



## VERDICTS & SETTLEMENTS

### Bile Duct Leaked After Gallbladder Surgery *Woman May Need Yearly Check On Liver Function*



MARY COFFEY



GENEVIEVE NICHOLS

#### \$1 Million Verdict

Wendy Davison sued SSM St. Charles Clinic Medical Group, Inc. after undergoing a laparoscopic cholecystectomy — a removal of the gallbladder and gallstones — in February 2000.

Davison, 31, claimed that Dr. Thomas Schneider, an employee of the defendant, cut and clipped her common bile duct and then cut or destroyed her common hepatic duct without recognizing the mistake during surgery. Over the next 10 days, she became sick, lethargic, bloated and unable to eat. When she returned for her post-operative visit, she claimed Schneider told her she needed to get up and around more.

Davison went to the emergency room several days later where the injuries to her ductal system were discovered. Bile had been leaking into her system since the surgery. She was transferred to Barnes Hospital in St. Louis to drain the bile. For the next six weeks she had external drainage tubes, and in June 2000 she had complex reconstructive surgery to fix the damage. The surgery resulted in a large abdominal scar. Davison spent 13 days in the hospital and underwent 14 procedures, ranging from CT scans to the surgery.

Dawson presented evidence that she would suffer abdominal pain later in life because of the adhesions formed by the bile leakage and that she would need yearly blood testing to check her liver function for the rest of her life. She claimed there was a chance the reconstructive surgery would

fail, necessitating later procedures.

The defendant argued that it was an inadvertent act and that Dawson had made a good recovery.

**Type of Action:** Medical malpractice

**Type of Injuries:** Complete transection of common bile duct and common hepatic duct

**Court/Case Number/Date:** St. Louis County Circuit Court/01CC001662/ June 27, 2002

**Caption:** Davison v. SSM St. Charles Clinic Medical Group Inc.

**Judge, Jury or ADR:** Jury

**Name of Judge:** Colleen Dolan

**Verdict or Settlement:** \$1,017,000 verdict

**Special Damages:** \$92,000 past economic damages; \$500,000 past non-economic damages

**Allocation of Fault:** Not submitted

**Last Offer:** \$325,000

**Last Demand:** \$375,000

**Attorneys for Plaintiff:** Mary Coffey and Genevieve Nichols, Coffey & Associates, St. Louis

**Insurance Carrier:** Medical Assurance

**Plaintiff's Experts:** Dr. Francis Barnes, Columbus, Ohio (general surgeon)

**Defendant's Experts:** Dr. Thomas Niesen, St. Louis (general surgeon); Dr. Joseph Lombardo, St. Louis (pathologist)