

Defense Verdict in Favor of Barbour County Physician

After five days of trial, William S. Haynes and Frank J. Stakely received a defense verdict from a Barbour County jury in favor of the Defendant physician. Plaintiffs claimed that the Defendant breached the standard of care for a board certified internal medicine physician by failing to detect an abnormality on the patient's x-rays which was later identified as cancer. The Plaintiffs then claimed that the delay in diagnosis caused the patient to undergo more aggressive chemotherapy and radiation than she otherwise would have received, and ultimately resulted in the patient's death.

On behalf of the Defendant, expert witnesses testified that given the circumstances of the patient's presentation when the x-rays were performed, the internal medicine physician's interpretation was reasonable and within the standard of care. The causation witness further testified that the unfortunate outcome could not have been prevented even if the diagnosis of lung cancer had been made at that time. The jury returned a verdict in favor of the Defendant physician.