

SUN SENTINEL, March 30, 1982
State

“Miami Clerk wins \$12 million in Medical Suit?”
by Associated Press

Largest Judgment in state history

FORT LAUDERDALE -- A circuit court jury here has awarded a records-setting \$12 million in damages to a 26-year old hospital victim, who was “caught in the ultimate nightmare” and never woke up because of brain damage.

Most of the award is designed to pay futures medical bills for Susan Con Stetina, who medical experts testified will never recover from her semi-comatose state.

The \$12 million is believed to be the largest medical damages award in Florida legal history.

Ms. Von Stetina will need round-the-clock care and life-support equipment for the rest of her life, according to testimony in the trial, which ended here Saturday.

Ms. Von Stetina, then a sales clerk for a Miami Beach Firm, was admitted to Florida Medical Center here Nov. 26, 1980, following serious injuries incurred in an automobile accident.

Her pancreas was removed and her fractured legs were put into traction. According to testimony, she was recovering adequately until the early morning of Dec. 3, when machinery supplying her with extra oxygen failed to function.

Sheldon Schlesinger, who represented the woman and her parents, argued that as a result of short-staffing in the intensive care unit, no one noticed the condition for up to 28 minutes.

On the first day of the trial, the helpless victim was wheeled into the courtroom.

“Imagine, if you were caught in the ultimate nightmare, and you couldn’t wake up,” Schlesinger told the jury. “You would be where Susan is now and will be for the rest of her life.”

The jury settled on a life expectancy of 40 years for Ms. Von Stetina. The award included \$7.54 million for future medical care; \$679250 for loss of earnings, and \$4 million for “reduced capacity to enjoy life.”

The largest previous medical damages award in Florida was \$6.7 million awarded in November 1980, to a woman patient who also lost her oxygen supply during apparently routine surgery,

At the time, Miami attorney J.B. Spence, past chairman of the malpractice committee of the American Trial Lawyers Association, said it was the largest in state history.