



TOP VERDICTS



Rabinowitz v. Paz, M.D.

Verdict: Defense

Los Angeles Superior

Topic: Medical

Subtopic: Malpractice

Detail: Negligence

Defense – Kent T. Brandmeyer (Law Brandmeyer LLP)

Plaintiffs alleged that Dr. Paz negligently lacerated the ear canal and perforated the eardrum during melanoma surgery, causing permanent tinnitus, hearing loss, and lost earnings.



MEDICAL

MALPRACTICE

Negligence

Verdict: Defense

CASE/NUMBER: Sheldon Rabinowitz and Naomi Rabinowitz v. Isaac Benjamin Paz, M.D.; James Buese, M.D.; Valentina Zackarian, R.N.. Huntington Ambulatory Surgery Center, LLC; Huntington Hospital; City of Hope; City of Hope National Medical Center, and Does 1 through 100, inclusive / 19STCV44112

COURT/DATE: Los Angeles Superior / Jul. 3, 2025

JUDGE: Lauren R. Lofton

ATTORNEYS:

Plaintiff - Richard M. Foster (Law Offices of Richard M. Foster); David R. Euredjian (Foster, Sultanyan & Euredjian)

Defendant - Kent T. Brandmeyer (Law Brandmeyer LLP)

FACTS: Plaintiff Sheldon Rabinowitz was diagnosed with a malignant melanoma on his scalp. He sought treatment with Dr. Benjamin Paz at City of Hope. On Dec. 7, 2018, Dr. Paz surgically removed the melanoma. In preparation, the surgery center nurse used betadine to clean the ear of the patient, as the ear was near the surgery site. After the surgery was completed without complication, Dr. Paz decided to clean out the betadine from the ear canal. In doing so, he inadvertently lacerated the ear canal with a forceps he was using to hold gauze in the clean up effort. According to the nurse's notes, Dr. Paz also used Q-Tips to clean the ear. Plaintiff later went to an ENT, who, after removing the scab formed on the ear drum, found a perforation on Plaintiff's ear drum.

PLAINTIFF'S CONTENTIONS: Plaintiff alleged that Dr. Paz both cut the ear canal and perforated the eardrum. This led to pain, hearing loss and severe tinnitus, or ear ringing. The ear ringing persists to this day and distracts plaintiff daily.

DAMAGES: The tinnitus prevented plaintiff from working for 2 1/2 years, resulting in \$1.375 million in lost earnings. Both Plaintiff and his wife claimed non-economic damages.

RESULT: Defense verdict. The jury found that Dr. Paz was not negligent. The parties negotiated a high/low agreement of \$1,500,000/\$150,000 while the jury was deliberating.

OTHER INFORMATION: Plaintiffs dismissed a number of other defendants prior to trial, and proceeded to trial against Dr. Paz and City of Hope only.

FILING DATE: Dec. 6, 2019