JD Hadiaris Obtains Unanimous Defense Verdict on Behalf of Orthopedic Surgeon

JD Hadiaris successfully defended an orthopedic surgeon from Maine, obtaining a unanimous defense verdict in a jury trial at Androscoggin County Superior Court.

The case arose from the orthopedic surgeon's repair of a femoral neck fracture (combined with a femoral shaft fracture), which occurred in a snowmobile crash. The plaintiff alleged that the surgeon was negligent in his reduction and fixation of the femoral neck fracture, which went on to nonunion following surgery. The plaintiff underwent several additional revision procedures performed by another orthopedic surgeon, but those surgeries failed, and the patient eventually required a total hip arthroplasty after she was diagnosed with avascular necrosis. The plaintiff asked the jury to award $4 million in damages.

The defense argued that the surgeon’s reduction and fixation of the femoral neck fracture were reasonable and appropriate, and that the plaintiff’s complications were not result of any alleged negligence on the part of the surgeon. Top experts from New England and beyond were called by the defense team. The experts explained that femoral neck fractures caused by high energy traumatic injuries like the one the plaintiff experienced put patients at high risk for nonunion and avascular necrosis, even when repair is correctly performed – as it was here by the orthopedic surgeon.

As a result of these high-energy injuries, the limited blood supply to the femoral neck and head is often disrupted, and that disruption can result in inability of the fracture to heal (nonunion) and eventually death of the bone (avascular necrosis). The fact that the plaintiff experienced these well-known complications following her injury was not an indication that the surgery was performed in a negligent or improper manner.

After the weeklong trial, the jury deliberated for less than half an hour before returning a unanimous defense verdict for JD’s client.

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