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Iowa jury awards \$97.4M in birth trauma verdict

By Emma Oxnevad
eoxnevad@lawbulletinmedia.com

A jury has awarded \$97.4 million to the family of an Iowa boy whose brain was damaged at birth.

In August 2018, Kathleen Kromphardt was admitted to Mercy Hospital in Iowa City in active labor. She was admitted under the care of Jill C. Goodman, M.D., an employee of Obstetric and Gynecologic Associates of Iowa City and Coralville P.C.

Shortly after being admitted, the fetus signaled a non-reassuring fetal heart rate pattern on the heart rate monitor. Goodman prepared an operating room for a cesarean section, but did not perform urgent surgery, according to the lawsuit.

She instead ordered terbutaline and an epidural to slow down Kromphardt's natural labor, according to the lawsuit.

During that time, the fetus' fetal heart rate worsened, and Goodman was notified, according to the lawsuit.

Goodman unsuccessfully attempted to deliver the baby by applying forceps to his head while he was in malposition, according to the lawsuit. She then applied a vacuum to his head and attempted vacuum-assisted delivery, according to the lawsuit.

The baby, referred to as S.K. in the lawsuit, was delivered via vaginal delivery.

A CT scan was performed and the treating radiologist observed that he suffered a deformed and fractured skull, and extensive bleeding in his brain, according to the lawsuit.

He was transferred to the University of Iowa Hospital, where he was again discovered to have a fractured skull and extensive brain bleeding, as well as brain damage due to a lack of oxygen before birth, seizures and facial nerve palsy, according to the lawsuit.

Kromphardt and her husband, Andrew, filed a lawsuit in Johnson County District Court in 2019. The lawsuit named Goodman, Obstetric and Gynecologic Associates and Mercy Hospital Iowa City as defendants.

The third amended complaint included counts of negligence and other allegations.

The jury returned the verdict March 21.

Jack Beam of Chicago firm Beam Legal Team LLC represented the Kromphardts.

He said the verdict money will assist in the continued care of S.K., now 3, who he said will likely require constant assistance.

Matthew M. Patterson of Beam Legal Team LLC and Geoffrey Fieger of Michigan firm Fieger Law served as the lead attorneys for the Kromphardts at trial. Fred James of Iowa firm James Law firm also represented the family.

Jennifer E. Rinden of Shuttleworth & Ingersoll represented Goodman and Obstetric and Gynecologic Associates.

Jessica Tucker Glick of Phelan Tucker Law LLP represented Mercy Hospital.

The defense attorneys declined to comment.

Judge Kevin McKeever presided over the case.

The case is *Kromphardt, et. al v. Mercy Hospital, et al.*, No. 06521 LACV081421

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