



## FOR IMMEDIATE RELEASE

### **Negligent Doctor and Hospital pay \$2.9 Million Settlement In Case of Infant Who Became Stuck During Delivery**

CHICAGO, IL -- February 17, 2006 – Attorneys Steven M. Levin and Jeffrey E. Martin announced today they recovered \$2.9 million in a settlement on behalf of a baby girl whose shoulder became stuck during childbirth. The doctors applied too much pressure to extract the infant, causing nerve damage in the child’s neck, permanently restricting movement of her left arm.

“It’s a tragedy to see a child with a lifelong disability from the day they are born, due to the negligence of the doctors trained to care for her,” said Steven M. Levin, a partner in the law firm Levin & Perconti, <http://www.levinperconti.com/>, where he and attorney Jeffrey E. Martin practice. Levin & Perconti is a nationally renowned law firm with extensive experience in all types of personal injury, medical malpractice and wrongful death litigation. The lawyers at Levin & Perconti are committed to protecting and vindicating the rights of people who are injured by the negligence of others.

The infant, Destiny Burnett, was born on September 19, 1999. In the process of delivery, her left shoulder became stuck against the public bone of her mother, LaShawn Burnett. The birthing emergency is termed “shoulder dystocia.” The incidence of shoulder dystocia is generally reported to be between 0.5 % and 1.5% among newborns, increasing to 5% to 9% as the birth weight of the infant increases.

In the event of shoulder dystocia, the doctor can support the head of the baby and apply a small amount of traction during the dislodging maneuvers. When the doctor uses excessive traction on the head while the baby's shoulder remains stuck, the brachial plexus nerves in the baby's neck may be injured. The brachial plexus is a network of nerves that conducts signals from the spine to the shoulder, arm, and hand.

Attorneys Levin and Martin argued that the doctor applied too much force to dislodge the child in a procedure called the “McRoberts maneuver.” This maneuver involves two assistants flexing the mother’s thighs back onto or alongside her abdomen while applying pressure to the mother’s belly below the navel, which may push the stuck shoulder forward.

Doctors may use many different procedures to dislodge the baby's shoulder so that the baby can safely pass through the birthing canal. In some cases, the doctor can reposition the mother, or the

doctor can use his or her hands to maneuver and change the position of the baby. In particularly dangerous and difficult births, the doctor can intentionally break the baby's clavicle bone, break the mother's pelvic bone or perform an emergency C-section.

Defendants West Suburban Medical Center in Oak Park and Dr. Joseph Weaver paid the entire amount of the settlement.

#### **ABOUT LEVIN & PERCONTI**

Levin & Perconti has a national reputation for successful representation of catastrophically injured clients and the families of those wrongfully killed. The firm also specializes in cases of elder abuse, nursing home neglect and assisted living resident neglect.

Founded in 1992, Levin & Perconti has grown to eight attorneys with a combined total of more than 125 years of litigation experience. The firm has successfully handled virtually every type of catastrophic personal injury and wrongful death action, and has achieved more than \$250 million in verdicts and settlements for its clients and their families.

For further information, please visit [www.levinperconti.com](http://www.levinperconti.com) or telephone Steven M. Levin at (312) 332-2872

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