

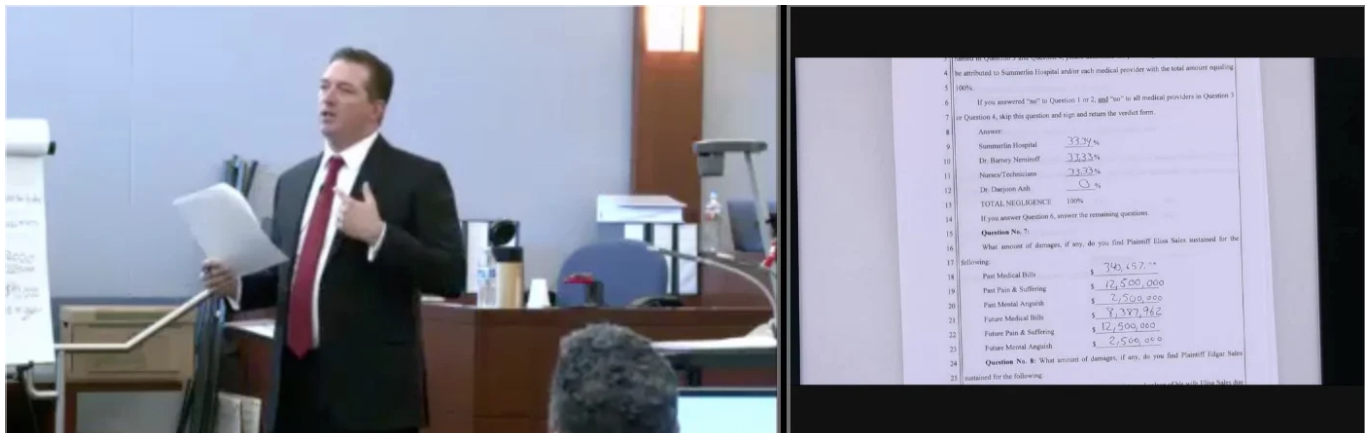
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Hospital Settles \$63M Brain Damage Trial During Jury Deliberations

Posted by [David Siegel](#) on Nov 14, 2019 9:18:40 PM

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CVN screenshot of plaintiff attorney Sean Claggett walking jurors through the verdict form

Las Vegas, NV - A Las Vegas hospital has reached a settlement during jury deliberations in a potentially \$63 million medical malpractice lawsuit brought by a woman alleging failure to begin emergency resuscitation quickly enough during surgery left her with permanent brain damage.

Attorneys for plaintiff Elisa Sales and Summerlin Hospital reached a confidential settlement shortly after the jury heard closing arguments on October 24 following 15 days of testimony. Sales' attorney Sean Claggett of the Claggett & Sykes Law Firm accused a team of Summerlin doctors and support staff of failing to act in a timely manner as she went into respiratory arrest during a routine outpatient pacemaker replacement.

Claggett claimed the lack of blood flow to Sales' brain left her with the mental capacity of a five-year-old, and he asked jurors to award her and her husband up to \$63 million in damages during his closing argument.

Summerlin, represented by Michael Prangle of Hall Prangle & Schoonveld LLC, maintained their resuscitative efforts were consistent with the standard of care, and that Sales' supposed neurological impairment is the result of pre-existing medical conditions.

The full trial was [webcast and recorded gavel-to-gavel by Courtroom View Network](#). Video of the full proceedings, along with [numerous other medical malpractice trials](#), is available with a subscription to [CVN's one-of-a-kind trial video library](#).

[CVN Video Library Only 99 Dollars](#) The terms of the settlement are confidential, and attorneys for both sides declined to comment after the conclusion of the trial.

Claggett told jurors Sales' blood pressure dropped because of being given too much of the sedative Propofol, and that doctors failed to begin CPR soon enough due to the audible alarms on nearby vital sign monitors being turned off.

Walking jurors through a minute-by-minute timeline of Sales' vital signs, he noted her pulse and blood pressure dropping to levels that he said should have begun immediate emergency resuscitation, which he said would have occurred if the audible alarms were working.

One of the physicians present eventually noticed Sales' crashing vital signs and supposedly asked, "Has anybody checked for a pulse?" CPR began and while Sales' heart was restarted, Claggett told jurors that nine minutes without oxygen left her with a permanent, disabling hypoxic brain injury.

Claggett told jurors that Summerlin's stated policies on emergency resuscitation clearly showed CPR should have started sooner for Sales, noting that the guidelines require emergency

resuscitation to begin once a patient's vitals drop below a certain threshold.

During his closing argument on behalf of Summerlin, Prangle argued that for a period of the nine minutes in question Sales did have dangerously low blood pressure (which he said is an expected side effect of Propofol) but still had a pulse.

He described to jurors how the medical team immediately began treatments like administering stimulants and additional fluids after Sales' blood pressure dropped, but he said starting CPR at that point would not have been consistent with the standard of care.

Prangle rejected the claim Sales suffered a hypoxic brain injury due to lack of oxygen during the procedure, arguing that years of poor blood flow to the brain due to heart disease and diabetes caused her current impairment, which Prangle suggested isn't as severe as Claggett described.

In addition to 18 fact witnesses, the trial also featured extensive testimony from 13 expert witnesses, all of which is included in CVN's gavel-to-gavel coverage of the proceedings.

Judge David Jones presided over the trial.

The case is captioned *Elisa Sales v. Summerlin Hospital and Medical Center*, case number A-17-758060-C in the 8th District Court of Nevada, Clark County.

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