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Saxton & Stump Trial Attorneys Receive Defense Verdict in Case Involving Two Family Medicine Physicians

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This matter involved two board-certified family medicine physicians and their treatment of the Plaintiff during four office visits over a two month period. During these office visits, Plaintiff complained of subjective fevers, unintentional weight loss, and GI symptoms. The Plaintiff eventually sustained an embolic stroke caused by undiagnosed infective endocarditis. Plaintiffs claimed the Defendants were negligent for failing to suspect that the patient's symptoms were possibly caused by bacteremia (bacteria in the blood). Plaintiffs argued the standard of

care required Defendants to order blood cultures (in their words, “a simple test”) to rule out bacteremia. Blood cultures likely would have been positive and resulted in the patient undergoing IV antibiotics to reduce the risk of a stroke from the endocarditis.

At trial, through strong expert support, the Defense demonstrated that the patient’s complaints were non-specific and he had no risk factors for bacteremia or infective endocarditis. In short, the Defense showed that this was a rare condition that presented in an uncommon way. The Defense also showed that the Plaintiff had a remarkable recovery from the stroke and had been able to return to work full-time. The jury returned a verdict of no negligence in favor of both family medicine physicians in less than 30 minutes.

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