



Hon. **JAMES J. MCBRIDE** (Ret.)

Mediator | Arbitrator | Private Judge | Discovery Referee

Representative Cases

MEDICAL MALPRACTICE

- Plaintiff, an 18 year old healthy male, went to the emergency room with signs that were not promptly diagnosed as those of a stroke. He was admitted for observation but the attending physician delayed in getting him specialized stroke care. As a result, he became paralyzed and lost his ability to communicate. Medical malpractice claim was brought against the attending physician.
- Case involved wrongful death/medical malpractice. Patient died following cosmetic surgery. Complaint alleged negligence by surgeon and anesthesiologist. Surgeon settled out of the dispute. The case against the anesthesiologist was based on the inadequacy of his post-operative orders to the attending nurse and the fact that he left for home before the patient stabilized. The anesthesiologist was also aware that the nurse had “prior difficulties” managing a post-operative patient, who also died.
- Plaintiff, a 46 year old physical therapist, underwent a partial knee replacement at a hospital. For management of post-operative pain, defendant anesthesiologist administered a femoral nerve block. Plaintiff claims that the nerve block was administered without her informed consent (battery) and negligently and that she has suffered permanent nerve damage resulting in constant pain and weakness in her upper thigh. She sought wage loss, medical care and substantial pain and suffering, the battery claim being exempt from limits established by the Medical Injury Compensation Reform Act (MICRA).