

## MALPRACTICE

# Two doctors found liable for paralysis

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A mother of two left paralyzed from the waist down has been awarded more than \$8 million in a Broward Circuit Court medical malpractice case.



Cohen

Muriel Tenney, now 43, went to Memorial Regional Hospital in Hollywood on Dec. 4, 2007, complaining of an abscess on her right upper back. It was drained, and she was sent home with a prescription.

Over the next three days, she returned twice to have the wound cleaned, and she was referred to see a surgeon in a couple of

weeks. On Dec. 24, she returned to the emergency room complaining of severe chest pain. A few tests were run, and she was sent home.

The day after Christmas, she went back in severe pain. This time she was kept in the hospital and given painkillers. By the following day she was reporting numbness below the knees and was unable to move her legs.

The jury found three physicians negligent of the four defendants at trial. Drs. Jean-Daniel Pierrot, Robert Ringelheim and Ahmed Shehata faced trial.

Pierrot and Ringelheim, as employees of Inphynet South Broward Inc., were found liable for 42 percent of damages. They were represented by defense attorney James Nosich of Nosich & Ganz in Coral Gables.

Jurors assigned no liability to Shehata, who worked at a Memorial Regional clinic in Pembroke Pines. He was represented by attorney Jay Chimpoulis of Chimpoulis, Hunter & Lynn in Davie.

Dr. Matthew Zucker, as an employee of the hospital with sovereign immunity, could not be sued, said plaintiffs attorney Jay Cohen of the Law Office of Jay Cohen in Fort Lauderdale. The jury assigned 58 percent liability to him as a Fabre defendant, which cut the total award from \$19.25 million.

## TREATABLE INFECTION

Tenney was awarded \$1.45 million for past and future medical expenses and \$6.64 million for past and future pain and suffering.

Cohen explained the jury found the doctors negligent for failing to admit her to the hospital and pursue a diagnosis for her severe and unexplained chest pain.

It was alleged this failure led to a delay in the identification of a spinal epidural abscess that began as a cyst on her right shoulder and progressed to an infection in her spine within three weeks.

Tenney is permanently paralyzed and has no bladder or bowel control, Cohen said.

"She saw numerous emergency room doctors and complained of the most severe chest pain you can document. They never performed the right tests or scans, but even more sadly sent her home without knowing what was causing such pain," Cohen said. "The strain of the infection was common enough that they could have treated it when she first visited the emergency room."

When the proper tests were done, doctors found the abscess was compressing and damaging her spinal cord. She was operated on for a decompression to remove the abscess, but the permanent injury had occurred.

Cohen was assisted by associate attorney Rudy Ayala.

Calls to the defense attorneys were not returned by deadline.

The trial concluded Thursday before Broward Circuit Judge Jack Tuter.

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