

Defense Verdict in Favor of ER Physician

After a trial which lasted almost two weeks, a south Alabama ER physician won a defense verdict in a wrongful death action. The plaintiffs, parents of a 17-year-old boy, alleged that the ER physician failed to order appropriate tests during an ER visit in which their son presented with complaints of severe chest pain radiating to the back of his neck. Eleven days later, their son died from a ruptured aortic dissection. The plaintiffs presented testimony from five expert witnesses, including a former state medical examiner who performed the autopsy on their son, in support of their claims that the aortic dissection existed at the time of the ER visit in question and should have been diagnosed. The defense countered with evidence that the ER physician appropriately evaluated the plaintiffs' son, ordered appropriate tests, and ruled out this condition at the time of the ER visit. Following brief deliberations, the jury returned a unanimous verdict in favor of the ER physician and a co-defendant hospital against which the only claim was that the physician was its agent. The ER physician was represented by Rushton Stakely lawyers, **Thomas H. Keene** and **Patrick M. Shegon**.