

When Law, Medicine, and Insurance Collide

A Roundtable discussion of a medical malpractice case based on the birth of two boys - one stillborn, the other with profound disabilities

Tony Sabia, father of the twins
Michael Koskoff, attorney for the Sabia family
William Doyle, attorney for Norwalk Hospital
Barry Werth, author of Damages:
One Family's Legal Struggles in the World of Medicine

Friday, April 11, 2003
1:00 - 2:30 p.m.
Courtroom, 112 Hulston Hall

Welcome by Dean R. Lawrence Dessem
Introduction by Professor Leonard Riskin
Moderator: Professor Rodney Uphoff

Presented by

Center for the Study of Dispute Resolution
At the University of Missouri - Columbia School of Law

With support from the William and Flora Hewlett Foundation

Tony Sabia, father of the twins

Written by Donna Sabia

Tony is a father and a grandfather. He is a very devoted father. When it comes to anything to do with Little Tony, nothing will stand in his way. Tony is a very laid back person. He has worked hard all his life. He loves to ride his Harley across the country. He would rather sit at home by the fire than go outside. Tony is very outspoken when it comes to political aspects of special needs children. He will fight tooth and nail for the things he believes in. Tony will never give up his fight as long as there are children like Little Tony that have needs to be met.

Tony Sabia, surviving twin

Written by Donna Sabia

Tony is a 19-year-old young man with cerebral palsy. He has had many hospitalizations for surgery and seizures. He has had his hips operated on twice, the tendons in his ankles released, a gastrostomy tube put in, his hamstrings released and his testicles dropped down. He has also had a spinal fusion where they put metal rods in his back. Tony was also recently hospitalized for a broken femur bone and put in a cast for 4 months. This was a full body cast, so Tony had his baths in bed. During those 4 months, Tony had an allergic reaction to medication and ended up back in the hospital with a swollen tongue. Through all of this, Tony seems to be a very happy young man.

Tony loves to watch television. His favorite show is Jerry Springer. He enjoys going for walks outside when the weather is nice. Tony enjoys being read to and listening to all kinds of music. Tony like to go on field trips to the Maritime Aquarium and shopping at the mall. He just loves to be around people. He loves the movie, *The Secret of Nimh*. Tony also enjoys going in the pool. It seems very relaxing for him. He likes to do arts and crafts like painting or coloring. He loves animals especially his dog, Koko!

Tony does not like to wake up in the mornings. He hates to have his face washed or bothered with. He doesn't like to wear his leg splint everyday. Tony is very sensitive to light in his eyes. If a light is very bright he will not open his eyes and may even become uncomfortable. If you turn this light out, most times Tony will open his eyes. Tony does not tolerate being in his wheelchair for long periods of time. Tony is a full time student, with his program at home now. His teacher, Tiffany, comes five days a week for five hours a day. He also has physical therapy and occupational therapy twice a week. Tony receives services for the blind and speech therapy. Tony also has an aid. Her name is Jessie. Jessie has been with Tony for over ten years.

Michael Koskoff, attorney for the Sabia family.

Michael Koskoff, senior partner at KK&B, has earned a national reputation for his numerous successful trials and settlements. Listed in *The Best Lawyers in America*, Michael has been a frequent guest on Court TV and has lectured extensively throughout the nation. Michael is President of Connecticut chapter of The American Board of Trial Advocates, a prestigious organization of Plaintiffs and Defense attorneys in Connecticut, and is Connecticut's only member of The Inner Circle of Advocates, an organization limited to 100 of the top trial lawyers in the nation.

Michael Koskoff is widely known for his courtroom experience, winning numerous jury verdicts and out-of-court settlements in excess of \$1 million for his clients. One of these cases was the subject of a nationally acclaimed book, *Damages*, by Barry Werth. Another case recently made national headlines when a jury awarded 12.2 million dollars to a Yale University intern who contracted the HIV/ AIDS virus during her training. In another recent verdict a jury awarded Michael's client 27 million dollars for injuries caused by a negligent surgeon.

Michael Koskoff has experience in handling major cases involving medical malpractice, aviation, personal injury, drug product liability, anti-trust, civil rights and class actions. In 1999, as lead counsel, he reached a 17 million dollar settlement of a class action case against the State of Connecticut for illegal wiretapping.

Michael Koskoff, a frequent lecturer to trial lawyer groups throughout the nation, appears on numerous audio tapes and has published several articles about trial technique. He has served on the faculty of programs for The Association of Trial Lawyers America, National College of Advocacy, Connecticut Trial lawyers Association and other bar associations. He has served as a member of the Advisory Board of the Quinnipiac College School of Law and for many years was appointed by the United States District Court in Connecticut as Co-chair of the Special Masters Program.

Michael earned his law degree is from the University of Connecticut's School of Law. In addition to his legal training Michael has received formal training as an actor, from the American Shakespeare Academy. Michael is also admitted to the United States District Courts for Connecticut and the Southern District of New York, as well as the courts of the State of Connecticut and the United States Supreme Court.

Michael Koskoff actively supports community activities throughout Connecticut and is the winner of the Dedicated Service Award of the National Association of Black Patrolmen, the Waverly Jones Freedom Award of the Greater Bridgeport NAACP, and the Dedicated Service Award of the Afro-American Educators Association. He has sponsored an annual lecture series at the Quinnipiac College School of Law.

William Doyle, attorney for Norwalk Hospital.

William J. Doyle is a 1958 graduate of Fairfield University (*cum laude*) and a 1961 graduate of St. John's Law School (*magna cum laude*), where he was a Thomas More Scholar and Managing Editor of the *Law Review*. He began his legal career as a litigation associate at Paul, Weiss, Rifkind, Wharton & Garrison in New York City. In 1963, he returned to Connecticut and joined 18 lawyer Wiggin & Dana in New Haven where he became a partner in 1969 and chair of its litigation practice.

Bill serves as an adjunct member of the faculty of the Yale Law School where he teaches trial practice. He has also taught trial practice at the University of Connecticut School of Law. He is a frequent lecturer on trial practice at continuing legal education seminars sponsored by the Connecticut Bar Association and other professional groups.

He has served as Chairman of the Federal Practice Committee and as Chairman of the Lawyer-to-Lawyer Arbitration Committee of the Connecticut Bar Association. He is a Fellow of the American College of Trial Lawyers and has served as State Chairman of that organization. He is also a Fellow of the Connecticut and the American Bar Foundations.

Bill has been singled out by his professional colleagues to be listed in every edition of The Best Lawyers in America in the categories of business and personal injury litigation. He has been appointed by the Chief Justice of the Supreme Court of Connecticut as a special State Trial Referee and by the Federal judges in Connecticut as a Federal Special Master and he has handled and disposed of a number of state and federal cases in those capacities. In his 40 years of general trial practice, Bill has tried a wide variety of cases from the simplest negligence case to the most complicated commercial disputes.

Barry Werth, author of Damages: One Family's Legal Struggles in the World of Medicine

Barry Werth is a prize-winning journalist and internationally known author whose work ranges over a wide variety of subjects. His first book, The Billion Dollar Molecule illustrated the collision between biomedicine and big business; *Business Week* named it among its top ten business books and the German newsmagazine *Die Zeit* named it one of its top ten science books. Damages his second book, examined the conflict between doctors and lawyers through one family's experience with medical malpractice; it was a selection of the Book of the Month Club and the Quality Paperback Book Club. His most recent book, The Scarlet Professor was published in 2001. Exploring the notable invasion of privacy case of mid-century literary critic Newton Arvin, it was a National Book Critics Circle finalist and won the American Library Association's Stonewall Prize for nonfiction and the Lambda Literary award for biography. His articles have appeared in *The New Yorker*, *The New York Times Magazine*, *GQ*, *Outside*, and other national magazines. In addition, he has collaborated with Alexander Tsiaras on From Conception to Birth a best selling exploration of life before birth, and is working on a second book with Tsiaras on the architecture and design of the human body. He lives in Northampton, MA.