

## Mother bleeds to death following delivery of baby

### \$4 million verdict

On Aug. 5, 2008, the decedent had a C-section to deliver her fourth child. The child was born healthy, but during the delivery the mother suffered uterine atony, and the doctor accidentally cut a hole in her small bowel.

The hole was repaired and the mother was given medication to treat the atony, but she lost a quarter of her total blood volume, which qualified as a postpartum hemorrhage under established guidelines.

Due to the hemorrhage and the fact that she had been severely anemic during her entire pregnancy, the standard of care required an immediate blood transfusion. Post-delivery, the defendant physician who had performed the C-section ordered that blood

be available should she need it “in the future.” He testified that her life could be in danger if she lost any more blood.

The cross-matched blood was available at that time, but a transfusion was not performed.

After the delivery, he signed the decedent over to the other defendant physician to take over her care.

An hour later, the mother started bleeding profusely from her vagina, which the defendant described in the medical record as “gushes” of blood. The bleeding was caused by her uterine atony returning once the medications wore off.

Though the bleeding continued, the doctor did not order a blood transfusion despite being aware that blood was immediately available. At

that point, the decedent’s vital signs had not been recorded for more than an hour.

Eventually, the decedent lost so much blood that she went into cardiac arrest. A blood transfusion was administered 10 minutes later. After hours of CPR, transfusions and a hysterectomy, she was pronounced dead. She left behind her new baby and three other young children.

At trial, the defendants relied on an autopsy report that concluded the cause of death was amniotic fluid embolism, or AFE — an extremely rare condition that is considered untreatable. However, the autopsy was conducted by a doctor who was not given critical medical records by the hospital, which would

have confirmed that she bled to death due to uterine atony.

After a three-week trial and a week of deliberations, the jury found against the second defendant in favor of the family in the amount of \$4 million for the mother’s conscious pain and suffering.

**Action:** Medical malpractice

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

**Case name:** Whiting, Administrator of Estate of Maria Gabriel-Gelin v. Sikka, et al.

**Court/case no.:** Norfolk Superior Court/No. 2011-01080-B

**Jury and/or judge:** Jury/ Judge Beverly J. Cannone

**Amount:** \$4 million

**Date:** Oct. 5, 2017

**Attorneys:** Jeffrey N. Catalano, Maria T. Davis and Corrina L. Hale, of Todd & Weld, Boston (for the plaintiff)



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