

NORTH CAROLINA

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10 Woman reaches \$5.3M settlement in hospital negligence claim

A woman injured while undergoing surgery entered into a confidential, pretrial settlement for \$5.3 million two days before her trial was scheduled to begin, her attorneys reported.

Many of the details of the case are being withheld due to a confidentiality agreement, but the plaintiff's attorney, Charles Mast of Smithfield, said his client suffered vaginal and rectal tearing and a back injury, and subsequent depression and diarrhea because the defendants failed to read, understand and follow warning labels on a surgical table.

"The surgical table mechanically folded up into a U-shaped position during a hysterectomy, causing the inserted speculum to tear plaintiff from vagina to rectum," Mast wrote in an email.

Mast said the back injury was a lumbosacral plexus injury, which is often caused by vehicle-pedestrian collisions, high-speed automobile accidents and falls from great heights. The back and vaginal pain, Mast said, is permanent.

The woman has been unable to have vaginal intercourse since the incident, and "diarrhea and depression continue to be a problem," Mast wrote.



Charles Mast

SETTLEMENT REPORT

MEDICAL NEGLIGENCE

Amount: \$5.3 million

Injuries alleged: Vaginal and rectal tearing, back injury, depression, diarrhea

Case name: Confidential

Case No.: Confidential

Court: Confidential

Special damages: Medical expenses, \$254,214; life care plan, \$3.9 to \$4.7 million; future estimated lost wages, \$865,000

Date: Feb. 26

Attorneys for plaintiff: Charles Mast of Smithfield

Attorneys for defendants: Confidential