

Yuma County Superior Court Jury Trials

THE TRIAL REPORTER of Southern Arizona

April 15, 1990

4/90 - Judge H. STEWART BRADSHAW - 53962 - SALAS (Silas H. Schultz) and Michael F. Rollins) v DEUTSCHER, M.D., and CHANDRAGIRI, M.D. (Daniel P. Jantsch and Michael E. Bradford) - PERSONAL INJURY - MEDICAL MALPRACTICE. Plntf, male, age 61, employed as a barber, had two teeth extracted in January in Mexico. One week later, Plntf developed right side headaches, and took aspirin to kill the pain, which resulted in gastrointestinal bleeding. Plntf went to the Yuma Regional Hospital and was seen by Dfnt Deutscher, an internist, and was subsequently seen by Dfnt Chandragiri, a neurologist. Plntf had a chronic peridontal infection of the gums, which entered the open wounds left by the tooth extractions, migrated into the sinus venous system and, ultimately, through the air-filled sinus to the cavernous venula sinuses. Plntf developed cavernous sinusitis thrombosis and meningitis, resulting in frontal lobe brain damage with residuals of memory and intellectual deficits. Plntf alleged that both Dfnts fell below the standard of care when they treated him with Prednisone, rather than antibiotics. Diagnosis was made after Plntf was seen at Phoenix Veterans Administration Hospital. Plntf called John D. Palmer, M.D., an internist and clinical pharmacologist, who testified that Dfnt Deutscher fell below the standard of care. Plntf also planned to call a neurologist on the standard of care. Dfnts denied liability, advancing the defense that Plntf's case was a difficult one, presenting a myriad of diagnostic problems. Dfnts called Bruce A. Bethancourt, M.D., an internist; Eric R. Erlbaum, M.D., an internist and neurologist; and Peter C. Kelly, M.D., an internist specializing in infectious diseases. Plntf used the video tape deposition of Marion Selz, Ph.D., a neuropsychologist, who opined that Plntf has organic brain damage and is unemployable. Plntf called Michael R. Jerman, M.D., an internist, Plntf's treating physician. Plntf also called Julio Zonis, M.D., a neurologist. Additionally, Plntf called John E. Buehler, Ph.D., an economist, who testified that the present day value of Plntf's future lost wages was \$320,000. Prayer: Just and reasonable

compensatory damages: unknown medical expenses; plus \$320,000 future lost wages (P Schultz). Dfnt Chandragiri refused to make any offer of settlement. (Both Dfnt's Carrier: MICA.) ON THE FIFTH DAY OF TRIAL, MATTER SETTLED WITH A COVENANT NOT TO DISCLOSE THE AMOUNT.