

# VIRGINIA LAWYERS WEEKLY

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## VIRGINIA'S LARGEST VERDICTS OF 2010

### MEDICAL MALPRACTICE

# #11

# \$3 million

#### Taylor v. Averill

**Type of Case:** Medical malpractice

**Court:** Winchester Circuit Court

**Attorneys:** Barbara S. Williams, Leesburg, and Roger T. Creager, Richmond

**Summary:** The 39-year-old plaintiff underwent a laparoscopically assisted vaginal hysterectomy (LAVH) because of heavy menstrual cycles.

During the operation, the defendant surgeon stitched the plaintiff's vaginal cuff to her rectum.

While she was at the hospital, plaintiff suffered post-operative symptoms including nausea, vomiting, tenesmus (the urge to have a bowel movement), hematochezia (bloody stool). After three days, another surgeon was consulted and discovered the error.

Plaintiff underwent further surgery, including a temporary colostomy, reversal of the temporary colostomy to restore bowel function, and repair of abdominal hernias that resulted from having two incisions made in the same place.

She incurred \$125,000 in medical expenses and lost wages.

The verdict was reduced to \$1.925 million, and it has been paid.



**WILLIAMS**



**CREAGER**