

# Substantial Changes in Neurological Conditions Are Ignored, Resulting in Severe Brain Damage

**The brain injury could have been avoided with proper observation and timely medical care by the hospital.**

In the early morning hours of June 2, 2000, Mr. M, a 27-year-old college student at a Florida university, suffered a severe head injury in an attack by an unknown assailant. Mr. M was brought to the emergency room of a local hospital. A CT scan revealed a small bleed in Mr. M's brain, but he appeared to be neurologically intact. He was admitted to the hospital for observation.

At 7:00 a.m., another examination revealed that Mr. M's right side had become flaccid and that he had difficulty speaking. This was a very substantial change in Mr. M's neurological condition, one that required an immediate medical consult by a physician. Instead, Mr. M lay in the hospital for over two and one-half hours with blood pouring from his brain. His condition worsened, and at 9:30 a.m. Mr. M went into respiratory arrest. Another CT scan at 9:52 a.m. revealed a large hematoma covering an area from the left front parietal lobe down to the left ventricle. Emergency surgery was performed and the bleeding was stopped. Unfortunately, the delay in treatment left Mr. M with a significant and permanent brain injury. The injury to Mr. M could have been avoided if the hospital had properly conducted the observation for which he had been admitted and administered timely medical care.

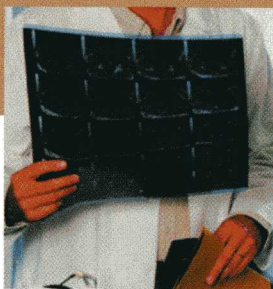
At the time of his injury, Mr. M had just returned to college to complete his studies for degrees in a double major. Earlier attendance at college had resulted in successful completion of several semesters, interrupted numerous times by Mr. M's need to return home to care for his ailing mother who

died in May 1997 after a lengthy battle with cancer. His high SAT test scores and earlier successes at high school studies gave every indication of a bright and successful future.

All expectations for Mr. M's future changed when the hospital failed to provide proper care. Following his release from the hospital, Mr. M spent two years in a nursing home trying to regain some level of physical and mental capability. He then was moved into a neurological rehabilitation center for brain-injured patients. Through hard work, determination, and with the help of others, Mr. M has made great strides toward recovery.

However, that recovery will never be complete. He will need supervision in all activities of daily living and will be unable to live alone. Mr. M's cognitive impairment will always require a living environment that protects him, with devices such as safety rails in bathrooms and at stairways, restrictions on water temperature settings to prevent scalding, and limitations on the use of regular cooking appliances to prevent injury. Mr. M is no longer capable of any gainful employment, and no longer has the capacity to make informed decisions with regard to his financial, health, educational, or personal matters. The hospital's inexcusable neglect took away Mr. M's future.

*The hospital's inexcusable neglect took away Mr. M's future...his recovery from the brain injury will never be fully complete.*



Mr. M's father, as parent and guardian, asked attorneys Sean Domnick and Mark Avera to represent them in this matter. A medical negligence suit was filed against the hospital. In June 2005, the parties reached a settlement agreement. Due to the confidentiality of this settlement, specific terms and figures cannot be disclosed. However, the case was resolved with an agreed settlement of seven figures. ■

**Confidential Settlement:**  
BRAIN INJURY CAUSED BY  
MEDICAL NEGLIGENCE