

MICHIGAN LAWYERS WEEKLY

Estate argued staff didn't do enough for meds reaction

Long-term reversal agent should have been administered

By: Michigan Lawyers Weekly Staff in Verdicts & Settlements May 19, 2015

In a lawsuit filed in Wayne County Circuit Court, Rita D. Williams, personal representative of the Estate of Margaret Dickerson, alleged that Dickerson died of a narcotics overdose at Samaritan Nursing and Rehabilitation, where she was recuperating from a recent orthopedic surgery.

Dickerson had suffered an adverse reaction to the medication received at the rehabilitation center and, plaintiff alleged, her subsequent care was proven inadequate to prevent her death. Plaintiff said that when nurses realized that the patient was showing signs of a narcotic overdose, they notified defendant Dr. Joram Mogaka, who ordered a short-acting drug to reverse the effects of the narcotic.

Plaintiff argued that the long-term reversal agent should have been given and the patient should have been transferred to a hospital or, at the very least, given a pulse oxygen monitor, which would alert the nursing staff if the patient began to suffer from hypoxemia. The jury awarded plaintiff's estate \$3 million.

Brian J. McKeen, counsel for plaintiff, provided case information.

Type of action: Medical malpractice

Type of injuries: Death

Name of case: Williams v. Mogaka

Court/Case no./Date: Wayne County Circuit Court; 13-001836-NH; April 17, 2015

Tried before: Jury

Name of judge: Hon. David J. Allen

Verdict amount: \$3 million

Case evaluation: \$190,000

Attorneys for plaintiff: Brian J. McKeen, Timothy M. Takala, David Tirella and Parker G. Stinar

Attorney for defendant: John M. Toth