

Man succumbs after suffering second heart attack

Decedent's expert: condition was related to work activity

Published: November 13, 2006

\$120,000 settlement

The decedent first suffered a heart attack on April 13, 1998, while working at a commercial plaza in New Hampshire, for which he received cardiac treatment.

As a result of the initial heart attack, the decedent was out of work for several months, but eventually returned in the same capacity.

On Nov. 19, 1998, the decedent had an episode of acute angina and was admitted to the hospital for a short period of time. He did not return to work after that.

On March 12, 1999, while visiting a friend, the decedent experienced shortness of breath and chest discomfort. He then lost consciousness and was taken to St. Anne's Hospital in Fall River, where he was pronounced dead.

The initial workers' compensation claim on behalf of the decedent was filed and a denial was issued. The decedent's medical expert, Dr. Lawrence Baker, opined that the initial heart attack was causally related to work activity. He further opined that the decedent's subsequent death was related to the initial heart attack.

The insurance carrier raised defenses of statute of limitations relative to the initial claim of April 13, 1998. It also asserted defenses of no causal relationship and no personal injury arising out of and in the course of employment relative to the subsequent dates of injury.

Extensive medical evidence was submitted from the parties' medical experts. The matter was fully litigated and both experts were deposed.

The matter was settled subsequent to the deposition of the insurance carrier's expert.

Type of action: Workers' compensation

Injuries alleged: Heart failure

Name of case: Withheld

Court/case #: Withheld

Tried before judge or jury: N/A (settled)

Name of judge: N/A (settled)

Amount of settlement: \$120,000

Date: Dec. 15, 2005

Most helpful expert: Dr. Lawrence Baker, internist

Attorney: Goncalo M. Rego, Law Offices of G.M. Rego, Fall River (for the plaintiff)

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Detailed Information

Type: Settlement

Total Value: \$120,000.00
Breakdown and distribution of Total Value: \$120,000
Verdict/Settlement Date: 12/15/2005
Type of Action: Workers' Compensation
Court: Withheld
Case Number: Confidential
Caption: *Confidential v. Confidential*
Plaintiff(s) v. Defendants(s)
Confidential Confidential
Injuries Alleged: Other
(Other Text: Detail)
Injuries Detail: Heart failure
Tried Before: Not Applicable

Attorney(s) for Plaintiff(s)

Lead Attorney: Goncalo M. Rego
Firm: Law Offices of G.M. Rego (Fall River)

Attorney(s) for Defendant(s)

Lead Attorney: Unspecified Attorney
Firm:

Insurance Carrier(s)

No insurance companies involved

Plaintiff(s) Expert(s)

Expert: Dr. Lawrence Baker
Title:
Specialty: Other (internist)
Company/Institution:
City/State:

Defendant(s) Expert(s)

No defendant experts