



Abington Memorial Hospital. Credit: Google

NEWS

\$8M Med Mal Verdict Against Abington Hospital Fends Off Pa. Appeals Court Challenge

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December 09, 2024 at 06:16 PM



By Aleeza Furman
Litigation Reporter

The Pennsylvania Superior Court has upheld an \$8 million medical malpractice verdict against Abington Memorial Hospital.

The three-judge panel on Dec. 6 unanimously rejected Abington's multipronged challenge to the verdict, holding in an opinion penned by Judge Timika Lane that "none of Hospital's issues merit relief."

The \$8 million verdict in *Rongione v. Abington Memorial Hospital* had been awarded to a married couple over complications that occurred while the wife was undergoing a caesarian section.

Laura Rongione and her husband, represented by Kline & Specter, alleged that Abington staff failed to detect that Rongione's uterine artery had been cut during the C-section. As a result of the undetected bleed, the plaintiffs claimed, Rongione went into hypovolemic shock, then went into cardiac arrest and ultimately had to undergo an emergency hysterectomy.

The Montgomery County jury considering the case awarded \$5.5 million to Rongione for pain and suffering and \$2.5 million to her husband for loss of consortium in its June 2023 verdict.

Abington—represented by Post & Post, Lamb McErlane and Marshall Dennehey—brought the case to the Superior Court after an unsuccessful bid in the trial court to obtain judgment notwithstanding the verdict or a new trial.

The hospital asserted in its appeal that the trial court ruled incorrectly on four issues generally related to the evidence presented to the jury.

First, Abington contended that the plaintiffs failed to put forth sufficient expert testimony to establish that an objective standard of care applied to Rongione's doctor or that the doctor breached said standard. The Superior Court disagreed, ruling that the plaintiff's expert "properly testified as to the applicable standards of care" related to arterial bleeds during C-sections.

Next, the hospital asserted that the trial court should have submitted the issue of comparative negligence to the jury. Again, the Superior Court disagreed, holding that the defendant's expert had not been able to opine with certainty that Rongione's alleged comparative negligence led to her injuries.

The panel likewise rejected Abington's arguments that the trial court had improperly admitted "double hearsay" from two of the plaintiffs' fact witnesses and that the trial court had improperly precluded a defense expert's testimony on the rate of blood flow in uterine arteries.

"We are heartened that the Superior Court quickly affirmed the judgment in Ms. Rongione's favor with a strong opinion supporting the trial court's decisions and the jury verdict," Kline & Specter's Andra Laidacker, Elia Robertson and Lisa Dagostino said in a joint statement. "We are confident that Ms. Rongione will be fully compensated and Abington rendered fully accountable for its negligence by the end of the appellate process," the lawyers said.

Lamb McErlane partner Maureen McBride and Marshall Dennehey shareholder John Hare, who represent the hospital, did not immediately respond to requests for comment.