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Artist blinded during retinal detachment surgery

\$1 Million Settlement

The plaintiff, a 58-year-old artist, was permanently blinded in one eye after undergoing an outpatient surgery for a retinal detachment. The defendant retinal surgeon performed a pneumatic retinopexy, which requires an injection of expansile gas into the patient's eye to form a bubble that pushes the retina back into place. The defendant injected an excessive amount of gas into the posterior chamber of the plaintiff's right eye, which caused her intraocular pressure to spike. The plaintiff's elevated pressure was not effectively treated, and she suffered debilitating pain over several days. As a result of the elevated pressure, the plaintiff suffered retinal artery occlusion



MORRISON



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and optic neuropathy, irreversibly damaging her optic nerve. She is permanently blind in her right eye with minimal ability to see light. The plaintiff's loss of sight substantially impaired her depth perception and ability to see in three dimensions. Consequently, her ability to paint at her previous level of mastery was substantially impaired. The plaintiff alleged that the retinal surgeon breached the standard of care by injecting an excessive amount of expansile gas into her eye and failing to effectively treat her elevated intraocular pres-

Type of action: Medical Malpractice

Injuries alleged: Blindness in one eye

Name of case: Confidential

Name of mediator: Hon. Stanley P. Klein (Ret.)

Date resolved: July 11, 2018

Special damages: None

Verdict or settlement: Settlement

Amount: \$1,000,000.00

Attorneys for plaintiff: Christopher T. Whelan and Paul A. Morrison, Warrenton

sure before she lost her vision. The plaintiff's experts included two highly regarded retinal surgeons from academic medicine. The case settled at mediation while written discovery was being exchanged, but before the defendant was deposed. [18-T-142]