

The Mississippi Jury Verdict Reporter

The Most Current and Complete Summary of Mississippi Jury Verdicts

April 2017

Statewide Jury Verdict Coverage

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Civil Jury Verdicts

Timely coverage of civil jury verdicts in Mississippi including court, division, presiding judge, parties, case number, attorneys and results. Notable results from the southern region, including Memphis and New Orleans, are also covered.

Roadway Negligence - An off-duty state trooper suffered a serious lower leg injury (and later underwent a below-the-knee amputation) after crashing his motorcycle in a construction zone – he blamed his crash on the purportedly negligent design of the construction zone – a Pascagoula jury valued the plaintiff's non-economic damages at \$1.8 million
Henderson v. Jay Bearden Construction et al, 12-267

Plaintiff: G. Morgan Holder and Christopher E. Smith, *Smith & Holder*,

Gulfport and W.F. Holder, II, *Holder Law Group*, Gulfport
Defense: L. Clark Hicks, Jr. and R. Lane Dossett, *Hicks Law Firm*, Hattiesburg
Verdict: \$3,136,442 assessed 40% to the defendant
Court: **Jackson**
Judge: Robert Krebs
Date: 4-13-17

Marvin Henderson, then age 30 and a Marine veteran who served a

tour of duty, worked as a state trooper. He was off-duty on the evening of 9-27-10. He rode his motorcycle on Shortcut Road.

For more than a year, a construction project had been underway in the area. The general contractor, Jay Bearden Construction, was hired to perform a sewer improvement project. It subcontracted parts of the work to W&T Contracting.

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and hosting parties. Defense experts included John Kind, Toxicology, North Little Rock, AR, Maxcy Nolan, Pest Management, Watkinsville, GA and George Malone, Poultry Consultant, Princess Anne, MD.

This case took three weeks to try, each of the 56 plaintiffs presenting a separate claim. This Aberdeen jury rejected all the counts and awarded no damages. A defense judgment was entered.

Case Documents:

[The Pretrial Order](#)

[The Summary Judgment Order](#)

[The Jury Verdict](#)

Medical Malpractice - The plaintiff complained of sepsis and other complications because of the purported negligent placement of a temporary hemodialysis catheter

Johnson v. Kronfol, 14-56

Plaintiff: Chynee Bailey, Clumbus

Defense: R.E. Parker, Jr., *Varner*

Parker & Sessums, Vicksburg

Verdict: \$271,000 for plaintiff

Court: **Leflore**

Judge: Carol White-Richard

Date: 12-17-16

Barbara Johnson was in end-stage dialysis on 4-12-13 – she underwent dialysis several times a week. She developed a clotted fistulogram. The defendant in this case, Dr. Ned Kronfol, Nephrology, ordered a declotting of it at Greenwood Leflore Hospital. [A second physician performed the declot procedure.]

The declot procedure was not successful and Kronfol asked that a temporary hemodialysis catheter be installed into her jugular vein. The catheter remained in place until 5-6-13. Johnson presented that day to the ER at the Delta Medical Center. She was complaining of sepsis and tachycardia (an elevated heart rate)

among other symptoms.

The sepsis and other complications were linked to the placement of the catheter. Johnson sued Kronfol and alleged it was just a temporary catheter and he should have removed it sooner and/or ordered its refusal. Because of the failure to do so, sepsis developed.

The plaintiff's liability expert was Dr. Orlando Gutierrez, Nephrology, Birmingham, AL. Johnson had also sued another doctor involved in her care as well as Greenwood Leflore Hospital. Those claims were dismissed before trial and the case advanced against Kronfol only. Kronfol defended that he met the standard of care. His expert was Dr. Gary Davis, Nephrology, Jackson.

This case was tried for a week in Greenwood. The verdict was for Johnson on liability and she took \$46,000 in economic damages. The jury added \$225,000 more for the non-economic variety. The verdict totaled \$271,000 and a consistent judgment was entered by the court.

Case Documents:

[The Judgment](#)

About Jury Verdict Publications

We have continually published civil jury verdict reporters around the country since June of 1997. We are unaffiliated with any organization, public or private or otherwise. Our singular mission to report civil jury trial results without favor, fairly presenting the positions of the parties, interesting trial practice and verdict results.

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E-Mail - Info@juryverdicts.net

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