

# MISSOURI LAWYERS WEEKLY

## Woman Died After D&C

*Blood Loss Caused Brain Damage*



Stephen Woodley

### **\$1.2 Million Settlement**

The husband of a 49-year-old woman who died following a dilation and curettage procedure sued for medical malpractice.

Cynthia Holmes underwent the D&C at a St. Louis hospital on Jan. 12, 2000 for a history of bleeding. Her OB-GYN, Dr. Chalermquan Chadarantana, started the procedure using a local anesthetic but at a certain point decided to continue under general anesthesia.

Extensive bleeding occurred during the D&C, which led to a lack of perfusion — blood supply — to the brain. Holmes had

to be resuscitated. Due to irreversible brain damage, she died on Feb. 22.

Holmes had no children, and her parents were deceased. Her husband of 13 years, John Holmes, claimed in his lawsuit against Dr. Chadarantana, the anesthesia personnel and the hospital that the risk of bleeding should have been anticipated and prepared for before the procedure.

He noted that Cynthia had a history of diabetes and hypertension, making her particularly susceptible to blood loss. In addition he claimed that her he-

moglobin and hematocrit levels, taken two days before the D&C, were both low and should have alerted medical personnel to the potential significance of bleeding should it occur during surgery.

The defendants denied negligence, arguing that adequate precautions were taken and that bleeding is an event that can occur absent negligence and lead to serious complications such as death.

John Holmes settled with Dr. Chadarantana and the anesthesia personnel for \$1.2 million. He reached a confidential settlement with the hospital.

### Facts of The Case

**Type of Action:** Medical malpractice

**Type of Injuries:** Death

**Court/Case No./Date:** St. Louis County Circuit Court/00CC-3795/November 2003

**Caption:** Holmes v. Chadarantana, et al.

**Judge, Jury or ADR:** Jury

**Name of Judge:** John Kintz

**Special Damages:** None

**Verdict or Settlement:** \$1.2 million settlement (from doctor and anesthesia personnel); confidential settlement (from hospital)

**Allocation of Fault:** N/A

**Last Offer:** N/A

**Last Demand:** N/A

**Attorneys for Plaintiff:** Stephen R. Woodley, Gray, Ritter & Graham, St. Louis; Martin M. Green and David T. Butsch, Green, Schaaf & Jacobson, St. Louis

**Insurance Carrier:** Not disclosed

**Plaintiff's Experts:** Not disclosed

**Defendant's Experts:** Not disclosed