

M. KENNETH PATTERSON
Jury Trial Experience
Medical Malpractice Cases

Below is a list of the actual jury trials where Ken Patterson served as lead counsel which involved medical negligence issues. In addition to these trials, Ken has also tried more than 25 non-medical cases for both Plaintiffs and Defendants. These cases dealt with personal injury, products liability, property issues, conversion and slander.

<u>Trial Date</u>	<u>Style/County</u>	<u>Nature of Case</u>	<u>Result Obtained</u>	<u>Name of Judge</u>	<u>Opposing Counsel</u>
09/17/84	<u>Ward v. Dr. Finer</u> Travis County, Texas #341,268	Medical malpractice case involving alleged creation of a pneumothorax following an injection	Defense verdict	Joe B. Dibrell, Jr.	Edward Berliner
12/17/84	<u>Kolodzie v. Dr. Shannon</u> Bexar County, Texas #82-CI-09251	Medical malpractice case involving injury to a toe of a child following surgery due to failure to remove tourniquet (Defended surgeon)	Partial Plaintiff verdict for \$50,000 with majority of responsibility on hospital and nurses	Raul Rivera	Franklin Houser & Daniel J.T. Sciano
04/29/85	<u>Guerrero v. Drs. Thiltgen, Brockway & Orozco</u> Bexar County, Texas #83-CI-06837	Medical malpractice case involving alleged misdiagnosis of aspirated foreign body (Defended 3 physicians)	Hung jury. Case later dismissed for payment of court costs alone.	Carol Haberman	Charles Butts & R. R. Willman, Jr.
07/29/85	<u>Williams v. Dr. B.R. Hughes</u> Gregg County, Texas #141 70679 82	Medical malpractice case involving misdiagnosis of hip fracture by emergency physician	Defense verdict	Alvin Khoury	David Deaderick
02/10/86	<u>Johnson v. Dr. Mason</u> Bexar County, Texas #83-CI-07447	Medical malpractice case involving alleged misdiagnosis by emergency physician treating patient involved in motorcycle accident	Directed verdict for Defendant	David Peebles	Earle Cobb, Jr.
04/28/86	<u>Spring Branch v. Dr. J. Gabriel</u> Harris County, Texas #83 32142	Medical malpractice death case involving alleged improper anti-coagulation treatment	Defense verdict	David West	Julius Glickman
01/26/87	<u>Barraza v. Dr. Vasquez</u> El Paso County, Texas #85 485	Medical malpractice case involving loss of leg and alleged mismanagement of anti-coagulation therapy	Plaintiff verdict	John Fashing	Richard Marshall & Alan Winters

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03/02/87	<u>Jernigan v. Dr. O=Ballo</u> Gonzales County, Texas #16,009	Medical malpractice case involving alleged improper surgical technique (Defended 2 physicians)	Defense verdict	Gus J. Strauss	Clem Lyons
08/03/87	<u>Vogt v. Dr. Rosenthal</u> Bexar County, Texas #86-CI-008515	Medical malpractice case involving perforation of colon	Defense verdict	Peter M. Curry	George Mauze, II
09/08/87	<u>O=Neal v. Dr. H. Kelly</u> Bexar County, Texas #86-CI-04157	Medical malpractice death case involving necrotizing fasciitis in an obstetrical patient	Defense verdict	Peter M. Curry	James Conley, III
10/05/87	<u>Mares v. Dr. Castaneda</u> Cameron County, Texas #84 2669 B	Medical malpractice case involving injury to an infant resulting from IV infiltration	Defense verdict	Jane Brasch	Richard Arroyo
10/26/87	<u>Kelley v. Drs. Sheehy & Schneider</u> Bexar County, Texas #85-CI-03001	Medical malpractice case involving loss of penis suffered by elderly disabled patient allegedly caused by treatment (Defended 2 physicians)	Defense verdict	John Cornyn, III	Gary M. Mayton
11/02/87	<u>Cortez v. Dr. Ruiz</u> Bexar County, Texas #85-CI-00683	Medical malpractice case alleging misdiagnosis of ARDS	Defense verdict	Carol Haberman	R. A. Wagner
11/16/87	<u>Philly v. Dr. Gabert</u> Taylor County, Texas #552 D	Medical malpractice case involving emergency physician and alleged misdiagnosis of heart attack	Defense verdict	William Thomas, Jr.	Wm. Ervine, Jr.
12/07/87	<u>Salinas v. Dr. Garcia</u> Atascosa County, Texas #9612	Medical malpractice case involving amputation of leg in diabetic patient allegedly caused by inadequate antibiotic treatment	Defense verdict	Robert Eschenburg	Ernest Valdez
02/15/88	<u>Juranek v. Drs. Stark & Sneed</u> Bee County, Texas #17,952A	Medical malpractice death case involving alleged misdiagnosis of cardiac problem (Defended 2 physicians)	Defense verdict	Ronald M. Yeager	Sheryll Dempsey
03/28/88	<u>Blancas v. Dr. Canales</u> El Paso County, Texas #86,6174	Medical malpractice death case involving alleged overdose of anti-seizure medication	Settled during trial	John Fashing	Robert Oaxaca

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06/13/88	<u>Savage v. Dr. Cantu</u> Bexar County, Texas #85-CI-00601	Medical malpractice case involving alleged misdiagnosis of appendicitis	Defense verdict	Raul Rivera	Marion W. Cain
01/23/89	<u>Gacka v. Dr. Mabray</u> Victoria County, Texas #88 3 37913 B	Brain damaged baby case involving alleged birth injury and cerebral palsy	Nonsuited after jury selection. Case refiled a second time in another venue one day after nonsuit	Whayland Kilgore	Dahr Jamail & Randall Hopkins
03/14/89	<u>Truesdell v. Dr. Burdeaux</u> Harris County, Texas #85 50094	Medical malpractice case alleging inappropriate use of chymopapain injection	Defense verdict	Louis Moore	Gerald Treece & Robert Ray
05/22/89	<u>Kessler v. Dr. Calvo</u> Matagorda County, Texas #87 C 0914 C	Medical malpractice death case involving alleged misdiagnosis of intracranial hemorrhage	Mistrial after jury selection Case subsequently settled	Neil Caldwell	Don Weitingner
07/03/89	<u>Sims v. Dr. Altinger</u> Harris County, Texas #85 62946	Medical malpractice case alleging misdiagnosis of ectopic pregnancy	Defense verdict	Hugo Touchy	Kenneth Baugh
09/05/89	<u>Cornett v. Dr. Mallett</u> Galveston County, Texas #86 CV 0114	Medical malpractice case involving brain damaged baby with allegations of inadequate prenatal care which should have prevented premature birth	Defense verdict	Henry G. Dalhite	Greg Enos & Russell Burwell
10/09/89	<u>Douglas v. Dr. Manoharan</u> Hidalgo County, Texas #C 1487 87 E	Medical malpractice case involving cardiac catheterization and subsequent loss of patient=s legs	Settled favorably during jury deliberation	Juan R. Partida	Marynell Maloney & Rick Neville
11/14/89	<u>Lopez v. Dr. Lopez</u> Hidalgo County, Texas #C 473 88 C	Medical malpractice case involving alleged delay in treatment and death of child from meningitis (Tried with W. Richard Wagner)	Defense verdict	Juan R Patida	Karl Door
12/04/89	<u>Tullos v. Dr. Davis</u> Harris County, Texas #84 55082	Medical malpractice case against an anesthesiologist and a C.R.N.A. relating to a severely brain damaged infant	Defense verdict	Shern Smith	Brenda Bishop & Clarence Kendall

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01/29/90	<u>Perales v. Drs. Canavati, Padron & Laredo Emergency Physicians</u> Webb County, Texas #38,456	Medical malpractice case against emergency physician and E.R. Group for alleged failure to diagnose heart attack	Defense verdict	John Onion, III	M. Halbardier & John Mastin
03/12/90	<u>Davis v. Drs. Jenkins & Harrisburg Eye Associates</u> Harris County, Texas #85 45337	Medical malpractice case against an ophthalmologist for blindness suffered after cataract surgery	Defense verdict	William R. Powell	Kurt Arbuckle
05/01/90	<u>Martinez v. Dr. Lozano</u> El Paso County, Texas #87 7113	Medical malpractice case involving implantation of a penile prosthesis and subsequent infection	Defense verdict	Jack N. Ferguson	Stephen A. Hines
05/21/90	<u>Muniz v. Dr. Pate</u> El Paso County, Texas #87 6708	Medical malpractice case involving brain damaged baby due to ruptured uterus	Defense verdict	Eduardo S. Marquez	Evelina Ortega
06/04/90	<u>Gacka v. Dr. Mabray, et al</u> Victoria County, Texas #89 11 150 D	Medical malpractice case involving alleged birth injury and cerebral palsy	Second trial of case. This time it was nonsuited after 22 days of testimony. Case refiled a third time & ultimately settled.	Whayland Kilgore	Dahr Jamail & Randall Hopkins
10/01/90	<u>Dean v. Dr. Hodges, et al</u> Harris County, Texas #88 46735	Medical malpractice case involving alleged birth injury and subsequent death of a child	Settled favorably after jury selection	William R. Powell	Craig Lewis
01/14/91	<u>Langford v. Dr. Bethea</u> Gregg County, Texas #89 1241 B	Medical malpractice case involving alleged misdiagnosis of glomus vagali tumor	Defense verdict	Marcus Vasocu	Lancaster Smith, Jr.
01/22/91	<u>Campa v. Dr. Chandler</u> Bexar County, Texas #89-CI-18550	Medical malpractice death case involving suicide after alleged dental malpractice (Assisted W. Richard Wagner)	Defense verdict	Carol Haberman	Lynn Taylor & John Doyle
04/15/91	<u>Ritter v. Dr. Manning</u> Bexar County, Texas #88-CI-04826	Medical malpractice case involving stroke suffered during surgical procedure	Defense verdict	Raul Rivera	Tom Rhodes & Jeff Anderson

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04/22/91	<u>Alvarado v. Dr. Martinez, et al</u> Hidalgo County, Texas #C 3400 88 G	Obstetrical malpractice death case involving velamentous insertion of umbilical cord	Settled favorably for physician after jury selection	Federico Guerra	John Black & Ricardo Morado
06/10/91	<u>Colletta v. Dr. Walter</u> Harris County, Texas #85 20989	Medical malpractice case involving alleged improper knee surgery	Defense verdict	Geraldine Tennant	Scott Kimball
12/09/91	<u>Price v. Dr. Phillips</u> Bexar County, Texas #90-CI-11521	Medical malpractice death case relating to man who had heart attack	Plaintiff=s verdict for \$1.68 million, case settled for \$200,000 prior to entry of Judgment	Carlton Spears	Marynell Maloney
04/05/93	<u>Marquez v. Dr. Daniell</u> El Paso County, Texas #81 8490	Obstetrical malpractice case involving severely brain damaged premature child	Settled favorably for physician after jury selection	John Ferguson	Clarence Moyers & Gerald Sugarman
05/04/93	<u>Hennessy v. Dr. Craig, et al</u> Bexar County, Texas #91-CI-10441	Medical malpractice death case involving alleged misdiagnosis of aortic dissection	Plaintiff=s attorney voluntarily nonsuited case against Dr. Craig after 3 days of trial	Michael Peden	David Adkisson
07/06/94	<u>Humphries v. Dr. O=Donnell, et al</u> Harris County, Texas #88 55457	Medical malpractice death case involving alleged improper discharge of post-surgical patient	Defense verdict	Lamar McCorkle	Richard ARacehorse@ Haynes
12/05/94	<u>Salinas v. Dr. Jones</u> Cameron County, Texas #91 11 7514 C	Medical malpractice case where there was an alleged delay in diagnosis of Hodgkin=s Disease in an 18 year old male	Defense verdict	Darrell Hester	Maria E. Perez
01/03/95	<u>Ortiz v. Dr. Marlin, et al</u> Bexar County, Texas #93-CI-14366	Medical malpractice case involving quadriplegia which occurred during cervical spine surgery on a 15 year old Down=s Syndrome patient	Defense verdict	David Peebles	Robin Harrison
04/10/95	<u>Winton v. Dr. Chiscano</u> Bexar County, Texas #94-CI-02152	Medical malpractice case involving a 49 year old male who died following cardiac by-pass surgery	Defense verdict for Dr. Chiscano, directed verdict for Cardiac Surgical Associates, P.A.	Martha Tanner	Christa Samaniego

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10/23/95	<u>Weidner v. Dr. Marlin</u> Bexar County, Texas #93-CI-17945	Alleged lack of informed consent for a neurological procedure was asserted by a 21year old male who had a congenital spinal lipoma which produced a tethering of the patient=s spinal cord. One procedure was done on the patient at age 10, and a release of a re-tethered cord was performed when the patient was 17. The second procedure resulted in neurological complication which left plaintiff paralyzed below his knees	Defense verdict	David Peeples	Gerald T. Drought
10/07/97	<u>Wolfert v. Dr. Staub</u> Dallas County, Texas #94-5692-C	Medical malpractice case involving a brain damaged baby whose injuries were alleged to have been caused by complications arising from the fact that the child=s mother had a retroverted uterus which did not stay in normal anatomic position during her pregnancy and did not correct itself despite conservative measures designed to anteverte the uterus	Defense verdict	Gary Hall	John P. Polewski
07/20/98	<u>Pina v. Dr. Willhoite</u> Bexar County, Texas #96-CI-17567	Medical malpractice case involving alleged surgical errors in an Anterior Cruciate Ligament Repair Procedure	Defense verdict	Michael Peden	Fred Cludius
08/02/99	<u>Rutherford v. Dr. Britt</u> Bexar County, Texas #98-CI-07536	Medical malpractice case involving alleged damage secondary to a vaginal birth	Plaintiff=s verdict - case settled prior to entry of Judgment	David A. Berchelmann, Jr.	Barry Snell
08/23/99	<u>Alexander v. Dr. Knight</u> Bexar County, Texas #97-CI-08409	Medical malpractice case involving alleged disability following administration of a tetanus injection	Defense verdict	Janet Littlejohn	Rachel Reuter
10/15/99	<u>Ibarra v. Drs. Cruz and Salinas</u> Webb County, Texas #97CVQ-00179-D2	Medical malpractice case involving a C-section delivery due to mother=s hypertension where it was discovered two days after birth that the infant had a fractured clavicle. Plaintiff asserted that an Erb=s Palsy, which manifested months after birth, was caused by the delivering physicians	Defense verdict	Raul Vasquez	James F. Martin

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03/20/00	<u>Villarreal v. Shannon Medical Center</u> Tom Green County, Texas #B-99-0324-C	Medical malpractice case seeking over \$25 million related to care provided by hospital staff for extremely premature baby born in 1981. Case tried more than 19 years after events. Hospital was client	Defense verdict	Barbara Walther	Lawrence Wilson
09/11/00	<u>Lopez v. Drs. Vela and Soriano</u> Webb County, Texas #99CVT-00713-D2	Medical malpractice case seeking damages arising from alleged mismanagement of a rattlesnake bite. Physicians diagnosed compartment syndrome of arm and performed fasciotomy resulting in scars, but no disability	Settled after Plaintiff verdict (some damages awarded not supported by evidence)	Raul Vasquez	George Ann Maixner
11/13/00	<u>Soto v. Dr. Acevedo</u> Webb County, Texas #98CVQ-00725-D2	Medical malpractice case involving death of mother of four. Death occurred due to hemorrhage following rupture of uterus during childbirth. Plaintiffs alleged failure to timely diagnose and treat condition	Defense verdict	Raul Vasquez	Michael Terry
09/04/01	<u>Spinks v. Dr. Brown</u> Bexar County, Texas #98-CI-16743	Medical malpractice case involving alleged injury to urethra of Plaintiff during orthopedic surgery	Defense verdict	Michael Peden	Tony Diaz
09/12/01	<u>Contreras v. Dr. McDonnell</u> Harris County, Texas #1999-24158	Medical malpractice case involving alleged injury to femoral nerve which occurred during anterior and posterior fusion surgery	Directed verdict for client	Katie Kennedy	John Turner
10/22/01	<u>Hill v. Dr. Peche</u> Bexar County, Texas #2000-CI-8330	Medical malpractice case involving alleged surgical negligence during a bladder suspension procedure	Defense verdict	Karen Pozza	Dennis Peery
08/5/02	<u>Manley v. Dr. Taylor</u> Travis County, Texas#93-09443	Medical malpractice case alleging negligent post-operative instructions following back surgery	Defense verdict	Paul Davis	John Anderson
1/27/03	<u>Bailey v. Dr. Woodall</u> Travis County, Texas #98-12984	Medical malpractice case involving the death of a 36-year old husband and father of 4 from a massive heart attack three days after he was seen and evaluated by a family practice physician	Defense verdict	Scott H. Jenkins	Edward P. Watt

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02/09/04	<u>McDonald v. Dr. McDonnell</u> Harris County, Texas #2000-55379	Medical malpractice case involving alleged negligence during spine surgery where a major bleeding complication occurred	Defense Verdict	John T. Wooldridge	Linda J. Parrish
02/23/04	<u>Cumby v. Dr. Shannon</u> Tom Green County, Texas #B-02-0419-C	Medical malpractice case involving severely brain damaged infant pursued against Hospital for alleged negligence during labor and delivery of a VBAC patient	Case resulted in mistrial. Retried at a later date to a successful defense verdict	Curt F. Steib	Jim Wren Laura Brown
03/22/04	<u>Hernandez v. Dr. Zakula</u> Bexar County, Texas #2002-CI-05832	Medical malpractice case involving death of 15 year old girl 16 hours after she left the emergency room. Death occurred due to myocarditis diagnosed at autopsy. Plaintiffs alleged death due to dehydration and shock	Defense Verdict	Barbara Nellermeoe	Dale Hicks
04/19/04	<u>Glenn v. Shannon Medical Center</u> Tom Green County, Texas #B-02-1133-C	Medical malpractice case involving alleged negligence in failing to prevent suicide attempt during adult Plaintiff=s brief stay at a psychiatric Hospital. Injuries suffered left Plaintiff, mother of two minor children, in a persistent vegetative state	Defense Verdict	Rae Leifeste	Broadus Spivey Price Ainsworth Richard T. Miller
05/10/04	<u>Cumby v. Shannon Medical Center</u> Tom Green County, Texas #B-02-0419-C	Medical malpractice case involving severely brain damaged infant pursued only against Hospital for alleged negligence during labor and delivery of a VBAC patient	Defense Verdict	Curt F. Steib	Jim Wren Laura Brown
07/19/04	<u>Stinnett v. Shannon Medical Center</u> Tom Green County, Texas #A-02-1202-C	Medical malpractice case claiming that the death of an elderly patient was caused by a fall which occurred in the Hospital	Defense Verdict	Rae Leifeste	Jay Winckler
11/08/04	<u>Veliz v. Dr. Farina</u> Bexar County, Texas #2002-CI-11261	Medical malpractice case claiming permanent injuries to a child at delivery	Settled during trial	Barbara Nellermeoe	Raul Rios
04/04/05	<u>Betz v. Dr. Chiscano</u> Bexar County, Texas #2003-CI-01408	Medical malpractice case arising out of a stroke which occurred weeks after coronary bypass.	Mistrial during jury deliberation (subsequently settled)	Barbara Nellermeoe	Ray Perez

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10/20/09	<u>Spinks v. Dr. Brown</u> Bexar County, Texas #98-CI-16743	Medical malpractice case involving alleged injury to urethra of Plaintiff during orthopedic surgery. Case was tried a second time, after being remanded following an appeal of a prior defense verdict.	Defense verdict	Barbara Nellermeoe	Sid Meadows
11/08/10	<u>Luffman v. Dr. Shaw</u> Bexar County, Texas #2009-CI-18070	Medical malpractice case involving alleged failure to diagnose chronic hypertension in 59-year-old gentleman who had an intraventricular hemorrhage.	Defense verdict	Karen Pozza	Beth Janicek Glenn Cunningham
01/10/11	<u>Gardner v. Children's Medical Center</u> Dallas County, Texas #08-00249-E	Medical malpractice case involving emergency care rendered to 9-month old child by the Transport Team of Children's Medical Center.	Defense verdict	Marty Lowy	Patrick Short