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## **Levin & Perconti Achieve an \$800,000 Settlement in Wrongful Death Lawsuit for Failure to Diagnose Cancer**

Chicago, IL – Judge William Maddux of the Circuit Court of Cook County entered an order approving the \$800,000.00 settlement of a lawsuit filed by Steven Levin and Michael Bonamarte of the law firm of Levin & Perconti. Levin and Bonamarte filed the lawsuit on behalf of the family of Carmen Preciado, who died as a result of squamous cell bladder cancer. The lawsuit alleged that the defendants, Advocate Health Centers, Dr. Maria Pulido and Dr. Emily Chacko failed to timely diagnose Ms. Preciado’s bladder cancer. Carmen was 59 years old at the time of her death and she left a husband and five children.

Carmen Preciado was a patient of the two defendant doctors and HMO clinic for several years. On October 25, 2002 Carmen went to the HMO clinic and was seen by Dr. Pulido and had signs and symptoms of hematuria, which is blood in the urine, and painful urination. Carmen again went to the clinic on November 8, 2002 and again reported painful urination; this time to Dr. Chacko. The lawsuit alleged that Dr. Pulido and Dr. Chacko were negligent by failing to recognize Carmen’s signs and symptoms and refer Carmen to a urologist for a cystoscopy in a timely fashion in October and November of 2002. Carmen returned to the clinic in January of 2003 and was finally referred to a urologist who performed a cystoscopy and diagnosed squamous cell bladder cancer. The delay in referral delayed Carmen’s diagnosis and treatment. The lawsuit claimed that if Carmen was referred to a urologist in October or November of 2002 her cancer would have been diagnosed while it was still contained in the bladder and she could have been successfully treated.

By the time her cancer was diagnosed it had spread to her surrounding tissues and organs. Carmen died within six months of her diagnosis. The cancer, squamous cell carcinoma, is a very fast-growing cancer which makes a timely diagnosis crucial for treatment to be successful.

The case is representative of the devastating consequences that can occur within the HMO system when delays in scheduling and a lack of communication between physicians caring for the same patient occur. The delays in scheduling and the lack of communication between the defendant doctors in this case led to the delay in diagnosis and treatment for Carmen.

Steve Levin was initially approached by Carmen's daughter, Marilyn Rasheed who was suspicious about the delay that occurred in her mother's medical care and treatment. According to Levin, this case is unique because squamous cell cancer is so fast growing. "Generally, some doctors think that because squamous cell is such a fast growing cancer that nothing can be done to save the patient. However, they're wrong." Levin added, "In this case, the doctors had an opportunity to diagnose Carmen's cancer while it was still contained within the bladder and could have treated Carmen when she still had a strong chance of survival. Unfortunately, Dr. Chacko's and Dr. Pulido's delays in diagnosis and failure to follow up caused her death."

Additionally, Levin says that he is glad that Carmen's family was able to seek justice in this case for the untimely loss of their mother and wife. He adds that this case should be a lesson to anyone who is diagnosed with bladder cancer, especially squamous cell carcinoma: "If you have urinary symptoms, blood in your urine, frequent urination and pain upon urination, you should see a doctor immediately. If you are diagnosed with this type of cancer, make sure you accept no delays in your treatment."

Levin & Perconti is a nationally renowned law firm concentrating in all types of personal injury, medical malpractice and wrongful death litigation. The lawyers at Levin & Perconti are committed to protecting and vindicating the rights of people who are injured

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