Porzio Wins $1.49 Million Settlement for Client after Breast Cancer Misdiagnosis

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M.P., a 56-year-old wife and mother, recovered $1.49 million in a settlement with a radiologist who allegedly missed the diagnosis of breast cancer on a mammogram, according to Timothy L. Barnes of Porzio, Bromberg & Newman, attorney for M.P. and her husband. The case settled on September 13, 2017, following a day-long mediation before Retired Judge Eugene Codey in Roseland.

Because of her history of cystic breasts, M.P. underwent annual mammograms. According to Mr. Barnes, the February 2013 mammogram was interpreted by the radiologist as normal when, in fact, it showed evidence of microcalcifications, which should have mandated further surveillance, including a breast biopsy. Instead, M.P. followed her doctor's instructions and returned 15 months later for her next mammogram. That study revealed an even larger calcification cluster. A biopsy and mastectomy led to the diagnosis of stage 4 breast cancer, which had metastasized to the plaintiff's hips and spine. M.P. underwent chemotherapy, radiation therapy, and an array of alternative treatments. Unfortunately, these therapies have not slowed the progression of her disease.

According to Mr. Barnes, had the radiologist correctly interpreted the 2013 mammogram, M.P. likely would have required a lumpectomy with chemo and radiation therapy, and would have had an 85% chance of 5-year survival. Because of the delay in diagnosis, and progression of her disease, however, MP's condition is terminal.