

NEWS & INSIGHTS

LIGHTFOOT SECURES MEDICAL MALPRACTICE DEFENSE VERDICT AFTER TWO-WEEK TRIAL IN TALLADEGA COUNTY

November 7, 2018

Lightfoot, Franklin & White LLC attorneys [Mike Bell](#), [JT Thompson](#) and [Chris Yearout](#) have obtained a defense verdict on behalf of an internal medicine physician after a two-week trial in Talladega County, Alabama.

The medical malpractice lawsuit was brought by the father of a 31-year-old woman who died after complications following childbirth. The woman developed pneumonia after a successful C-section delivery. Lightfoot's client was consulted as the on-call internist, and he entered a series of orders, including transfer to the ICU and a CT scan to rule out a pulmonary embolism.

Since an ICU bed was not immediately available, they decided to complete the CT scan first. The patient experienced sudden cardiac arrest in the CT scanner and was resuscitated, but ultimately suffered anoxic brain injury and died six days later.

The plaintiff alleged that Lightfoot's client breached the standard of care by not insisting that the patient be transferred to the ICU first and that, because he was some distance away from the hospital when he was first consulted, he should have arranged for another physician to evaluate the patient until he could get to the bedside.

"This was a difficult medical case, made even more challenging by the fact that our client was unable to attend trial in person due to having had a stroke," said Thompson. "At the time of the incident, our client was on call, at home, when he received a call from a nurse about a patient he had never seen. He gave a comprehensive set of orders, then went to the hospital to be with the patient. Unfortunately, despite his best efforts, the patient did not survive."

"We focused our defense on telling our story and presenting our themes, and we made sure that we repeatedly conveyed those messages to the jury at every opportunity," Yearout said. "Our doctor's thinking, judgment and decisions were reasonable and appropriate, based on the information available to him at the time. He did what any reasonable physician in this situation would have done. Really, he went above and beyond. In the end, the jury agreed."

Bell's litigation career spans more than 30 years. He has defended clients in a wide range of matters, including those involving medical malpractice, product liability, commercial litigation, pharmaceuticals and medical devices, as well as class actions.

With 16 years of practice, Thompson defends healthcare providers in medical malpractice matters, media outlets in First Amendment disputes, and corporations in personal injury and product liability cases.

Yearout is in his eighth year of practice and focuses on medical malpractice, personal injury and product liability defense. He also has experience in toxic tort and medical device cases, as well as corporate recoveries and other commercial litigation.