

Chapman and Haynes Achieve Defense Verdict in Favor of Hospital

Rushton Stakely shareholders L. Peyton Chapman, III and William S. Haynes achieved a defense verdict in favor of a local hospital on the 8th day of a jury trial in Montgomery County, Alabama, before the Honorable Charles Price. The plaintiff, an elderly female patient, alleged that she developed pressure sores to her heels and feet while hospitalized following surgery for a broken hip in March of 2009. It was specifically alleged that the hospital's nursing staff had neglected the patient over the course of six days by failing to remove anti-embolism stockings, to turn the patient, and to properly respond to signs of developing injury to the patient's heels. Plaintiff further alleged that the sores required extensive and painful treatment and resulted in permanent injury in the form of nerve damage and scar tissue which caused severe pain affecting the patient's ability to walk and live independently. The defense countered with evidence that the hospital's nursing staff had utilized standard and appropriate precautionary measures in an effort to prevent skin breakdown, and that the patient's sores were caused by her underlying medical conditions, including chronic peripheral vascular disease as well as an acute, life-threatening medical decline which occurred during the hospitalization at issue. The defense also presented evidence that the patient's continued heel pain was consistent with her pre-existing peripheral neuropathy. The jury began its deliberations late in the afternoon of the 7th day of trial and returned its defense verdict approximately one hour after resuming deliberations the following morning.