



Sigmon v. Southwest General Health Care Center, 2007 Ohio 2117 (Ohio Ct. App.)

Topics Covered: Abusive Litigation Against Physicians, Professional Liability

Outcome: Very Favorable

Issue

The issue in this case was the appropriateness of sanctions against a medical malpractice plaintiff's attorney who brought a frivolous lawsuit.

AMA Interest

The AMA opposes abusive medical malpractice litigation.

Case Summary

This case involved an appeal of sanctions against a plaintiff's attorney for bringing a frivolous medical malpractice action against an orthopedic surgeon, his practice group and a hospital. The trial court assessed \$8,500 in fees -- \$4,500 to the defendant physician and his practice group and \$4,000 to the defendant hospital. The sanctioned plaintiff's attorney appealed.

On May 3, 2007, the Ohio Court of Appeals affirmed the trial court's finding in favor of defendants. On October 3, 2007, the Ohio Supreme Court declined to accept for review the Court of Appeal's opinion.

Litigation Center Involvement

The Litigation Center and the Ohio State Medical Association filed an amicus curiae brief to support the defendants in the in the appellate court.

Ohio Court of Appeals brief