

The Alabama Jury Verdict Reporter

The Most Current and Complete Summary of Alabama Jury Verdicts

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Statewide Jury Verdict Coverage - Published Monthly

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Alabama's Jury Verdict Reporter Since 2001

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Civil Jury Verdicts

Complete and timely coverage of civil jury verdicts in Alabama including circuit, presiding judge, parties, case number, attorneys and results.

Medical Negligence - A patient suffered a liver injury during open-heart surgery and later developed complications including strokes, kidney injury, and lung injury; he alleged that his surgeon negligently delayed recognizing and treating internal bleeding, while the defense disputed that the delay caused his injuries

Goodwin v. Casterline, et al., 21-900568

Plaintiff: Adedapo T. Agboola and Darryl Bender, *Bender & Agboola, LLC*, Birmingham

Defense: Michael K. Wright and Joseph L. Reese, Jr., *Starnes Davis Florie, LLP*, Birmingham

Verdict: Defense verdict

Circuit: **Jefferson**, 9-25-26

Judge: Elisabeth A. French

On 5-28-20, Sheneer Goodwin underwent open-heart surgery at Grandview Medical Center in Birmingham to repair severe mitral valve regurgitation. Goodwin also had a history of atrial fibrillation. The operation was performed by cardiothoracic surgeon Dr. John Casterline, an employee of Affinity Cardio-Thoracic Specialists, LLC. Casterline who accessed the heart through a right thoracotomy.

The procedure involved an extended period of cardiopulmonary bypass, followed by vasoplegia, a condition involving abnormally dilated blood vessels and low blood pressure. During the surgery, Goodwin also sustained a liver laceration associated with the retraction of his diaphragm to provide access to the heart.

Following surgery, Goodwin developed abdominal distension, reduced urine output and other signs of deterioration. He was returned to

the operating room at approximately 3:00 a.m. on 5-29-20, about 11 hours after completion of the initial operation. During an exploratory laparotomy performed by Casterline and Dr. John Christein, the surgeons discovered bleeding adjacent to the liver. The suspected laceration was treated with packing and hemostatic material.

Goodwin subsequently experienced multiple embolic strokes, acute kidney injury requiring temporary dialysis, and pulmonary complications requiring ventilator support. He claimed lasting physical and cognitive impairments, diminished earning capacity and other damages. His billed medical charges totaled \$2,041,713.

Goodwin and his wife, Angela, filed suit against Casterline, Grandview Medical Center, Christein, two physician assistants and other defendants. The complaint was later amended to include Affinity Cardio-Thoracic Specialists, LLC, and Cardio-Thoracic Surgeons, P.C., on theories of vicarious liability. Angela presented a claim for her loss of consortium.

The claims against Christein and the physician assistants were voluntarily dismissed, while the court granted summary judgment for Grandview. The litigation proceeded against Casterline and the two affiliated medical practices.

Goodwin maintained that Casterline negligently failed to recognize and address the internal hemorrhage promptly after the initial operation. He contended that the delay allowed his condition to deteriorate and caused or aggravated

Historic Alabama Verdict

Medical Negligence - A little girl lost her eye when she used an eyewash that contained carbolic acid – the case was tried five times with a final verdict in the fifth trial of \$2,750 which would be a little less than \$100,000 in 2026 dollars

Hazelip v. Shelton

Verdict: \$1,750 for plaintiff (1909)
\$1,000 for plaintiff (1911)
\$2,750 for plaintiff (1915)

Circuit: **Morgan**

Date: January 9, 1909
February 24, 1911
October 29, 1915

This med mal case that was tried five times to a jury was widely reported in Alabama from 1909 to 1915. The plaintiff, Velma Hazelip a little girl from Decatur, then age 6, treated for an eye infection. Her physician, Dr. John Shelton, prescribed an eyewash. The eyewash contained carbolic acid. This caused Velma to lose her eye.

Hazelip filed suit in Morgan County against Shelton and cited error regarding the prescription. He defended and argued that the injury was related to chicken pox pustule, or alternatively, to an error by the druggist in filing the prescription. Reports at the time indicate there were several physician experts that testified at trial as well as druggists.

This case ended up being tried to a jury five times. The first two trials ended in mistrials. Velma prevailed at the third trial in January of 1909. She took \$1,750. The Supreme Court reversed. The fourth trial was two years later in February of 1911. That jury awarded \$1,000 in damages.

Shelton appealed again and won at the Alabama Supreme Court. It reversed again. The final and fifth trial was in October of 1915. Velma was awarded \$2,750. That would be a little less than \$100,000 in 2026

dollars. The appellate opinions are lost to history and the record goes cold on this case after that fifth trial. The lawyers involved and the trial judge are not known.

What became of Velma Hazelip? She became a Houston housewife and died of a heart attack in 1981. When looking at these old cases the plaintiffs can seem very remote and less real. As I was looking for more about Velma, I saw a 1913 letter she wrote to Santa Claus that appeared in the local newspaper. She appears very much like any other little girl from 100 years ago, or even today. Her letter:

Dear Santa Claus:—

I am a little girl, I go to school. I have been very good since last Christmas. Please bring me a slate, a pair of skates and story book, a baby doll with blue eyes and some candy, fruits and nuts. Don't forget your little girl. Velma Hazelip
1303 5th Ave. S.

—
New Decatur, Ala.

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