

Malpractice case brings family \$9 million award

Heart surgery was basis for lawsuit

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The surgical complications that three years ago made Laurice Rizk a respirator- and dialysis-dependent double amputee persuaded a jury to award her and her family \$9.53 million in a lawsuit against her doctors and hospital.

The jury in Cuyahoga County Common Pleas Court handed up the giant malpractice verdict Friday against Southwest General Health Center in Middleburg Heights and seven physicians who participated in Rizk's triple

heart bypass in April 2000.

The Rizk family's lawyer, Chuck Kampinski, contended in a two-week trial that Laurice Rizk's surgeons, Dr. Rais Beg and Dr. Susan Apte, both of Cleveland, installed an incorrect heart valve, then realized the error in the midst of the surgery.

But because of the error, Kampinski said, Rizk's heart valve operation was botched. He also said that other serious errors occurred, including an improperly installed tracheal tube, while she was a patient at Southwest

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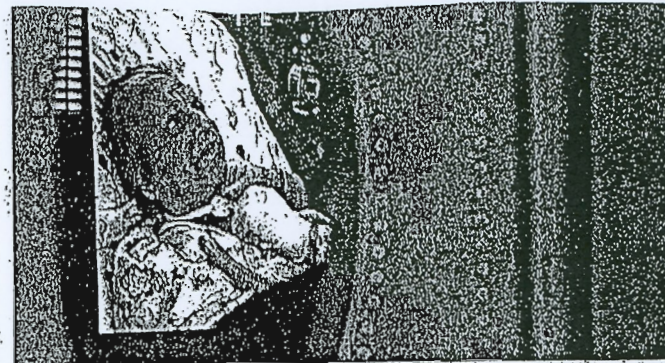
Also named in the suit were Dr. Linas Vaitkus, Dr. L.C. Rao, Dr. K.V. Gopalakrishna, Dr. Sabino Velloze and Dr. Touraj Taghizadeh, all of Cleveland.

Beg's lawyer, William Meadows, was floored by the jury's verdict and said an appeal is likely. "We believe that the result in this case is simply at odds with the expert testimony and evidence," Meadows said. "There was a significant sympathy factor in this case; apparently as a con-

sequence, the jury returned a verdict by awarding one third of what was actually demanded. Dr. Beg is a great physician. He did nothing wrong to have caused this outcome."

Meadows and other defense lawyers argued that Rizk's many medical problems going into surgery — severe heart, circulatory and kidney disease — made the operation extremely risky, and Rizk was made well aware of that. She also knew she would die without the surgery, Meadows said.

Defense witnesses, including a renowned heart surgeon from Philadelphia, failed to sway the jury, which rendered its verdict



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Laurice Rizk entered a Cuyahoga County Common Pleas courtroom on March 7 to testify in her malpractice suit against several doctors. Jurors awarded her and her family \$9.53 million on Friday after a two-week trial.

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around 5 p.m. after a full day of deliberation.

Kampinski said Rizk and her family will use the money to provide round-the-clock care for Rizk. Two of her adult children have moved in with their parents to help. Last week the woman was carried into the courtroom on a stretcher. It took five people to move her to a portable hospital bed so she could testify. Her family said that just a few days before her surgery, she prepared dinner for 20 people.

"I was fine," Rizk testified. "I led a very active life right up to the last minute. I cooked a meal every day. I cleaned my house, went shopping, drove to see my

sister in Akron.

"Now, I can't do anything." Today, she takes her meal travenously, breathes with a pirator and undergoes kidney dialysis three times a week. Her legs were cut off after the surgery.

Kampinski said the amazing thing is that Rizk remains full of life, in spite of everything she has gone through.

Plain Dealer reporter Olivera Perkins contributed to this story.

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