

**MEDICAL**

**MALPRACTICE**  
Negligent Surgery

Verdict: Defense

CASE/NUMBER: Zhongchao Ma  
v. Shang C. Wu / BC695239

COURT/DATE: Los Angeles  
Superior / Mar. 12, 2020

JUDGE: Frederick C. Shaller

**ATTORNEYS:**

Plaintiff - Kenneth I. Gross (Chen  
F. Liu (Law Offices of Kenneth I.  
Gross & Associates)

Defendant - Yuk K. Law (Law &  
Brandmeyer LLP)

**FACTS:** Plaintiff Zhongchao Ma, who was 66 years old, underwent a diagnostic colonoscopy by defendant Dr. Shang C. Wu, a gastroenterologist, on April 4, 2014. After the procedure, plaintiff complained of abdominal pain while in the recovery area of the outpatient surgery center. Dr. Wu felt that plaintiff's abdominal discomfort was due to retained gas used during the colonoscopy. Dr. Wu returned plaintiff to the procedure room and performed another colonoscopy to try to relieve the retained gas, but he noted there was a red spot in the descending colon. He placed several clips on the red spot to prevent perforation. After the second procedure, plaintiff still complained of discomfort, and Dr. Wu arranged to have plaintiff transported by ambulance to Whittier Hospital's emergency department for further evaluation. It was determined by a CT scan of the abdomen that there was a perforation of the descending colon. Plaintiff underwent exploratory laparotomy that evening and perforation was found and repaired by a general surgeon.

Plaintiff remained hospitalized for one week due to the onset of atrial fibrillation following the surgery.

**PLAINTIFF'S CONTENTIONS:** Plaintiff claimed that Dr. Wu used excessive force and caused a bowel perforation during the initial colonoscopy when he encountered a tortuous colon, and that he should have aborted the procedure to avoid injury to the colon.

**DEFENDANT'S CONTENTIONS:** Dr. Wu contended that he used proper and careful technique in navigating the tortuous (twisted, overlapping) descending colon, and that the perforation was an accepted complication of the procedure that can happen without negligence.

**INJURIES:** Plaintiff suffered bowel perforation, open laparotomy and bowel repair, extended hospitalization, extensive scar on the abdomen, emotional distress, inability to have sex.

**DAMAGES:** Plaintiff asked the jury to return an award of \$750,000 for past and future non-economic damages.

**RESULT:** The jury delivered a defense verdict.

**OTHER INFORMATION:** Defendant Dr. Wu will seek costs from plaintiff.

**FILING DATE:** Mar. 1, 2018