

Delco doctor's widow wins negligence suit

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A jury agreed doctors waited too long to operate on her husband. It awarded \$2.9 million.

A Delaware County jury has awarded \$2.9 million to a West Chester widow who sued doctors she said were negligent in caring for her ill husband, also a doctor.

Maureen A. Ebel had told the jury that when her husband was on his deathbed in July 2000, she vowed: "Marc, I am going to find out what happened to you."

On Tuesday, a jury awarded Ebel \$2.9 million after finding doctors had been negligent in treating her husband for Hodgkin's disease, a form of cancer.

Marc S. Ebel, 53, was a gastroenterologist at Crozer-Chester Medical Center in Upland for more than two decades. He was found to have Hodgkin's in January 2000 and was admitted to Crozer that June after reacting to chemotherapy.

Maureen Ebel, a retired registered nurse now living in Florida, was at her husband's side after doctors had performed a biopsy.

Doctors had gone through the liver to take a biopsy from the abdomen, a procedure that can cause internal bleeding, according to testimony.

When doctors realized that Ebel was bleeding internally and that his blood was not clotting, they tried a transfusion, according to testimony. A second operation to stop the hemorrhaging was not completed until the next day.

Ebel's lawyer, Thomas R. Kline, argued that the surgery should have been performed as soon as doctors discovered the patient was bleeding internally.

"He would not have died," Kline said. "This is a case where it shows it can happen to anyone."

Ebel was under the care of his colleagues, including one who had been his tennis partner, and he trusted them, Kline said.

As Ebel's condition deteriorated overnight, he told his wife he believed he was still bleeding internally, noting that he was cold, his blood pressure had dropped, and his complexion was ashen, Kline said.

"She was a nurse, and she knew he should not have bled to death from a liver injury," Kline said.

Yesterday, Ebel said she was at peace with the verdict but did not consider it a victory as she was still grieving.

The jury found that Dr. Leonard B. Berkowitz was 70 percent negligent and Dr. Michael M. Soojian 30 percent at fault.

Lawyers for the doctors said they had not decided whether to appeal the case.

"It was a very emotional case," said Philadelphia lawyer Fred DeRosa, who represented Berkowitz.

"The doctor felt he did nothing wrong."