

## **\$200,000 for Medical Malpractice**

*Passarelli v. Knapp*: A Union County jury awarded \$200,000 on July 1 to a man who claimed that a faulty gall bladder surgery caused leakage of up to 10 liters of bile into his peritoneal cavity.

At a trial before Superior Court Judge **Edward Toy**, plaintiffs' lawyer **John Scura III** of Wayne's **Scura & Scura** presented evidence that Robert Knapp, a surgeon at Summit's Overlook Hospital, failed to properly tie cystic duct endoloops after removing the gall bladder of Armondo Passarelli on April 29, 1992.

As a result, bile leaked into the patient's body cavity, causing Adult Respiratory Distress Syndrome; the bile had to be removed and the ducts retied during a second operation, Scura says. The plaintiff also was represented by **Arnold Calabrese**, who heads a firm in Florham Park.

The defense presented evidence that the endoloops blew off from natural pressure caused by pressure from stone blockage in the duct, not by faulty tying. The defense also noted that Passarelli suffered no permanent damage.

Scura says the plaintiff demanded \$275,000 but received no counteroffer.

Knapp's lawyer, **William Theroux**, a partner with Princeton's **Jackson & Buckley**, declined to comment, except to confirm the amount of the award. No cause of action was found against a gastroenterologist, Saad Habba, represented by **James Sharp** of **Reiseman, Sharp, Kelsey & Brown** of Parsippany. The jury also no-caused the doctor who performed the second surgery, David Befeler, represented by **Louis John Dughi** of Cranford's **Dughi & Hewit**.

— *By Henry Gottlieb*