

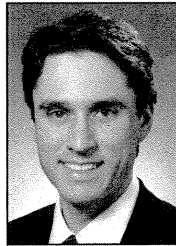
## VERDICTS & SETTLEMENTS

# Shunt malfunction treated as sinus infection

### \$500,000 settlement



ARROWOOD



CATALANO

The patient was a 13-year-old girl with a history of spina bifida, a defect of the base skull and brain and hydrocephalus requiring a VP shunt.

The patient was experiencing severe headaches and neck pain. Her mother brought her to the ER on several occasions as her condition worsened. Several of the defendant doctors considered the possibility that her pain was the result of a shunt malfunc-

tion. The pediatric records contained a neurosurgeon's note from six months earlier that indicated concern regarding the shunt.

The defendants diagnosed her with a sinus infection, despite the fact that her condition did not improve after a course of antibiotics.

When the girl's headache and neck pain became debilitating and were accompanied by dizziness, mumbled speech and vomiting, her parents took her to a different ER at a major teaching hospital. A head CT revealed increased hydrocephalus, a sign of shunt failure. She was admitted immediately for emergency shunt revision.

Despite three surgeries to relieve pressure on her brain stem, the patient never improved, and after several days of intensive care her parents elected to withdraw life support measures.

The defendants denied any negligence. They planned to argue that the subsequent physicians at the hospital failed to treat the shunt malfunction in a timely and appropriate manner and that that failure was the proximate cause of death.

The plaintiffs moved successfully to include in the record handwritten notes composed by one of the defendant pediatricians shortly after the patient's death, which read that the doctor "failed to make the correct diagnosis, failed to act immediately and failed to warn family what to look for" and that that failure led to a critical delay of approximately 12 hours.

**Type of action:** Medical malpractice

**Injuries alleged:** Failure to diagnose and treat shunt malfunction

**Name of case:** Withheld

**Court/case no.:** Withheld

**Tried before judge or jury:** N/A (settled)

**Amount of settlement:** \$500,000

**Date:** May 2008

**Attorneys:** Lisa G. Arrowood and Jeffrey N. Catalano, Todd & Weld, Boston (for the plaintiff)

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