

Missouri Lawyers WEEKLY

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Graham, Simon win \$10.8M for LSEM lawyer's family

34-year-old mother died during heart procedure



Maurice Graham

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A St. Louis County jury delivered a \$10.8 million verdict Aug. 29 against a doctor and a hospital in a medical negligence/wrongful death suit.

Jason Dodson and his three children brought an action against Mercy Hospitals East Communities, Dr. Robert P. Ferrara, Dr. George M. Kichura and Mercy Clinic Heart and Vascular.

Kichura was dismissed from the suit, according to his attorney, Philip Willman.

In the suit, the plaintiffs claim that their wife and mother, 34-year-old Shannon Dodson, died because of an accident during a heart catheterization, which they claim was not the most effective diagnostic tool the doctors could have used.

Shannon Dodson came to the Mercy emergency room in February 2011 with a fever, and she was assessed as having bronchitis, chest pain, a nonspe-

cific abnormal electrocardiogram, pharyngitis and generalized anxiety, according to the Dodsons' complaint.

Kichura evaluated Shannon Dodson and ordered an exercise stress echo and blood tests, according to the complaint. The result from the stress test was inconclusive, the complaint said, so Kichura ordered a heart catheterization.

The complaint says Shannon Dodson fearfully and reluctantly agreed to the procedure, citing a problem with a medically invasive procedure she had previously undergone.

Ferrara then performed the procedure, during which Shannon Dodson's left main artery was dissected, which com-

promised blood flow and sent her into shock, according to the complaint.

She was taken to the operating room in an attempt to save her, the complaint says. The complaint says the doctors unreasonably delayed taking her in for emergency surgery.

She died Feb. 10, 2011.

Eleven members of the jury signed off on the verdict. It awarded the family \$305,737 in past economic damages including past medical damages, \$1 million in past noneconomic damages, \$1,525,418 in future economic damages and \$8 million in future noneconomic damages.

Maurice B. Graham, of Gray, Ritter & Graham, and John G.

Simon, of The Simon Law Firm, represented the Dodson family. Paul N. Venker, of Williams Venker & Sanders, represented Mercy and Ferrara.

"My client Jason Dodson is relieved to have this difficult ordeal behind him," Graham said. He would not comment further. Venker did not return calls seeking comment.

Shannon Dodson, in addition to having a career in real estate, was a volunteer for Legal Services of Eastern Missouri. She was a co-chair of the auction for the agency's main fundraiser, the Justice for All Ball, when she died before the February 2011 event. Jason Dodson is a managing attorney at LSEM. **MO**

\$10.8 Million Verdict

MEDICAL NEGLIGENCE/WRONGFUL DEATH

■ **Venue:** St. Louis County Circuit Court

■ **Case Number/Date:** 11SL-CC03684/Aug. 29, 2013

■ **Judge:** Thea A. Sherry

■ **Plaintiffs' Experts:** Bruce Charash, New York, N.Y. (cardiology); John Setaro, Brandford, Conn. (interventional cardiology); Robert Marsh, Little Rock, Ark. (economist)

■ **Defendants' Experts:** Michael Lim, St. Louis (cardiology); Edward Geltman, St. Louis (cardiology); William Mitchel See, Columbia (surgical); Kirk T. Spencer, Chicago (cardiac imagery); Howard Kurz, St. Louis (cardiology)

■ **Last Pretrial Demand:** \$2.3 million

■ **Insurer:** Mercy Health Comprehensive Pooled Liability Program, for defendants.

■ **Caption:** Jason D. Dodson and Jason D. Dodson Jr., Eva Raine Dodson-Lohse and August William Davis Dodson v. Mercy Hospitals East Community, Robert P. Ferrara M.D. and George M. Kichura M.D. and Mercy Clinic Heart and Vascular

■ **Plaintiffs' Attorneys:** Maurice B. Graham, Gray Ritter & Graham, St. Louis; John G. Simon, The Simon Law Firm, St. Louis

■ **Defendants' Attorney:** Paul N. Venker, Williams Venker & Sanders, St. Louis.