



## Failure-To-Diagnose Case Settles For \$3.5 Million in Passaic County

**Pugliese v. Rametta:** Two doctors agreed on Oct. 20 to pay \$3.5 million to settle a claim that they failed to diagnose an arterial occlusion and so caused a patient's paralyzing stroke.

On May 17, 2002, Andrew Grossman, an emergency room doctor at Chilton Memorial Hospital in Pompton Plains, told John Pugliese, then 42, of Wanaque, that the numbness in his arm, face and neck was a pinched nerve, according to evidence proffered by Pugliese's lawyer, **David Mazie**, of Roseland's **Nagel Rice & Mazie**. Pugliese's own physician, Mark Rametta of Ringwood, made

the same diagnosis a few days later, Mazie says.

Pugliese really was having a transient ischemic attack (TIA), a warning that he had an occlusion of the carotid artery, Mazie says. If treated properly, Pugliese wouldn't have suffered the September 2002 stroke that has left him partially paralyzed, Mazie says. Pugliese was a maintenance worker.

Under the settlement, reached after four days of trial in Passaic County before Judge **Anthony Graziano**, Grossman, covered by PMSLIC, will pay \$1.5 million, and Rametta, covered by Princeton Ins.



**DAVID MAZIE**

Co., will pay \$2 million.

Rametta's lawyer, **Craig Combs Jr.** of Morristown's **Giblin & Combs**, says the case settled only because the injuries were so serious. He says the defense evidence suggested the plaintiff's account of what he told Rametta was inaccurate and that Pugliese did not suffer a TIA.

Grossman's lawyer, **Robert Donnelly Jr.** of Cranford's **Dughi & Hewit**, did not return a reporter's call.

— *By Henry Gottlieb*