

Medical Malpractice - Misdiagnosis, Breast Cancer - One Year Delay - Enhanced Risk of Recurrence - Settlement

by admin

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Brief statement of claim: The plaintiff sued her radiologist for failure to diagnose breast cancer after her annual mammogram.

Principal injuries (in order of severity): Increased risk of cancer recurring following mastectomy

Special damages: n/a

Tried or settled: Settled

County where tried or settled: Durham

Case name and number: McDonald v. Barber (Durham County Superior Court; 92 CvS 5310)

Date concluded: Oct. 19, 1993

Name of judge: n/a

Amount: \$300,000

Insurance carrier: Medical Protective Insurance Co.

Expert witnesses and areas of expertise: Dr. R. P. Gobien, radiologist from Clinton NC

Attorney(s) for plaintiff: Robert B. Glenn Jr. and William S. Mills of Glenn, Mills and Fisher, P.A.

Other useful information: The plaintiff's diagnosis and treatment was delayed until her next annual mammogram. Following a mastectomy, doctors found a large number of cancerous lymph nodes. In the opinion of the plaintiff's expert, the one-year delay in treatment enhanced the risk of the cancer recurring.