

Searcy Denney is ready, all the time!

Searcy Denney attorneys are no strangers to the courtroom. While most trials were fought on behalf of clients who had been represented by the firm for years, it is not uncommon for the firm to be asked to step in as counsel shortly before a scheduled trial begins.

Recently, Searcy Denney attorney **David Vitale** was contacted by a local law firm and asked to assist in a trial scheduled to begin within two months. The case had been ongoing for nearly two years and the plaintiff had changed lawyers multiple times during the pendency of the litigation. Mr. Vitale vetted the case and agreed to come on board as lead trial counsel despite the fact that the best offer from defense was well under \$100,000. Prior to trial, Mr. Vitale took the defense expert's deposition and successfully opposed various defense pre-trial motions. Following a week-long trial in Palm Beach County, in which the defense tried unsuccessfully to strike plaintiff's treating physician from testifying, Mr. Vitale and his trial partner secured a \$1,500,000+ verdict on behalf of the client.

Our attorneys welcome the opportunity to work with other law firms to assist with cases that are fast approaching trial. As evidenced by Mr. Vitale's recent trial victory, it may be that the defense is simply not willing to pay reasonable value for a case, and the only way to achieve that result is to try the case before a jury. When that happens, Searcy Denney is ready. ♦



Gross delay in performing Caesarean results in severe neurological damage to infant

George and Mary Green (not their real names) were expecting the birth of their first child and were quite thrilled about the event. Close to term, Mary began experiencing difficulties and was admitted to a nearby hospital. The unborn child's fetal heart monitoring strips indicated distress. Further examination revealed meconium-stained amniotic fluid which also confirmed fetal distress. Mary's treating OBGYN was not available that day, and the hospital assigned a different OBGYN to care for Mary and her baby girl.

The baby had failed to descend timely into the birth canal. The monitoring strips continued to record distress. Despite that, the new OBGYN continued to direct Mary to push to initiate the birth process. The doctor tried different devices to ease the baby's delivery, but efforts were to no avail. The doctor's decision to perform a Caesarean section was grossly delayed four hours because, as the doctor stated, his team was not available to help with surgery. By the time the Caesarean section was called and performed, it was too late.

Baby girl Megan was born barely alive. Her coloring was blue and she was limp, with minimal respiratory effort. Resuscitative measures were implemented. Baby Megan was then transferred to the Neonatal Intensive Care Unit. The diagnosis that came shortly thereafter revealed hypoxic ischemic encephalopathy (HIE). Megan had begun experiencing seizures and was placed on anti-seizure medications. The medical team then rushed Megan to a local hospital to obtain a higher level of specialty care. An MRI of her brain revealed acute infarcts and blood. The healthcare providers were skeptical of Megan's ability to improve. Only time would tell.

Following her birth, Megan experienced developmental delays in walking and talking. Over many months, she received extensive physical, occupational, and speech therapy. She no longer had seizures. George and Mary have done and continue to do everything in their power to ensure that Megan gets all the support she needs to live a full life. Following the immediate crisis of Megan's birth, the Greens reached out to Searcy Denney attorney **Karen Terry** and asked for her help in seeking accountability for the damage their daughter suffered during her birth. On the eve of a trial alleging failure to provide proper and timely medical care, Ms. Terry resolved Megan's case for a confidential amount (seven figures) which will help support and care for Megan for the rest of her life. ♦