

WISCONSIN

COMPLETE DISMISSAL

CORNEILLE
LAW GROUP, LLC

Adam Fitzpatrick secured a complete dismissal of an alleged malpractice claim against several healthcare providers. The facts of the case revolved around a plaintiff who developed a vulvar mass that was eventually diagnosed as cancer. Plaintiff was told by her primary care providers that she needed to be seen by a specialist, but she refused. However, the referrals were not all charted and the plaintiff disputed whether the referrals were ever made. Once the plaintiff's condition developed to a point that it was painful, she finally accepted a referral to a specialist and she was diagnosed with cancer. She declined treatment and passed away approximately three weeks later. Her estate filed suit.

Through summary judgment motions, an NP, PA, and their employer were dismissed after plaintiff's expert was unable to provide the required testimony to sustain a claim against each. The case progressed for over a year thereafter against the remaining primary care physician. On the eve of trial, plaintiff agreed to voluntarily dismiss the remaining claims, with prejudice, when faced with the prospect of trying the case and the witnesses and testimony the defense was going to present.



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