

White and Williams Trial Team Secures Defense Verdict for Philadelphia-Area Hospital in a Case Alleging Delayed Diagnosis of Bone Cancer

6.3.22

A team of White and Williams lawyers, led by partners Andy Susko and Josh Gajer, secured a defense verdict for a Philadelphia-area hospital following a two-week jury trial in the Philadelphia County Court of Common Pleas. The plaintiffs alleged that, during a well-visit at a hospital-owned primary care practice in August 2016, the treating nurse practitioner failed to refer a 14-year-old female adolescent with a history of chronic constipation to a gastroenterology specialist. In particular, the claims included an allegation that further workup of the patient by GI was required after a blood study taken at the well-visit visit revealed a new anemia. According to the plaintiffs, this workup, if it had been performed, would have revealed the patient's pelvic osteosarcoma – a bone cancer – at a time when it could be successfully treated. Instead, the patient's cancer was not diagnosed until July 2017 when she presented to the hospital with the classic signs of bone cancer. Unfortunately, by that time, treatment proved ineffective and the patient died.

Although the child's death was tragic, the jury agreed with the White and Williams trial team that the claimed fault of the hospital providers did not cause this unfortunate outcome. Following two weeks of testimony, including nearly a dozen expert witnesses, the jury deliberated for only approximately two hours before returning a defense verdict on behalf of the hospital.

Andy Susko and Josh Gajer tried the case for the hospital. They were supported by an incredible team of counsel, associates, paralegals and staff including Rebecca Foley, Laura Hutchinson and Roopa Sabesan.