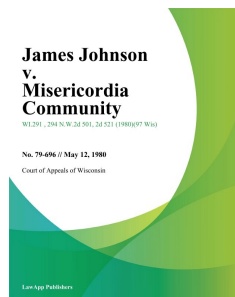


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## JAMES JOHNSON V MISERICORDIA COMMUNITY EBOOKS 2019



Author: Court of Appeals of Wisconsin

Release Date: Expected @@expectedReleaseDate@@

On July 11, 1975, plaintiff-respondent Johnson underwent surgery at Misericordia Hospital in Milwaukee for removal of a pinu003cbr /u003e fragment from his right hip. The surgery was performed by Dr. Lester V. Salinsky. During the course of the operative procedure,u003cbr /u003e plaintiff's right femoral artery and nerve were severed. The damage led to permanent paralysis of plaintiff's right thighu003cbr /u003e muscles, with resultant atrophy, weakness and loss of function. Prior to trial, the plaintiff entered into a settlement agreement with Dr. Salinsky whereby Dr. Salinsky agreed to pay plaintiffu003cbr /u003e \$140,000. Plaintiff in turn executed a Pierringer-type release absolving Dr. Salinsky from any further liability in this case.u003cbr /u003e Upon Conclusion of the trial, the jury found that Dr. Salinsky was negligent in the manner in which he performed the surgery,u003cbr /u003e and attributed twenty percent of the causal negligence to him. The jury also found Misericordia Community Hospital (Misericordia)u003cbr /u003e negligent with respect to its granting of orthopedic privileges to Dr. Salinsky, and apportioned eighty percent of the causalu003cbr /u003e negligence to the hospital. Damages were awarded in the sum of \$315,000 for personal injuries, past and future, and \$90,000u003cbr /u003e for impairment of earning capacity, past and future. Misericordia appeals from the judgment.

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