



Top Verdicts



Verdict: Defense
Los Angeles Superior / BC658421
Topic: Medical
Subtopic: Malpractice

Defense – Kent T. Brandmeyer (Law & Brandmeyer LLP)

On August 16, 2016, decedent Aki Saggio (age 46) presented to the office of Primary Care Physician Dr. Cabasso with new complaints of shortness of breath and a rapidly beating, pounding heart for 10 days. She also had a recent history of flying from Hawaii, diabetes and was on birth control pills. These are all risk factors for increased blood clots.

See page 7 for a full summary



MEDICAL**MALPRACTICE**
Wrongful Death

Verdict: Defense

CASE/NUMBER: Steven Hawkins, an individual, and Salen Hawkins, a minor individual, by and through her Guardian ad Litem, Steven Hawkins v. Phillip Cabasso M.D., Phillip J. Cabasso, M.D., A Medical Corporation, Rajesh Chawla, M.D., an individual, and Does 1-100 / BC658421

COURT/DATE: Los Angeles Superior / Jul. 25, 2022

JUDGE: Michele E. Flurer

ATTORNEYS:

Plaintiff - John P. Blumberg (Blumberg Law Corp.); Ivy B. Grigoryan (Grigoryan & Blum Law Group)

Defendant Cabasso - Kent T. Brandmeyer (Law & Brandmeyer LLP)

FACTS: On August 16, 2016, decedent Aki Saggio (age 46) presented to the office of Primary Care Physician Dr. Cabasso with new complaints of shortness of breath and a rapidly beating, pounding heart for 10 days. She also had a recent history of flying from Hawaii, diabetes and was on birth control pills. These are all risk factors for increased blood clots. Dr. Cabasso performed a physical examination, including vital signs, heart and lung exam and EKG. All were normal. Dr. Cabasso's differential diagnoses included arrhythmia and metabolic disorder. He referred the decedent to the cardiologist, Dr. Chawla, the next day. Dr. Chawla did his own history and physical exam. The patient had a distant history of leg cramps, but no signs or symptoms for Deep Vein Thrombosis. He also suspected a cardiac cause for the symptoms and ordered cardiac testing.

The decedent died suddenly three days later on August 20, 2016 of a massive pulmonary embolism.

PLAINTIFF'S CONTENTIONS:

Plaintiff contended that when the patient was seen by Dr. Cabasso, she had a deep vein thrombosis that had already thrown off small emboli which caused her symptoms of leg pain, shortness of breath and rapid heartbeat on exertion. Plaintiff's expert testified that, in light of decedent's increased risk factors, Dr. Cabasso was medically negligent for failing to elicit the history of air travel and failing to document an examination of the legs to rule out DVT. Plaintiff contended that, had Dr. Cabasso taken a more complete history, he either would have uncovered evidence of diagnosed a DVT or he should have immediately sent the patient to the ER where her condition would have been diagnosed and placed the decedent on blood thinners, saving her life.

DEFENDANT'S CONTENTIONS:

Defendant Dr. Cabasso contended that his history was adequate and the decedent had no complaints of leg symptoms referable to a DVT. Her complaints of shortness of breath and heart palpitations could not be reproduced in the office. Her physical exam was normal. It was prudent in this situation to send the decedent to a specialist, whom decedent saw the next day in no worse condition. Further, the specialist also did not make the diagnosis of either DVT or pulmonary embolism.

INJURIES: Death of a 46 year old Domestic Partner and mother of 3 children

DAMAGES: \$250,000 in Non-Economic damages for loss of a parent and partner

SETTLEMENT DISCUSSIONS:

Plaintiff's last demand to Dr. Cabasso was \$1,000,000. Dr. Cabasso served a CCP 998 offer for \$100,000 prior to trial.

RESULT: Defense verdict.

FILING DATE: May 31, 2017