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Mendez for Mendez V Mount Sinai Hospital, Dr. Constanta Alexandreanu, Dr. Hasmukh Patel, Sinai Medical Group and Rosalind Franklin University

March 9, 2017 – Yesterday, the Honorable James Flannery approved a \$3.6 million medical malpractice settlement obtained by attorneys Steven M. Levin, Margaret P. Battersby Black and Jaime A. Koziol of Levin and Perconti for Jeanette Mendez, as Administrator of the Estate of Alberto Mendez.

Alberto Mendez was a 26 year old healthy Hispanic male who presented to the Emergency Room at Mt. Sinai the evening of June 12, 2012 after experiencing severe pain in his thighs and lower back. He was diagnosed with rhabdomyolysis. Over the course of the next 28 hours, he was seen by several physicians, residents, and nurses. Although a plan to treat the rhabdomyolysis was in place, it was not properly executed. The plan included monitoring Mr. Mendez's urine output for development of kidney failure, monitoring potassium levels to ensure they did not rise, and monitoring the patient to determine if he was developing compartment syndrome.

During the hospitalization, there was evidence that Mr. Mendez was not producing urine, was developing compartment syndrome, and had elevated potassium. The medical team failed to timely recognize these complications and Mr. Mendez's condition worsened. Late in the day on June 13th, the pressure in Mr. Mendez's thigh was measured as 80 mm HG, a compartment syndrome emergency. An emergency bilateral leg fasciotomy was recommended.

Despite the risk of potassium being high, the doctors failed to obtain potassium values prior to surgery. The anesthesiologist gave the patient succinylcholine, an anesthetic that should not be given with patients suspected of having elevated potassium. The administration of the succinylcholine further elevated his potassium caused a hyperkalemic cardiac arrhythmia, resulting in cardiac arrest and death on the operating table. At the time of his death, Mr. Mendez was 26 years old and survived by his parents and five adult siblings.

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