

Seattle Attorney Mike Maxwell Obtains \$10 Million Judgment for Mistaken Medical Treatment

A federal judge awarded \$10 million to a Seattle woman, who was mistakenly given a flu shot instead of birth control, resulting in lifelong medical expenses.

SEATTLE, WA, USA, February 24, 2022 /EINPresswire.com/ -- A federal judge awarded \$10 million to a Seattle family after a woman was mistakenly given a flu shot instead of birth control, resulting in an unexpected pregnancy and lifelong medical expenses for the child (Case No. C15-1175RSL).



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Attorney Mike Maxwell

The plaintiff had been receiving doses of Depo-Provera, a birth control drug, every three months. She already had two children. She visited the Neighborcare Health Center on September 30, 2011, for her quarterly injection. Her nurse, who had been administering flu shots all day,

allegedly failed to check the plaintiff's chart and gave her a flu shot instead of the birth control she came in for.

The plaintiff later gave birth to a baby girl, who is now 9 years old. She suffers from a birth defect known as bilateral perisylvian polymicrogyria (PMG), which has many complications including vision problems, epilepsy, cognitive delays, and slowed speech.

This resulted in a legal battle that lasted for eight years, and ultimately the judge sided with the plaintiff, stating that: "Had she received a Depo-Provera injection on September 30, 2011, she would not have conceived. The unintended pregnancy and birth of [the minor child] were foreseeable consequences of [the nurse's] error."

The judge awarded \$7.5 million to the child to compensate for extraordinary medical and educational expenses, as well as \$1.5 million to the mother and \$1 million to the father for mental anguish and emotional distress.

Attorney Mike Maxwell, of Maxwell Graham, a [personal injury law firm](#) based in Issaquah, Washington who served as co-counsel with attorney Steve Alvarez, said that the couple is

grateful for the result and relieved that the fight is over.

“This has been a hard-fought battle and a long, difficult road for the family,” Maxwell said. “My clients are pleased that they’re closer to receiving the funds needed for their daughter’s extraordinary medical care and training. She will need specialized care for the rest of her life, and this award will go a long way towards providing that. When medical facilities fail to give the correct treatment to the right patient, there is an obligation to compensate for the resulting expenses and emotional distress.”

Mike Maxwell is an attorney and founding partner of the law firm of Maxwell Graham. He has brought more than 100 cases to trial, arbitration, or resolution by motion. As a former insurance defense attorney, he knows how to best represent the injured facing conflicts with insurance companies. He has over 17 years of experience as a personal injury lawyer.

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