

Firm Successfully Defends Hospital and Family Practitioner in Montgomery

William S. Haynes and L. Peyton Chapman, III successfully defended a hospital and family practitioner in a medical malpractice / wrongful death case which was tried before the Honorable Truman Hobbs in the Circuit Court of Montgomery County, Alabama. The case involved the death of a patient who was alleged to have aspirated Barium during an attempted upper GI study with small bowel follow through. The Plaintiff contended that the family practitioner breached the standard of care by ordering the upper GI study because the patient allegedly had a bowel obstruction which contraindicated the study. The Plaintiff further alleged that a radiology technologist employed by the defendant hospital failed to timely address the patient's deteriorating condition subsequent to the attempted upper GI. These allegations were vigorously disputed by the Defendants. During the five day trial of the case, a co-defendant radiology practice group was voluntarily dismissed by the Plaintiff, and the claims against the hospital were subsequently dismissed by way of a judgment as a matter of law which was granted by the Court at the close of the Plaintiff's evidence. The remaining case against the family practitioner defendant was resolved by way of a defense verdict which followed approximately ninety minutes of deliberations. The Plaintiff was represented by Rick Alvis, Esq., and Mary Leah Miller, Esq., of Alvis and Willingham, L.L.P., in Birmingham, Alabama.