood pressure in a matter of minutes.

Soon after the ER physician got off the phone with the defendant, the patient was administered Labetalol. Within minutes of being administered the medication, the patient's blood pressure began to drop to dangerously low levels, causing the loss of her infant's heart rate on a fetal monitor. A Caesarean section was performed to deliver the baby.

Shortly after her daughter's delivery, the patient went into cardiopulmonary arrest. Despite resuscitation attempts, she died later that day.

The plaintiffs' expert witness testified that the defendant's treatment of the patient was below the standard of care of an obstetrician practicing in 2004. He testified that there was nothing in the patient's presentation that would make Labetalol an appropriate choice

for treatment and that discussing it with the ER physician fell below the standard of care. He further testified that Labetalol caused the patient's death.

After eight days of testimony, the jury deliberated for less than five hours before returning a verdict for the plaintiff, which included damages for the husband's and two children's loss of consortium, loss of the woman's reasonably expected net income, and pain and suffering before death.

**Type of action:** Medical malpractice

**Injuries alleged:** Wrongful death, pain and suffering, loss of consortium, loss of income

**Name of case:** Estate of Priscilla Jardine, et al. v. Knee, et al.

**Court/case no.:** Essex Superior Court, No. 05-0532

**Tried before judge or jury:** Jury

**Name of judge:** Timothy Q. Feeley

**Amount of verdict:** \$1.99 million

**Date:** January 2009

**Attorneys:** Lisa G. Arrowood and Jed DeWick, Todd & Weld, Boston (for the plaintiff)

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