

\$1,000,000 Jury Verdict for Vascular Malpractice

SUITS & DEALS

NEW JERSEY LAW JOURNAL

Molnar v. Argila: A Middlesex County jury awarded \$1 million on November 17, 1999 to Jolan Molnar, a Woodbridge woman who alleged that her leg had to be amputated because three doctors failed to provide timely treatment. The jury attributed 39 percent of the injury to a previous condition, which means the plaintiff will receive \$610,000, plus about \$85,000 in prejudgment interest, both lawyers in the case say.

Molnar was 61 years old on Dec. 12, 1994, when she underwent colon obstruction surgery at John F. Kennedy Medical Center in Edison, New Jersey. The operation was a success, but five days later she complained of numbness in her left foot.

Her lawyer, from Eichen Crutchlow Zaslow, LLP, presented evidence that the cause of the numbness was an arterial blockage that could have been diagnosed and treated quickly if an angiogram had been performed sooner or a specialist had been called in earlier than Dec. 27. Four days later, Molnar's leg was amputated below the knee.

Defense attorney John North, a partner with Woodbridge's Greenbaum, Rowe, Smith, Ravin, Davis & Himmel, argued that even if the test result and the specialist had been available earlier, the result would have been the same because it wasn't an arterial blockage that caused the leg problem. The defense presented evidence that Molnar suffered from cholesterol buildup in the small vessels, which would have worsened no matter what the defendants did.

North says he may appeal on grounds that the verdict went against the weight of the evidence. One of the defense experts was Dr. John Edora, a vascular surgeon who performed the appendectomy on Gov. Christine Todd Whitman the same week as the trial.

The plaintiff demanded a \$1.5 million settlement before the trial, but North and The Firm say the defendants, covered by Medical Inter-Insurance Exchange, offered nothing.

Drs. Charles Argila and Gary Brenbart were each assessed 24 percent of the blame and Dr. David Richmond was assessed 13 percent, for a total of 61 percent.

By Henry Gottlieb

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