

Neubert, Pepe & Monteith, P.C. Wins Defense Verdict in Birth Injury/Wrongful Death Suit

Attorneys Eric Stockman and Adam Maiocco won a hard fought defense verdict in a birth injury/wrongful death case this past Friday. In opening statements, plaintiff's counsel demanded \$18.5 million from the jury. In the case, *Estate of Dylan Hoffman v. Margolis et al*, involved allegations that our clients, three neonatologists and their practice group, negligently failed to diagnose the child's aortic coarctation, which is a congenital narrowing of the aorta. Our clients evaluated the child when he was brought into the emergency room at 14 hours of life after delivery at an outside birthing center. They correctly diagnosed his respiratory distress as being caused by excess retained fluid in the lungs. They kept him in the neonatal intensive care unit for 5 days, evaluated him constantly, and discharged him to home. A month later, he collapsed from a hemorrhage commonly associated with coarctation.

Jury selection and evidence lasted more than five weeks. The Estate was represented by prominent plaintiff's firm Silver Golub and Teitell. During the trial, experts on both sides disagreed sharply as to whether the standard of care required the doctors to investigate the possibility of a congenital abnormality or to call for a pediatric cardiology consult for such purpose. Attorney Stockman's cross examination of plaintiff's expert proved particularly effective in defeating those claims. After deliberating for slight more than an hour, the jury returned a defense verdict.

See the Connecticut Law Tribune, "Jury Sides With Doctors, Neonatology Group in Boys Death," by Robert Storage, Feb. 6, 2017



Eric J. Stockman

Eric J. Stockman specializes in the litigation of complex medical, commercial and personal injury cases. He has particular expertise in big-damages personal injury claims.



Adam V. Maiocco

Adam V. Maiocco specializes in medical malpractice defense, legal malpractice defense, premises liability, motor vehicle, and other personal injury matters.