

New York's Highest Awards in 2004

Brenda Allen v. Catholic Medical Center of Brooklyn and Queens Inc.; Michael Mesbah; Kitae Kim; Robert Solomon; and St. Mary's Hospital of Brooklyn, No. 13716/00

Plaintiff Attorney: Steven E. North, New York, of Steven E. North P.C.

Defense Attorneys: Marc J. Citrin of Shaub, Ahmuty, Citrin & Spratt, Lake Success, for Catholic Medical Center of Brooklyn and Queens Inc. and St. Mary's Hospital of Brooklyn;

Peter R. Taglia of Dwyer & Taglia, New York, for Michael Mesbah.

Brenda Allen, 42, sought treatment for right-leg pain and was presumptively diagnosed with a recurrent deep vein thromboses. After she was discharged, she returned with severe right-leg pain. A test revealed complete obstruction of her superficial femoral artery. A urokinase therapy was followed but her leg could not be salvaged and it was amputated. Ms. Allen claimed doctors did not diagnose arterial occlusion in a timely fashion to avoid amputation, and that surgery should have been performed to remove blood clots. The defense claimed that Ms. Allen suffered from a clotting disorder that would have led to failure of the surgery. The jury found Dr. Michael Mesbah 80 percent liable and Catholic Medical Center 20 percent liable. Actions against Kitae Kim and Robert Solomon were discontinued prior to the trial. No liability was assigned to St. Mary's Hospital. The jury awarded Ms. Allen \$15.7 million.