

Healthcare Team Defends Appeal of Medical Malpractice Action

October 20, 2017

Don Ladd, Kim Kocher and Ed Beitz successfully defended Plaintiff's appeal of a verdict (secured by Mr. Ladd in November of 2015) in favor of a physician-defendant in a medical malpractice action. Ms. Kocher and Mr. Beitz wrote the appellate brief, and Mr. Beitz argued the case before the Superior Court back in June 2017.

Importantly, in this opinion the Pennsylvania Superior Court reiterated the rule, which has been called into question by other recent precedent, that Pennsylvania law does not recognize the right of filial consortium. Thus, the court held that the decedent's mother was correctly precluded from offering "pain and suffering" testimony in a wrongful death action. The Plaintiff did not seek further appeal.

James v. Albert Einstein Medical Center, 2017 Pa. Super. 293 (Pa. Super. Sept. 12, 2017 Blatt, Dubow, and Ransom, J.J.) (Op. by Blatt, J.)

Attorneys

Edward F. Beitz

Practice Areas

Appellate

Healthcare

Healthcare Industry