

TYPE OF ACTION: Medical Malpractice – Failure to Perform Timely Cesarean Section

INJURIES: Uterine rupture, placental abruption, brain damage, emotional distress

CASE NAME: *Soes v. *Toe, M.D., *et al.*,

SETTLEMENT: \$ 2 Million

PLAINTIFF’S LAWYER: William E. Artz, Andrew J. Waghorn
Arlington, Virginia

MEDIATOR: The Honorable Robert L. Harris, Sr.

CASE SUMMARY:

The Plaintiff alleged that defendant obstetrician failed to perform a timely C-section, despite the fact that the mother was attempting a vaginal birth after a previous C-section (VBAC), which carries a known risk of uterine rupture. There were recurrent late decelerations on the fetal heart rate monitor, protracted labor, and a swollen anterior lip that would not resolve. The Plaintiff alleged delivery should have occurred one and half hours prior to the severe bradycardia reflective of the uterine rupture and placenta separation.

As a result of the defendant’s negligence, the infant Plaintiff sustained permanent and profound brain damage. The adult Plaintiff sustained severe emotional distress from witnessing the birth of her son and from witnessing the struggles the infant has faced in everyday activities, and will continue to face for the rest of his life. The adult Plaintiff and her husband have one other son age 5 who is healthy.

*Names camouflaged