

MICHIGAN LAWYERS WEEKLY

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Verdicts & Settlements

Man disabled after procedures not performed

Patient's lower back and leg pain had worsened as a result
\$2.25 million

Plaintiff began experiencing lower back pain with associated pain radiating down his legs. He underwent an MRI that demonstrated small left paracentral broad-based disc protrusion at L4-L5 impressing on the thecal sac, displacing the intraspinal component of the left L5 nerve root, and approximating the intraspinal component of the right L5 nerve root. Plaintiff was then referred to defendant Dr. Arin Sahit for evaluation.

Sahit, a neurosurgeon who was not board certified, recommended a fusion

and laminectomy. On June 1, 2012, defendant performed surgery on plaintiff that was identified as a fusion of L4 to L5, laminectomy for decompression of nerve roots at L4 and L5, instrumentation L4-L5, and posterior fusion using allograft and auto graft material. However, the fusion and laminectomy were not actually performed.

Post-operatively, plaintiff's pain was worse than it was pre-operatively. He continued to have pain in his lower back and down his legs and began experienc-



McKEEN

Type of action: Medical malpractice

Type of injuries: Disability after fusion and laminectomy not performed

Name of case: Scott v. Sahit

Court/Case no./Date: Wayne County Circuit Court; 14-015228-MH; July 20, 2015

Tried before: Judge

Name of judge: Hon. John Murphy

Judgment amount: \$2.25 million

Attorney for plaintiff: Brian J. McKeen

Attorney(s) for defendant: N/A

ing right leg numbness as well. Another MRI was performed that did not demonstrate any evidence that a fusion and laminectomy were ever performed.

Plaintiff obtained a second opinion who informed him that the fusion and laminectomy were not performed. Plaintiff's pain continued to worsen. Physical therapy, pain medications and potential surgery were recommended. Plaintiff re-

mains disabled.

At the time of entry of the \$2.25 million default judgment, defendant was in federal prison, having relinquished his license in California for fraud. The defendant then came to Michigan and billed millions of dollars to various health care providers.

Brian J. McKeen, counsel for plaintiff, provided case information.