



# Fort Lauderdale Law Firm Wins \$4.3 million Verdict Against Doctors for Misdiagnosis That Left Young Girl Permanently Disabled

FT. LAUDERDALE, FL, Oct. 1 /PRNewswire/ - Attorneys with the personal injury law firm Sheldon J. Schlesinger P.A., won a \$4.34 million jury verdict against two neonatologists on behalf of a young girl left permanently injured - the result of a viral infection misdiagnosed at birth.

Haylee Ann Kroll was born on April 21, 1994, at Coral Springs Medical Center. At the time of her birth, her mother was running a fever. As a standard precaution, Haylee was admitted to the pediatric intensive care unit, and started on antibiotics.

Over the next four days, Haylee's condition worsened and signs of viral infection became apparent, according to the suit heard by Broward Circuit Judge Jeffrey E. Streitfeld. She spiked a fever, and the virus attacked her liver. This triggered a condition which prohibits the body from creating correct clotting factors. As a result, Haylee's body began bleeding into the tissues, causing obvious bruise-like discoloration of her back and body, and spotting on her scalp. Soon thereafter, a clot formed, damaging a quarter of Haylee's brain.

"For two days, she showed steady signs and symptoms, and the doctors ignored it," said Linda A. Alley, the Kroll family's trial attorney with Sheldon J. Schlesinger P.A. "At first signs of a temperature, they should have gotten a complete blood test and liver function test. They should have started replacing blood products that were being lost to support her while her body overcame the virus on its own."

One of the neonatologists who took the witness stand argued such tests were not called for - even as nurses at the time were noting Haylee's decline in her medical records. In fact, such tests were standard procedure for her symptoms, Alley said. When doctors finally ordered blood tests and transfusions of red blood cells and platelets, the blood products were delivered too slowly, Alley said.

As a result, Haylee, 15, suffered permanent cirrhosis of her liver. Her brain damage caused auditory difficulties and a vision-field defect. Her cognitive abilities also are reduced; a 10th grade student, her grades have slipped as she has difficulties with higher-level thought.

The four-woman, two-man jury deliberated for five hours before siding with Haylee, awarding her \$350,000 for medical expenses, \$400,000 for lost earning ability, and \$3.5 million for past and future pain, suffering, disability, physical impairment, disfigurement, mental anguish, and loss of capacity for the enjoyment of life. Haylee Ann's parents, Cynthia J. Kroll and Jacob M. Kroll III, received \$90,000 for past and current medical expenses through her 18th birthday. The jury found the two doctors, Sedigheh Zolfaghari, MD, and Jose

Colindres MD, equally negligent. Two other defendants in the case, Greg Melnick MD, and Manuel E. Ortega MD, were found not liable. All four are employees of Pediatrix Medical Group Inc., a company that outsources neo natal specialists to hospitals nationwide.

"The malpractice was simply the fact that they were not paying proper attention and anticipating a serious outcome. That's a dangerous thing for a doctor to do," Alley said. "They can hope for the best, but they must prepare for the worst."

#### ABOUT THE LAW OFFICES OF SHELDON J. SCHLESINGER, P.A.

For more than 50 years, the Law Offices of Sheldon J. Schlesinger, P.A. has represented families and individuals in cases involving motor vehicle accidents, product liability, medical malpractice, drug defects, tobacco, accidental death and job site accidents. For more information, visit [www.schlesingerlaw.com](http://www.schlesingerlaw.com).

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