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Verdict Survey: Dialysis Machine in Charleston County

By Collins & Lacy, P.C. Attorney Brian Comer Chair of Products Liability Practice Group 803-255-0446 | bcomer@collinsandlacy.com Posted November 13, 2012 http://scproductsliabilitylaw.blogspot.com/

Capsule Summary: A federal court in Charleston County returned a judgment of \$50,398 for a seventy-nine-year-old male dialysis patient who sustained injuries when a renal machine failed during treatment.

Case Information: Kasie Blake v. DVA Renal

Healthcare, C/A No. 9:06-1257

Date of Verdict: February 27, 2008

Venue: United States District Court for the District

of South Carolina, Charleston Division

Judge: Solomon Blatt, Jr.

Factual Background: Kasie Blake ("Plaintiff") was a married, seventy-nine-year-old dialysis patient at DVA Renal Healthcare ("Defendant"). During one of his dialysis procedures, the machine stopped working. Plaintiff alleged negligence against Defendant in that the machine was not effectively prepared to restart if it lost power. His wife also alleged a claim for loss of consortium. Defendant denied responsibility for the machine's failure and disputed Plaintiff's damages.

Experts: None listed.

Alleged Damages: Plaintiff alleged he developed First Use Syndrome which is an anaphylactic reaction to an artificial kidney. Symptoms include sneezing, shortness of breath, wheezing, back and chest pain, and risk of death. Plaintiff required six days of hospitalization and continued to complain of complications thereafter.

Disposition: The lawsuit resulted in a \$50,398 judgment. Although I assume this was a jury verdict, the report does not specify one way or the other (i.e., it only indicates a "judgment").

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About Brian Comer

Brian Comer is a shareholder and Chair of the firm's Products Liability Practice Group. Brian was a magna cum laude graduate of the University of South Carolina Honors College where he majored in International Studies and Economics. He also served as Student Body President during his undergraduate career. Brian received his Juris Doctor from the University of South Carolina School of Law and has an International Masters in Business Administration from the University's Moore School of Business. During law school, he was a member of the South Carolina Law Review and the Order of Wig and Robe. Prior to joining Collins & Lacy, Brian was a partner with a large national firm based in Columbia, South Carolina.

Brian is the founder and contributing author of South Carolina Products Liability Law Blog, for individuals and product manufacturers who are interested in this area of law. His goal is to provide current information on trends in products liability law in the Palmetto State.

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