

TREATABLE NECK INJURY TURNS INTO PARALYSIS

On July 4, 1996, Richard Blackledge of Cocoa, Fla., was celebrating the holidays with his family. He was riding on an all-terrain vehicle when it flipped, threw him to the ground, and knocked him unconscious. An emergency unit was called. Richard was placed on a backboard with a neck brace and was transported to Wuesthoff Hospital Emergency Room in nearby Rockledge. While at Wuesthoff, diagnostic studies were taken of Richard's neck. Through the use of a CT Scan, doctors determined that Richard did not suffer a brain injury or any internal bleeding.

Unfortunately, what the attending neurosurgeon, emergency room doctor, and radiologist failed to recognize was that Richard's neck could not be cleared. The x-rays were poor quality, yet they still suggested that some kind of injury had occurred. At 3:00 a.m., Richard's neck brace was removed and he began receiving treatment as if no neck injury had ever occurred.

Eighteen days later, on July 22, an MRI was ordered by a subsequent neurologist. The MRI showed that Richard had a severely broken neck which had resulted in a substantial spinal cord injury and paralysis. To this day, Richard has no function from his chest down and has limited use of his arms and hands.

When Chris Searcy and Chris Speed reviewed the original medical chart, it showed that Richard had movement in his hands, shoulders, and lower extremities following the trauma. Evidence of movement continued for several days after Richard's accident, but was never reflected again in the chart. It became clear that following the removal of Richard's neck brace, the ongoing movement of him (as part of normal hospital care) caused a treatable neck injury to become permanent paralysis.

After the commencement of litigation, and following a number of depositions,



Approximately one year before the accident, Richard and Sandi Blackledge were wed on Oct. 14, 1995.

the treating neurosurgeon who ordered the removal of Richard's neck brace offered a settlement of \$1 million. This was the full extent of the neurosurgeon's liability insurance coverage. In consultation with the Blackledge family, Mr. Searcy and Mr. Speed suggested that making the money available to the family now, before the entire litigation had resolved, would be extremely beneficial.

Since the settlement, Richard has moved from a small apartment to a larger, handicapped accessible home. He has also replaced an older van with a new, fully handicapped equipped van. Richard has also begun receiving better daily home health care. Mr. Searcy and Mr. Speed will continue to try the case against the remaining defendants, which consist of the hospital, the radiology department, and the emergency room department. In the meantime, Richard and his family will be able to enjoy a better quality of life. ■

CAREER WOMAN HINDERED BECAUSE OF CAR ACCIDENT

On April 1, 1995, Deidra DenDanto was driving southbound in the center lane of Military Trail in Delray Beach. She began to stop at an intersection when her 1986 Volkswagen Jetta was struck in the rear by an elderly male driver. Ms. DenDanto was removed from her vehicle by a Fire Rescue team and was taken to Delray Beach Community Hospital. She was treated and released that same day.

Over the next year, Ms. DenDanto suffered with chronic neck, back, shoulder, and jaw pain. Respectively in 1996 and 1999, she underwent arthroscopic jaw and shoulder surgeries to relieve her pain, all of which was precipitated by the accident. During those four years, Ms. DenDanto adhered to a strict and rigid physical therapy schedule.

At the time of the accident in 1995, Ms. DenDanto was employed as an accountant at a large CPA firm. She was a devoted employee who worked long hours. Ms. DenDanto is now the Chief Financial Officer of an internet start up company in Atlanta. Unfortunately, her long work hours and heavy travel schedule have badly exacerbated her injuries.

Ms. DenDanto retained the services of attorney William Norton. After years of pretrial litigation, in June, Mr. Norton settled the case for \$150,000 on behalf of Ms. DenDanto. This money will be used to pay, in part, for the surgeries and physical therapy expenses Ms. DenDanto has incurred since her accident in 1995. ■

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