

## **Estate Settles With Veterans Administration, Doctor In Medmal Dispute Over Cancer Diagnosis**

### **\$600,000 Settlement**

On March 27, 2001. Jessie Phillips was admitted to the William Jennings Bryan Dom VA Hospital where Dr. Einar Anderson ordered that he undergo a chest x-ray. The results of the x-ray revealed a 2-centimeter nodule on Mr. Phillips' left upper lobe. The radiologist recommended that additional tests be performed; however Dr. Anderson and the medical staff caring for Mr. Phillips did not conduct additional evaluations nor did they make any inquiries about the x-ray findings.

Approximately two and a half years later on Oct. 31, 2003 it was discovered that the lesion had grown. A biopsy was obtained and pathology findings were significant for carcinoma.

Mr. Phillips was diagnosed with lung cancer, which he eventually died from on Dec. 19.2003.

Tried or settled: Settled.

County where tried or settled: Richland (U.S. District Court Columbia Division).

Case name and number: Phillips and Stone v. United States of America, EMSA Military Services, Inc., and Anderson, Civil Action No. 3:05-cv02855-JFA

Amount: \$120,000 by EMSA Military Services. Inc.; \$270,000 by Dr. Anderson; \$210,000 by United States Government, (\$600,000 total).

Insurance carriers: JUA