

The following is a result that was achieved for one of the clients of the Law Offices of Kenneth A. Wilhelm on June 11, 1998

Case type: Medical malpractice

Case: Santiago v. New York City Health & Hospitals Corp.

Jury Verdict: \$43.94 MILLION

When plaintiff mother, then 30 weeks pregnant, was admitted to Kings County Hospital in Brooklyn, New York, she was diagnosed as having sustained a premature rupture of membranes indicating that there would be a premature delivery and a greatly increased risk of infection to both the mother and the unborn baby. The next day the mother was diagnosed with an infection of her amniotic cavity. She went into labor later that day and the fetus' heart rate became irregular. There was a delay in diagnosing fetal distress and in ordering a caesarean section delivery. The delay caused a reduction in oxygen to the baby's brain. Since birth, the baby has suffered from cerebral palsy.

A lawsuit was begun against New York Health and Hospitals Corp., which owns and operates Kings County Hospital charging that negligence there led to the child's disability. The defense attorneys contended that the baby's injuries were caused by his prematurity and not by the lack of oxygen to the brain and they contended that the obstetrical care was appropriate.

The case was tried and a verdict of \$43,940,000 was obtained for the child.