

NEWS & INSIGHTS

Saxton & Stump Litigators Secure a Defense Verdict in an ENT Case

[OUR RESULTS](#)[DEFENSE VERDICT](#)

NOVEMBER 28, 2017



Male Plaintiff at 42 years of age was referred by his PCP to our ENT client for enlarged tonsils and persistent sore throats. Examination revealed a left oropharynx lesion and consents were obtained for a bilateral tonsillectomy and biopsy of the oropharynx, including the risks of swallowing difficulty and nasal regurgitation and the potential that additional surgery may be needed immediately. Uvulectomy was not mentioned. During surgery our client observed a swollen and elongated uvula and performed a near total uvulectomy to prevent post-operative airway obstruction. Plaintiff alleged permanent swallowing difficulty, choking, and nasal regurgitation caused by negligent removal of excessive soft palate tissue, and complete lack of consent for the uvulectomy. We presented evidence

that the surgical technique and intra-operative decision to perform the uvulectomy were within the standard of care, and that Plaintiff was so overwhelmed by his desire for tonsillectomy to eliminate persistent sore throats that mention of uvulectomy would not have significantly impacted his decision to undergo surgery. The jury returned a defense verdict after 30 minutes of deliberations.

Related Services and Industries

[Healthcare](#)

[Healthcare Litigation](#)