

## Man Sues Doctor for Amputating His Penis in What Was Supposed to be a Routine Circumcision, New York Medical Malpractice Lawyer Comments

**A man is suing a doctor for amputating his penis during what was supposed to be a routine circumcision to relieve inflammation.**

For [New York medical malpractice lawyers](#), a [medical malpractice lawsuit](#) in Kentucky raises a serious question: Can a doctor decide to remove an organ or limb if he/she feels it will save a patient's life?

According to the *New York Daily News*, Phillip Seaton, 61, and his wife Deborah are suing his doctor for amputating his penis during what was scheduled as a routine circumcision to relieve inflammation.

In the [medical malpractice lawsuit](#), Seaton claims that Dr. John Patterson of Louisville did not consult him before removing his penis. He also says he never authorized the amputation, nor was he given a chance to seek a second opinion.

An attorney defending the doctor against the [allegations of medical malpractice](#) said Patterson had to remove Seaton's penis after discovering cancer during the surgery.

But the medical malpractice lawsuit contends that even if Patterson did find cancer during the procedure, it was a non-emergency situation. Allegedly, Seaton could have been given a chance to consider other options or get a second opinion before such drastic measures were taken.

As [New York medical malpractice lawyer](#) David Perecman understands, informed consent is a central issue in this medical malpractice lawsuit.

“The law protects a patient’s right to make his or her own medical decisions,” said New York medical malpractice lawyer Perecman, founder of The Perecman Firm, one of [New York’s medical malpractice law firms](#). “The law also extends to the right of every patient to be informed of the consequences, risks and alternatives of any surgery or procedure.”

As reported by MSNBC.com, the doctor claims that prior to the procedure, Seaton gave him permission to perform any medical procedure necessary during the circumcision.

Informed consent is typically required before a medical procedure or treatment. Informed consent is the idea that patients have the right to be notified of the risks, consequences and alternatives of any surgery or procedure. With few exceptions, a doctor has to get the consent of a patient for non-emergency treatment. If a doctor operates without this consent, he or she could be [charged with medical malpractice](#), medical negligence and/or battery.

As a result, jurors on this [medical malpractice case](#) are being asked to decide if Patterson's decision was "a necessary part of the surgery" and if the doctor "had no reasonable option" other than removing the cancer and the penis.

As [New York medical malpractice lawyers](#) understand, circumstances to consider are whether the situation was truly, imminently life threatening, or if there was time to wake the patient and discuss the situation.

The Seatons are seeking unspecified damages for "loss of service, love and affection." They have already reached an undisclosed settlement with Jewish Hospital, where the surgery was performed.

According to the Associated Press, the Kentucky [medical malpractice lawsuit](#) is similar to one in which an Indianapolis man claimed his penis and left testicle were removed without his consent during surgery for an infection in 1997. The Indianapolis man was awarded more than \$2.3 million in damages.

About David Pereco and The Pereco Firm, PLLC:

For the past 30 years, the New York medical malpractice lawyers, auto accident, and construction accident lawyers at The Pereco Firm, PLLC have handled all types of cases including age and disability discrimination. David Pereco, founder of the Firm, is a Board Director and the past Secretary and Treasurer of the New York State Trial Lawyers Association (NYSTLA) and a chair of its Labor Law Committee. Mr. Pereco's achievements have brought him recognition as an Honoree in the National Law Journal's Hall of Fame, in New York Magazine's "The Best Lawyers in America" and The New York Times Magazine "New York Super Lawyers, Metro Edition" for the years 2007-2010.

The Firm has recovered millions of dollars for its clients. Among the more recent victories, Mr. Pereco won a \$15 million verdict\*\* for a construction accident, a \$5.35 million dollar verdict\*\*\* for an automobile accident, and a \$40 million dollar structured settlement for medical malpractice\*\*\*\*.

\*\*later settled while on appeal for \$7.940 million

\*\*\* later settled for \$3.5 million

\*\*\*\* total potential payout

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