

## Malpractice settlement may reach \$119 million

By **BILL COULTER**  
Post Reporter

An out-of-court settlement in a malpractice suit involving Pasadena Bayshore Hospital Monday could result in as much as \$119 million being paid to support a 2½-year-old girl who suffered permanent brain damage at birth.

The settlement to Andrea Ferris and her parents, Ronnie D. and Linda Ferris, is to be paid out in installments over her entire lifetime and may be the largest individual malpractice award in history, said the Ferrises' attorney, Richard Warren Mithoff.

The Ferrises sued Pasadena Bayshore and a former staff obstetrician, Dr. Michael Brody, after Andrea sustained irreversible brain damage at the time of or prior to her birth at the hospital.

Ferris is an auto parts salesman. He and his wife have one other child, Melissa, 1, who is normal, Mithoff said.

The parents contended in the suit that Andrea was deprived of oxygen and her brain will never advance beyond that of a 1- or 2-year-old child.

In all probability she will never talk, never walk, never have normal control over her bowels and bladder, and never be able to feed or dress herself, although she is expected to live a full life span, Mithoff said.

The Ferrises alleged negligence on the part of the hospital, certain hospital personnel and Brody. They alleged that Brody failed to appear to attend to Mrs. Ferris and the baby although summoned by hospital staff. The suit also alleged

the hospital was negligent in allowing Brody to be on the hospital staff.

Hospital administrator Donald L. Francis said Brody is in private practice and has not been on the Pasadena Bayshore staff for about two years. Brody was not available for comment.

Mithoff said all defendants were dropped from the suit with the exception of the hospital, whose insurance carrier, Insurance Company of North America, will pay the damage awards.

A lump sum of \$4.25 million will be paid the Ferrises within 30 days, Mithoff said. Then, beginning in June, \$7,000 a month will be paid with an accelerating 6 percent annual interest for a minimum of 20 years guaranteed, or for Andrea's entire life, which is expected to be 75 years or more, Mithoff said.

Over the 20-year guarantee payment period, the monthly payments with accelerating interest would amount to more than \$3 million. Over about 75 years of additional life, the payments would total about \$115 million, Mithoff said. A trust fund will be established for Andrea to ensure that she is financially cared for, he said.

Mithoff was awarded \$1,880,762 in attorney fees. Attorney John Ray Harrison, former Pasadena mayor and state district court judge, was awarded \$20,000 for his fee in representing the interest of Andrea.

The settlement was entered in the court of state District Judge Charles L. Price.



Ronnie and Linda Ferris with Andrea, 2

— UPI photo