New York Personal Injury Law Firm Secures $800,000 Verdict in Medical Malpractice Case

The Law Offices of Kenneth A. Wilhelm uses expert testimony to prove medical negligence in the case of a day-old infant who suffered permanent injuries as a result of improper IV administration.

New York, NY (PRWEB) September 06, 2012 -- The Law Offices of Kenneth A. Wilhelm, a New York personal injury law firm, has successfully obtained an $800,000 verdict on behalf of their client, a day-old infant, who suffered permanent scarring and injury due to an improperly administered IV.

The child was admitted to the Montefiore Medical Center in the Bronx on Jan. 13, 2006, a day after he was born. The law firm filed a complaint in the Supreme Court of the State of New York, Bronx County (Index # 8785/2007) against the hospital alleging that the child, who was scheduled to undergo spina bifida surgery the following day, was not properly monitored by nurses at the hospital while he was receiving intravenous fluid in preparation for the surgery.

The birth injury lawsuit alleged that the IV pulled out of the vein causing the fluids to infuse under the skin for approximately two to three hours resulting in blistering and scarring. The firm's lawyers also demonstrated during the trial utilizing expert witnesses, that the child suffered a permanent loss of motion in the third finger of the right hand in addition to the scar, which will remain for the rest of his life. A Bronx County jury delivered the verdict on Aug. 17, 2012, unanimously awarding $250,000 to the child for his pain and suffering in the past and $550,000 for future problems caused by the injury, including the permanent scarring and permanent loss of function in one finger.

The defense attorneys argued that the injury was nothing more than a scar, that the child did not suffer from any functional issues and that there was no medical malpractice. The defendant had offered $250,000 to settle the case, but the law firm declined that offer and fought until the $800,000 verdict was obtained.

New York medical malpractice lawyer Rory Shectman, who has been with the firm for nearly 10 years, said the law firm was able to get additional compensation for the client's future losses by bringing in expert witnesses whose testimony was powerful and effective.

"An orthopedic surgeon testified to the effects of the scar and the functional limitations," Shectman said. "We also brought in a neonatologist who talked about how often the IV should be monitored. The real challenge was to show the jury that the standard of care was violated in this particular instance. We are pleased we were able to prove that convincingly to the jury and help our client receive fair compensation for what he has suffered and what he will continue to suffer for the rest of his life."

ABOUT THE LAW OFFICES OF KENNETH A. WILHELM

The Law Offices of Kenneth A. Wilhelm is a personal injury litigation firm with an unwavering dedication to its clients. With more than 40 years of experience, our firm strives to obtain the best compensation for those who have been injured or those who have lost a loved one due to an accident or by someone else's negligence. We handle cases dealing with personal injury, medical malpractice, wrongful death, workers' compensation, dental malpractice, transportation accidents, rape, paralysis, false arrest, and many other types of accidents and
injuries.

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