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Jury Awards Boy, Family \$5.6 Million

A Superior Court jury awarded a boy and his family \$5.6 million after he was left severely disabled by an anesthesiologist who continues to practice, the boy's lawyer said Tuesday.

A jury decided Monday that Dr. Thomas Mitchell was negligent in causing severe, permanent brain injuries following elective tonsillectomy surgery at the Los Angeles Metropolitan Medical Center in 1998, said Devante Rashad's attorney, Bruce Fagel, who also is a medical doctor.

Devante, now 5, requires constant medical care and is fed by a tube that goes into his stomach, Fagel said. Devante cannot talk and is blind, Fagel added.

A call Tuesday afternoon to the receptionist at the south Los Angeles medical center where Mitchell still practices found the doctor had already left for the day.

Following the 1½-hour surgery at the Metropolitan Medical Center on July 28, 1998, Devante stopped breathing and went into cardiac arrest, Fagel said. Devante then lapsed into a month-long coma, Fagel said.

It was later discovered, Fagel said, that Mitchell's claims that he had conducted anesthetic procedures on 20 other children during his 10 months at the Metropolitan Medical Center were false.

Judge Irving Feffer received the 12-0 jury verdict awarding Devante, his mother and grandmother \$327,000 for past medical care costs and \$3.02 million to purchase an annuity fund that will pay the \$325,000 annual cost for 24-hour nursing care for as long as Devante lives, Fagel said.

—Associated Press