

\$3 Million Settlement for Bariatric Surgery Performed Backward

October 2008

On October 28, 2008, Judge Daniel Locallo of the Circuit Court of Cook County approved a \$3 million medical malpractice settlement for the family of a man who died as a result of bariatric gastric bypass surgery performed by Dr. Christopher Joyce at McNeal Hospital. Attorney Barry Chafetz, a Chicago medical malpractice attorney and partner at the law firm of Corboy & Demetrio, represented the family.

Medical Malpractice Lawsuit

On February 10, 2003, a retired Chicago police officer underwent bariatric surgery at McNeal Hospital in Berwyn, Illinois. During the surgery, Dr. Christopher Joyce, an employee of Suburban Surgical Associates, improperly inverted the Roux-En-Y gastric bypass, resulting in an obstruction.

The retiree, who experienced several medical problems after the surgery but was unaware of the obstruction, was ultimately admitted to the University of Chicago Hospital on an emergency basis. It was there that a doctor discovered the obstruction and performed another surgery to correct the problem.

During his stay at the University of Chicago Hospital, he was diagnosed with rectal cancer. Due to his poor nutritional condition caused by Dr. Joyce's negligent surgery and failure to identify the obstruction, he was unable to undergo the necessary therapy for his cancer. He also developed peritonitis and septic shock with multi-organ failure. He was in a nursing home from the date of the second surgery until his death over two years later.

Attorney Chafetz stated:

This was a horrific chain of events. The bariatric surgery was actually done backwards which was not discovered for an inordinate period of time. While the cause of death may have been due to a

Attorneys

- Barry R. Chafetz

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pre-existing condition, no one should have suffered the way this retiree suffered.

Medical Malpractice Settlement

The \$3 million medical malpractice settlement will be paid to the surviving family members of the retired police officer.

About Corboy & Demetrio

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For further information, contact Mary Neville at 888.364.3191.