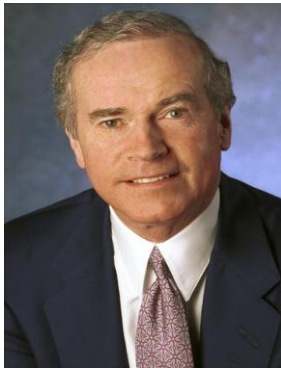


Irish Examiner

Irish attorney wins \$121m medical malpractice suit

By Eoin English

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Thomas A Moore Largest award of Career.

An Irish-born attorney ranked as one of America's top lawyers has won a record medical malpractice suit in New York.

Waterford native Thomas Moore, 70, fought a case which resulted in a jury awarding around \$121m (€93m) to his client last Friday. It is the largest award of his legal career. Mr Moore has recorded 85 verdicts over \$1m, won a \$40m case in 2010, and a \$7m case in 2008. But he described Friday's settlement for a mother who became permanently incapacitated after being treated at three New York hospitals almost a decade ago as "very, very, gratifying".

It was the second longest case of his career and the award has been reported as the largest in "present value" terms in New York state legal history.

"After giving 100% for seven weeks, getting just three hours sleep a night during the trial, I was exhausted and elated when the jury returned the award," Mr Moore said from his New York office last night.

"But it was gratifying for me, and more importantly for my client. I always believed we had a very strong case, and my confidence grew during the trial."

Mr Moore, who studied at De La Salle College and left for the US aged 17, is a senior partner at Kramer, Diloff, Livingston & Moore law firm in New York. The lawsuit was filed on behalf of Jacqueline Martin, a 45-year-old mother-of-two, by her mother.

Ms Martin sought medical treatment for seizures during several hospital visits in 2004. She suffered an allergic reaction to seizure medication and was later diagnosed with Stevens-Johnson syndrome, a rare and serious skin disorder. She later suffered brain damage after going in to cardiac arrest.

Ms Martin, who worked as a claims adjuster before her collapse, now requires 24-hour care.

The court ruling allocated 50% responsibility to Jacobi Medical Centre in the Bronx, 40% to Kings County Hospital Centre in Brooklyn, 5% to Brookdale

University Hospital and Medical Centre in Brooklyn, and 4% to one of its neurologists. The City's Health and Hospitals Corporation plans to appeal the settlement, in an effort to reduce the award amount. Judge Robert Torres is expected to make his decision in about two months.

"The saga is not ended. But now we are in the driver seat," Mr Moore said.

He runs five miles a day and visits Ireland regularly, including most recently to visit his daughter, who was studying in UCD.

He has been cited by New York magazine and Super Lawyers magazine as one of the best lawyers in New York, and has been repeatedly listed in Dragonlaw as one of the top 500 lawyers in the US.

Mr Moore urged young Irish people facing immigration to "grab every opportunity they can".

"Work hard and take advantage of every opportunity that comes your way," he said. "And have the confidence to know that people who have gone before you, and who were in the very same position, have achieved amazingly, and there is no reason why you can't surpass what earlier generations have done."