

After nearly 10 years, Searcy Law attorneys obtain \$2.6 million verdict for 22-year-old in an 18 months survival action against emergency room physician

In September 2016, Brendan Johnson, a 22-year-old from outside Boston, Massachusetts, came down to West Palm Beach, Florida, for drug rehabilitation treatment to turn his life around and stay clean from his history of addiction for good. While in treatment, he was exhibiting symptoms consistent with bacterial meningitis. His providers at the drug rehabilitation center recognized the symptoms and sent him to the emergency room three separate times before he was finally admitted and diagnosed with meningitis on the third visit. Unfortunately, none of the hospital healthcare providers ever did a brain scan to ensure there was no swelling or infection in the brain, which the standard of care requires for bacterial meningitis, a central nervous system infection. During his admission at the last hospital, after five days, he ended up deteriorating into multiple rapid response events leading to emergency brain surgery. Sadly, the infection was spreading in his brain for weeks and developed into excessive brain swelling and a brain abscess impacting his frontal lobe.

Because none of the hospital providers at any of the three hospitals ever performed a brain scan, no one knew the brain abscess was there and it continued to grow until it almost killed him. Fortunately, the emergency brain surgery was successful, but it left Brendan with a significant brain injury, long-lasting physical and cognitive deficits, and a life that was going to change forever. Searcy Law shareholder and trial lawyer, **Jordan A. Dulcie**, got on the case shortly after the case came to the firm in 2016 and fought tirelessly over the next decade to seek justice for Brendan and his family. Unexpectedly, just after the case was filed, Brendan died 18 months after his injuries from unrelated causes. Undeterred in the pursuit for accountability and justice, Mr. Dulcie litigated the case against a number of different defendants, five different defense firms, and even a bankruptcy proceeding. Just before trial most of the defendants settled; however, one defendant remained.

In January 2026, the case was finally able to get to trial against the last remaining defendant, an emergency room physician who never made an offer to settle before trial. Mr. Dulcie, along with fellow shareholder **D.J. Ward**, who joined the fight for justice at trial, spent the next four weeks presenting the survival case to a Palm Beach County jury. The emergency room physician worked at the second hospital and never considered a bacterial meningitis infection, never did a brain scan, and ultimately discharged Brendan with a diagnosis

The award highlighted the harm Brendan suffered and acknowledges that catastrophic injuries, even if short lived, have profound consequences that should be recognized.



of an upper respiratory infection. The jury heard evidence that had the defendant done a brain scan and done a lumbar puncture the patient would never have been discharged and immediately treated to prevent the outcome that ultimately happened. The jury was asked to award \$1.8 Million for the pain and suffering Brendan endured for the 18 months he was alive with his injuries before his death. After nine hours of deliberation over two days, the jury returned a verdict of \$2,647,462.72. The jury ended up awarding \$2 Million for Brendan's pain and suffering exceeding what was recommended. The award highlighted the harm Brendan suffered and acknowledges that catastrophic injuries, even if short lived, have profound consequences that should be recognized. The case ultimately resolved post-verdict for more than what the insurance policy had before any appeal was initiated. ♦

**FOR OUR SPANISH-SPEAKING CLIENTS,
WE HAVE A TOLL-FREE NUMBER THAT WILL BE
ANSWERED BY OUR SPANISH-SPEAKING PERSONNEL.**



**Para servirle mejor a nuestros
clientes que hablan español,
tenemos un número telefónico gratuito
(800) que será contestado
por nuestro personal de habla hispana.**

800.220.7006

SEARCY LAW