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Florida jury returns \$4 million verdict for widow in medical negligence/wrongful death case

In July 2019, Jerome Silverberg, 68-years-old, was recovering from lumbar surgery in a rehabilitation facility in Broward County, Florida, when he died unexpectedly. (Names of the parties have been changed to protect confidentiality.) Almost immediately, Sandra Silverberg, his spouse of 47 years, suspected that her husband was a victim of medical malpractice. She contacted Searcy Denney attorney **Matt Schwencke** and asked that he investigate the care provided to her husband by the rehabilitation facility. Mr. Schwencke retained medical experts who reported that Jerome had suffered from the classic signs and symptoms of a bowel obstruction and that timely intervention would easily have saved Jerome's life. Mr. Schwencke initiated litigation shortly thereafter.

The focus of the legal action centered on Angela Sanchez, M.D., the attending physician responsible for oversight of Jerome's care. The review of Jerome's care supported a strong case against Dr. Sanchez for medical negligence and wrongful death. In order to avoid prolonged litigation, Mr. Schwencke demanded that Dr. Sanchez' insurance carrier tender its policy limits, a mere \$250,000, to settle the case. The insurance carrier for the defendant refused, claiming that Dr. Sanchez' care was appropriate and denied any wrongdoing on the physician's behalf. The case proceeded to trial. SDSBS attorney **Guy Murphy** joined Mr. Schwencke on the trial team.

After a six-day trial, the jury deliberated for 90 minutes before returning a verdict in the plaintiff's favor in the amount of \$4 million. Because the verdict was significantly greater (more than 125%) than the plaintiff's proposal for settlement, the insurance carrier for the defendant will be required to pay attorney fees and costs as a result of its refusal to settle the case. ♦