Medical Malpractice Mediation Results in Settlement Double the Insurance Coverage Limit



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A recent mediation produced a settlement for a deceased patient's estate which was twice the amount that the defendant anesthesia provider's malpractice carrier would cover. The patient underwent anesthesia for the removal of an intrauterine device at a New Jersey outpatient surgery center. During the procedure, the patient experienced a drop in blood pressure and oxygenation and never regained consciousness. The plaintiff's counsel alleged that the anesthesiologist failed to stop the surgery when the patient presented with signs of distress. Prior to trial, the parties sought mediation with a former New Jersey Superior Court judge. Initially, the defendant offered a settlement of $2,000,000, the coverage limit on their malpractice policy. The plaintiff refused this offer and the parties continued to mediate until a settlement of $4.2 Million was reached.

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