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CLAYTON, MO NATIVE EARNS \$6.6 MILLION VERDICT IN PHILADELPHIA FOR RECOVERED HEROIN ADDICT CLIENT AFTER MEDICAL NEGLIGENCE RESULTED IN PARAPLEGIA

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On Wednesday, March 11, 2015, a Philadelphia jury awarded \$6.6 million in damages to a Philadelphia man who became permanently paralyzed in 2010 as a result of severely negligent medical treatment at Jeanes Hospital.

The plaintiff, Harry Walker, presented to the Emergency Department at Jeanes Hospital in November 2010 seeking treatment for severe back pain and a heroin addiction. Importantly, he presented with a history of fever and nausea. The emergency department staff administered narcotic pain medication and ran tests that included an EKG, X-rays, and blood work. The initial blood work showed signs of an infection. Before the final test results were completed, Mr. Walker was discharged with a diagnosis of exacerbated back pain and narcotic withdrawal and given a prescription for more narcotics.

After his discharge, Jeanes Hospital became aware, via blood cultures, that Mr. Walker had a systemic blood infection. The hospital, unable to reach Mr. Walker by phone, chose to send a certified letter to the address in Mr. Walker's file. The letter didn't even have time to arrive before Mr. Walker woke up in his bed, paralyzed from the chest down.

Jeanes Hospital defended their actions by placing responsibility for Mr. Walker's paraplegia on Mr. Walker himself, claiming that his substance abuse was the cause of his unfortunate circumstance and that the emergency department acted in accordance with the standard of care by making a few phone calls and sending a letter rather than following their own policy which provided that the Police be called.

Ultimately, a jury found the emergency room physician, Dr. Dana Mark Weber, not liable for Mr. Walker's injuries, while finding defendant Jeanes Hospital 64% liable for its failure to follow its own policies to protect all patients who receive abnormal test results.

The case was tried before The Honorable Shelley Robins New in the Philadelphia Court of Common Pleas. Attorneys Eric H. Weitz and Justin L. Groen of Messa & Associates, P.C. represented the plaintiff. The trial lasted 7 days - two of those days were used for jury deliberations.

Eric H. Weitz is a board member of a number of state, professional and community organizations including the Pennsylvania Patient Safety Authority, the Philadelphia Trial Lawyers Association (PTLA) and the Pennsylvania Association for Justice (PAJ) where Mr. Weitz serves on its Executive Committee. He is also an active member of the American Association for Justice and the American Trial Lawyers Association in New Jersey. Mr. Weitz has been named to the Pennsylvania Super Lawyers list by Thomson Reuters and Philadelphia Magazine for eight consecutive years, including Top 100 Pennsylvania and Top 100 Philadelphia for 2011- 2014.

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Messa & Associates, P.C. represents individuals and their families in complex personal injury matters, including catastrophic injury, medical malpractice, product liability, motor vehicle accidents, fires and explosions. Our attorneys serve Pennsylvania clients throughout the state, including in Philadelphia and other surrounding communities in Montgomery County, Chester County, Delaware County, and Bucks County. Messa & Associates are also proud to serve New Jersey clients throughout that state, and also litigate selected cases throughout the country.