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Phila. Jury Awards \$6M to Paralyzed Heroin Addict

Max Mitchell, The Legal Intelligencer

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A Philadelphia jury has awarded more than \$6 million to a heroin addict who was paralyzed from the chest down due to alleged negligent medical treatment.

The jury on Wednesday awarded plaintiff Harry Walker, who was paralyzed from a spinal infection, \$6.6 million. Although the attending physician who initially treated Walker was not found to be negligent, the jury determined that Jeanes Hospital was 64 percent at fault for the injury. The trial lasted nine days before Philadelphia Court of Common Pleas Judge Shelley Robins New.

“The enduring value of the civil jury process was demonstrated today,” Messa & Associates attorney Eric H. Weitz, who represented the plaintiff, said in a statement to the press. “A jury of 12 Philadelphians challenged their own beliefs and overcame typical biases against those in our society that suffer from the disease of addiction. We hope that Jeanes Hospital takes this message to heart.”

Prior to the verdict, Walker had settled with the hospital for a confidential sum and had also entered into a high-low agreement with the defendant doctor. That number was also confidential, Weitz said.

According to the plaintiff’s pretrial memo, Walker, who was 44 at the time, arrived at Jeanes Hospital by ambulance Nov. 7, 2010. He complained of back pain and an inability to breathe. Walker also said that he was addicted to heroin, and had taken some earlier that day.

He was diagnosed as suffering from back pain and narcotic withdrawal; however, two days later, Walker was unable to move from the waist down, the memo said. Walker was rushed back to Jeanes hospital and was diagnosed with a spinal infection.

Ira W. Bushman of Dolchin, Slotkin & Todd, who handled the case for Jeanes Hospital, noted that the case settled before verdict, but declined to comment further.

A fuller version of this article will be posted later when the article is completed.
