

PARTNERS DONN ALEXANDER AND ANNE HOLMGREN OBTAIN FULL DISMISSAL DURING MEDICAL MALPRACTICE TRIAL

Mr:



Jones, Skelton & Hochuli is pleased to announce partners Donn Alexander

and Anne Holmgren obtained a full dismissal following the conclusion of Plaintiffs' case-in-chief in a medical malpractice case. The case involved allegations of medical malpractice arising from the diagnosis and surgical removal of a lung mass. Plaintiffs claimed that our clients, a pathologist and her employer, negligently misdiagnosed the patient with lung cancer. Plaintiffs alleged this caused the patient to undergo an unnecessary thoracic surgery to remove a portion of his lung. Plaintiffs sought an award for medical expenses, permanent injury, pain and suffering, extreme emotional distress, and loss of consortium.

Plaintiffs alleged that our pathologist client was negligent for failing to review the patient's medical records from outside facilities, failing to request additional information regarding the patient's medical history and treatment, failing to identify that the mass was benign and instead diagnosing malignancy, and failing to consult with another pathologist. Our client maintained that she met the applicable standard of care in all respects, that there was insufficient evidence the patient would have avoided surgery even if her diagnosis had been benign, and that Plaintiffs failed to establish any evidence of pain and suffering caused by her actions. The case was tried in Maricopa County before the Honorable Randall Warner. Trial was scheduled to last eight days. At the conclusion of Plaintiffs' case-in-chief on the fourth day of trial, Mr. Alexander and Ms. Holmgren moved for a directed verdict in favor of their clients. Shortly thereafter, Plaintiffs agreed to voluntarily dismiss all claims against Mr. Alexander and Ms. Holmgren's clients without any settlement or payment made on their behalf.

[Donn Alexander](#) focuses his practice in the area of health care litigation, with a particular emphasis on hospital defense, medical malpractice, drug and medical device litigation, and defense of long-term care facilities. He represents local and national health care clients, including general and specialty hospitals, physicians, Fortune 500 drug and medical device companies, long-term care facilities, home health agencies, laboratories, pharmacies, outpatient surgery centers and ancillary service providers. Donn has successfully tried numerous cases to verdict in state and federal court, and represented clients in arbitration, mediation and administrative proceedings.

[Anne Holmgren](#) has litigated, tried, and arbitrated cases for healthcare providers and institutions. She focuses her practice in claims involving alleged medical malpractice, wrongful death, medical negligence, and vicarious liability in state and federal court. Holmgren represents physicians, hospitals, clinics, nursing homes, and other healthcare professionals. Additionally, she represents national healthcare product manufacturers in product liability cases.

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