

**Delayed Herniated Disk Surgery Results In \$700,000 Settlement For Permanent Nerve Damag – Medical Malpractice – Plaintiff Lost Bladder Control – Rectal Numbness – Herniated Disc Symptoms – Surgery Delayed – Permanent Nerve Damage – \$700,000 Settlement**

by dmc-admin

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**Type of Action:** Medical malpractice

**Injuries Alleged:** Permanent nerve damage and loss of sensation

**Name of Case:** Confidential

**Court/County:** Confidential

**Case No.:** Confidential

**Tried Before:** Mediation

**Name of Judge:** Mediator was Mickey Herrin

**Special Damages:** n/a

**Verdict/Settlement:** Settlement

**Amount:** \$700,000

**Settlement Date:** June 28, 2004

**Demand:** n/a

**Offer:** n/a

**Experts:** Plaintiff used three family practice experts, an orthopedic spine surgeon and an economist

**Insurer:** Confidential

**Plaintiff's attorneys:** Bailey Melvin of the Melvin Law Firm, Greenville

**Person Submitting:** Bailey Melvin

**Description:** The case involved a young lady who had a history of back problems who went to see her doctor complaining that she had lost control of her urine the night before and was experiencing numbness in her rectal area. Plaintiff's experts testified that these were classic signs that she had a herniated disc which was compressing the lower spinal cord and required an immediate MRI or neurosurgical consult. Instead, the defendant set the patient up for an orthopedic consult two weeks in the future. Two days later the plaintiff went to another doctor because of her continuing symptoms and she was immediately referred to a neurosurgeon who performed surgery to relieve the pressure on the spinal cord. Because of the delay in treatment the plaintiff has been left with permanent nerve damage and a loss of sensation in

her pelvic area. Settlement was complicated by the fact the defendant only had \$1 million on insurance.

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