



And The Defense Wins

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William V. Johnson and Sammi L. Renken



On June 29, 2011, after a month-long trial in Cook County, Illinois, firm president [William V. Johnson](#) and shareholder [Sammi L. Renken](#) of **Johnson & Bell, Ltd.** in Chicago obtained a defense verdict in favor of the University of Chicago Hospitals, a doctor and a nurse in an alleged birth injury case. During trial, the defense obtained a directed verdict in favor of a second nurse. The jury was hung, 9-2 in favor of the defense, as to one remaining physician. Plaintiff's counsel sought damages in excess of \$65 million.

The lawsuit arose out of alleged negligence during the labor and delivery of the child in June 1995. The plaintiff alleged that the child was injured due to lack of oxygen for 22 minutes prior to delivery and further injured by inappropriate maneuvers used to relieve head entrapment at the time of delivery. The plaintiff also argued that there was lack of informed consent for delivery via vaginal delivery rather than cesarean section. Defense experts opined that all of the care complied with the standard of care in all respects. The defense argued that the child's cerebral palsy, g-tube dependence and developmental delay resulted from her prematurity and fetal inflammatory response syndrome.

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