



Doctor, Practice To Pay \$3.9 Million in Suit Over Eye Damage During Surgery

A doctor and his practice agreed last Monday to pay \$3.9 million to a patient whose eye was damaged during sinus surgery, according to the plaintiff's lawyer in the Passaic County suit, *Kania v. Sreepada*.

Dr. Gangadhar Sreepada of the White Plains, N.Y., office of ENT and Allergy Associates was performing endoscopic surgery to clean out a sinus with a camera-guided instrument at Chilton Hospital in Pompton Plains on April 25, 2006, when the instrument strayed into the right eye orbit of patient Maria Kania, says Kania's lawyer, **Adam Slater** of **Mazie Slater Katz & Freeman** in Roseland.

Kania suffered muscle damage, underwent four surgical repairs and, now 48, still suffers from disfigurement, blurred vision, dizziness and pain, which ended her nursing career, Slater says.

Insurers for the doctor and the practice agreed to pay \$1 million each. And in an unusual agreement, the 100-doctor, 32-office practice paid an additional \$1.9 million from its own funds, Slater says.

The defense argued that what happened during the surgery is a known risk for such procedures. But given the plaintiff's disfigurement and potential economic loss, settlement was a pru-



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dent business decision, says medical practice counsel **Neil Reisman** of **Reisman Rosenberg & Pfund** in Morris Plains.

Another lawyer for the practice, **Robert Evers** of **Marshall Dennehey Warner Coleman & Goggin** in Roseland, declined comment. The doctor's lawyer, **Lauren O'Neill** of **Post Polak Goodsell MacNeill & Strauchler** in Roseland, did not return a call.

— *By Henry Gottlieb*