

Eleventh Circuit Affirms Defense Verdict for Firm's Correctional Healthcare Clients

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In *Johnson v. Corizon Health, Inc.*, the Eleventh Circuit affirmed a defense verdict won by partners Mark Lefkow and Meghan Davidson in federal court for a nurse and a third-party medical provider at the Gwinnett County Detention Center. Plaintiff, a pre-trial detainee, had received a PPD test for the presence of tuberculosis and claimed that he had not consented to the test. Plaintiff, who was represented by counsel, sought millions of dollars for battery and medical negligence. The jury found for Defendants and awarded nothing to Plaintiff. Plaintiff appealed on the basis that a jury charge under Georgia law stating that expert testimony was required to prove medical malpractice was incorrect. The Eleventh Circuit affirmed the verdict for Defendants, agreeing with our positions that Plaintiff waived any objections to the charge and that the verdict for Defendants on the battery claim rendered any error in the jury instruction on the medical negligence claim harmless.