



ATTORNEYS

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WWHGD Partner Robert "Bob" Tanner Wins Defense Verdict in Medical Malpractice Case

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Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC partner Robert "Bob" Tanner and associate Scott Kerew won a defense verdict in a frightening medical malpractice case. The plaintiff was a middle-aged woman with severe chest discomfort, whose biopsies of a mass in her chest were suspicious for cancer. The plaintiff's pathologist sent the specimen to the Mayo Clinic for further evaluation, and the results supported the diagnosis of cancer. Unbeknownst to the pathologist, the plaintiff also made arrangements for her biopsy slides to be evaluated by another pathology group, whose findings disputed the cancer diagnosis. In the meantime, the plaintiff went forward with chemotherapy, which she later decided she should not have done because when the suspicious matter was removed it was found not to be cancer.

The issues in the case revolved around the alleged failure to promptly notify the plaintiff's treating physician of the non-cancerous diagnosis. Tanner and Kerew were able to triumph in the case by showing that in fact the treating physician had been notified on a timely basis. Four days into trial, a unanimous jury returned a defense verdict after less than two hours of deliberation.