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LARGEST VERDICTS

VIRGINIA'S LARGEST VERDICTS OF 2015

10

\$1.75 Million

Botched knee replacement resulted in amputation

Reeder v. Boatright

Type of case: Medical malpractice

Court: Augusta County Circuit Court

Attorneys: Lee Livingston, Yvonne T. Griffin and Lisa Brook,
Charlottesville



LIVINGSTON



GRIFFIN



BROOK

A woman who lost her leg due to complications from a knee replacement was awarded \$1.75 million. This is believed to be the largest verdict handed down in Augusta County.

Plaintiff underwent a bilateral knee replacement surgery, during which, her orthopedic surgeon lacerated the popliteal artery on the first knee. Injury was diagnosed in the recovery room but a vascular surgeon's attempt at a repair failed, and the patient underwent amputation on postop day four. On pretrial motions, evidence of "risks of procedure," "known complication," and similar terms were excluded from evidence. The court excluded evidence the defendant had never had this complication before.

Plaintiff's vascular surgery expert undermined defense causation arguments based on the treating vascular surgeon's notes saying the patient had significant peripheral vascular disease, which complicated part of a bypass procedure designed to bypass the injury and save the leg. The carrier refused to make an offer for months, arguing the plaintiff's demand of \$1.7 million was too high for Augusta County. The jury returned a verdict of \$1.75 million after a five-day trial, almost a full day of which was deliberations.