

Chapman and Garrett Achieve Defense Judgment at Trial in Favor of Hospital

Rushton Stakely shareholders L. Peyton Chapman, III and R. Brett Garrett obtained a judgment as a matter of law in favor of a local hospital on the third day of a jury trial in Montgomery County, Alabama. The plaintiff in the case alleged that he fell during his recovery from C1-2 cervical fusion surgery, and that the injury sustained in the fall required him to undergo an additional surgical procedure. The plaintiff further alleged that the hospital was responsible for the fall based on the positioning of the patient by a physical therapist. The trial court granted the hospital's motion for judgment as a matter of law at the end of all evidence, finding that the plaintiff had failed to meet his burden of proof.