

CASE INFORMATION SHEET
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COUNTY AND COURT:

Lake County Circuit Court

NAME OF CASE:

TRAVIS E. STOBART, as Personal Representative of the Estate of
NANCY KAY STOBART, Deceased,

Plaintiff,

v.

KENNETH A. SAMPONG, M.D., MARC S. SCHWARTZBERG, M.D. and
RADIOLOGY ASSOCIATES OF CENTRAL FLORIDA, P.L.,

Defendants

CASE DOCKET NO.: 08-CA-1285

JUDGE: Michael G.
Takac

PLAINTIFF(S) ATTORNEY(S)/TRIAL COUNSEL:

Russell E. Artille, Esq. and
Armando T. Lauritano, Esq.
Morgan & Morgan, P.A.
One Tampa City Center
201 N. Franklin Street
7th Floor
Tampa, FL 33602

DEFENDANT(S) ATTORNEY(S)/TRIAL COUNSEL:

Richard S. Womble, Esq. and
Christine V. Zharova, Esq.
Rissman, Barrett, Hurt,
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P.O. Box 4940
Orlando, FL 32802-4940

Kevin O'Hara, Esq. and
Paul Nugent, Esq.
O'Hara & Nugent
First Sanford Tower - Suite 600
312 W. First Street
Sanford, FL 32771

AGE/SEX/OCCUPATION OF PLAINTIFF OR DECEDENT:

59-year old female (deceased)

FOR WRONGFUL DEATH CASES, PLEASE GIVE AGE AND RELATIONSHIP OF SURVIVORS:

Travis Stobart (son), 24-years old at time of death

DATE, TIME AND PLACE OF ACCIDENT OR OCCURRENCE:

March 18, 2006 at Leesburg Regional Medical Center

CAUSE OF INJURY:

Nancy Stobart was hospitalized at Leesburg Regional Medical Center on March 18, 2006. Ms. Stobart had previously been diagnosed with multiple medical conditions, including chronic obstructive pulmonary disease, hypercapnia, diabetes, hypertension, congestive heart failure, hyperlipidemia, atrial fibrillation and depression. She was on 14 different medications. Despite her conditions and the instructions of her doctors to cease smoking cigarettes, she continued to smoke cigarettes even while on supplemental oxygen.

Upon admission on March 18, 2006, the patient was intubated. She improved and was extubated on March 22, 2006. On March 25, 2006, Dr. Kenneth Sampong, a cardiologist, performed a cardiac catheterization which revealed an occluded left circumflex coronary artery. Following the procedure the patient was transferred to the floor.

In the early morning hours of March 26, 2006, the patient left the floor to go outside the hospital to smoke. When she returned she had a coughing spell which caused the site of the catheterization to re-bleed. The nurses attempted to manage the patient. However, the patient became extremely hypotensive. Despite the serious condition of the patient, the nurses did not call Dr. Sampong for several hours.

Dr. Sampong did not breach the standard of care. The nursing care was incredibly poor. The patient was stabilized by Dr. Schwartzberg so there was no reason for a surgeon to be called.

David L. Rollins, M.D.
Willoughby, OH

Vascular Surgery

Surgery was not indicated as the patient was stabilized by Dr. Schwartzberg. The nursing care was below the standard of care. Dr. Sampong was entitled to rely on the nurses to call him regarding a change in condition.

CHECK APPROPRIATE SPACE: XX Verdict

DATE OF VERDICT:

September 2, 2011

VERDICT:

Defense verdict

COMPARATIVE NEGLIGENCE:

Not applicable

JUDGMENT:

For Kenneth Sampong, M.D.

DATE OF JUDGMENT:

October 7, 2011

DEFENDANT'S OFFER:

None.

PLAINTIFF'S DEMAND:

\$1,000,000

ATTORNEY'S COMMENTS:

Plaintiff claimed that Dr. Sampong's care fell below the standard of care when he failed to manage Ms. Stobart's hematoma correctly. Also, by relying on Dr. Sampong's deposition

testimony, Plaintiff alleged that Dr. Sampong's care was negligent when Dr. Sampong asked Dr. Schwartzberg, an interventional radiologist, to "medically" manage the patient's hematoma. Dr. Sampong, a native of Ghana, has a strong accent and during his deposition, the court reporter inadvertently transcribed "medical" management instead of "mechanical" management.

During trial, Dr. Sampong had an opportunity to explain that he had requested Dr. Schwartzberg to "mechanically" manage the patient's hematoma. Based upon Dr. Sampong's trial testimony, Plaintiff dismissed Dr. Schwartzberg in open court. This backfired when counsel for Plaintiff then called his first expert witness, Dr. Bruce Charash, who conceded that Dr. Schwartzberg had, in fact, been independently negligent.

Submitted **Richard S. Womble, Esq.** **Date: December 6, 2011**
By:

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RSW/gml