The Mississippi Jury Verdict Reporter

The Most Current and Complete Summary of Mississippi Jury Verdicts

December 2025 **Statewide Jury Verdict Coverage** **16 MSJVR 12**

In This Issue

Civil Jury Verdicts

Timely coverage of civil jury verdicts in Mississippi including court, division, presiding judge, parties, case number, attorneys and results. Notable results from the southern region, including Memphis and New Orleans, are also covered.

Medical Malpractice - The plaintiff alleged malpractice by her orthopedist in performing an L5-S1 fusion surgery by misplacing a pedicle screw (it impinged a nerve) and then failing to recognize it in a timely fashion led to the continued irritation of the nerve root and a permanent injury

Little v. Edwards, 16-106
Plaintiff: William T. May, Robert Carson, III and Charles M. Merkel, Jr., *Merkel & Cocke*, Clarksdale
Defense: Tommie G. Williams, Jr. and Harris F. Powers, III, *Upshaw Williams Biggers & Beckham*, Greenwood
Verdict: Defense verdict on liability
Court: **Lowndes**
Judge: James T. Kitchens, Jr.
Date: 11-24-25

Teresa Little, then age 42, treated conservatively for severe radiating low back pain in early 2014. Her treatment provided no relief. She consulted with Dr. Kenny Edwards, an orthopedist with the Columbus Orthopedic Clinic. He diagnosed her with chronic spondylolisthesis at the L5-S1 level on 5-2-14 – her spine was unstable. Edwards recommended an L5-S1 fusion surgery.

The surgery was performed on 5-29-14 at Baptist Memorial-Golden Triangle Hospital in Columbus. It was initially viewed as a success. Little had a good result in the first few months. By that November she reported new SI joint pain. Edwards provided a pain injection that time and recommended an SI joint fusion. Insurance denied the care.

Little didn't continuously treat with Edwards but reported low-back pain a year later in November 2015. At this time Edwards performed a second surgery. He attempted to remove a pedicle screw at the L-1 level. It broke as he was removing it.

As Little's low-back pain persisted, Edwards referred her to Dr. Timothy Bassett, an orthopedist in Birmingham, AL. Bassett performed an additional fusion surgery in May of 2016. Bassett believed the pedicle screw (from the original May 2014 surgery) had impinged Little's nerve root at S1. This led to ongoing pain and a permanent injury.

Little sued Edwards in October of 2016. She alleged medical error by Edwards in several ways. He was first blamed for improperly placing the pedicle screw at the wrong angle in the first surgery such that it impinged her SI nerve root by some 3 mm, all of which led to a failed fusion. He then failed to recognize that failed fusion following the first surgery, and then in the second surgery, he failed to fully remove the screw.

The effect of these errors, the plaintiff alleged, led to a continued irritation of Little's nerve root and a permanent injury. Little's liability expert was the treating Dr. Bassett.

Little denied there was error in placing the pedicle screw in the first surgery, or that it had caused any injury. His expert, Dr. Robert McGuire, Orthopedics, Jackson, explained that if the screw impinged the nerve, Little would have awoken from the first surgery in excruciating

Employment Retaliation - A nurse at a hospital clinic alleged she was transferred and then forced out for complaining that a neurologist at the clinic was billing for exams he didn't conduct among other improprieties – the hospital denied he'd done anything wrong or that the plaintiff's separation was related to her complaints – the plaintiff had also alleged a tortious interference claim against the doctor (that he'd orchestrated her firing) but the jury rejected that claim

King v. Monroe Regional Hospital et al, 24-247

Plaintiff: Jim Waide and Yance Falkner, *Waide & Associates*, Tupelo

Defense: Mark N. Halbert and Cannon Funderburk, *Phelps Dunbar*, Tupelo

Verdict: $58,000 for plaintiff on employment retaliation against Monroe County Hospital; Defense verdict for Hashmat on tortious interference claim

Court: **Monroe**

Judge: Kelly Lee Mims

Date: 12-9-25

Taylor King started working as a nurse on 5-15-23 at the Hamilton (MS) Clinic which is operated by the Monroe Regional Hospital. The hospital operates some 23 clinics. She assisted a neurologist at the clinic, Dr. Aamir Hashmat. Almost right away (within a week or so), King believed that Hashmat was engaged in improper behavior.

King believed that Hashmat documented treating a patient on 5-24-23 that he hadn't seen. A month later (6-23-23), King believed he prescribed an MS medication without taking a history. There was an allegation in July he improperly dispensed Botox using the same syringe on several patients.

King further alleged she was improperly asked to fill out so-called History of Present Illness (HPI). Why improper? That was outside the scope of a nurse and something that only a physician can do.

King made internal complaints to the clinic's director regarding her concerns about Hashmat. She suspected Medicaid fraud. What happened? King believed in retaliation she was transferred to the Jurney Clinic. After an orientation there, King was told there was only a part-time position at night. That didn't work for King who had a small child at home. She was laid off within a month of complaining.

Thereafter King sued Monroe Regional Hospital and alleged it retaliated against her for having complained about Hashmat. It was framed as a so-called *McArn v. Allied Bruce-Terminix*, 626 So.2d 603 (Miss. 1993) common law wrongful discharge in violation of public policy. She argued the hospital retaliated against her because Hashmat was viewed as a huge revenue source and it wanted to keep him happy. King, by contrast, was just a nurse.

King also presented an individual tortious interference count against Hashmat. The jury could award compensatory and punitive damages against both defendants.

The hospital denied any retaliation or that King had made a proper complaint. As to Hashmat asking her to help with certain forms, it was noted he's in the clinic three days a week and operates a very busy and high volume practice seeing 30 to 60 patients a day.

As to the supposed retaliatory transfer, the hospital indicated King was unhappy with her co-workers and wanted a transfer. The hospital moved her to the Jurney Clinic, and when she took that transfer it was only a temporary job as she was filling in for another nurse. When that temporary position ended, King was offered two other positions which she declined. The hospital postured the lay-off was of King's own doing and that she tried to convert that into a wrongful discharge claim. Hashmat also denied he had interfered with King's employment.

The defendants moved for summary judgment and argued there was no evidence of retaliatory transfer, and even so, there was no causation as to termination because she had turned down several positions. King replied that there were fact disputes as to the hospital's motivation. Judge Mims agreed and in a barebones order, the court denied the summary judgment. A jury would sort it out.

The case was tried for two days in Aberdeen. The jury's verdict was mixed. King prevailed on her common-law retaliation claim against the hospital. Hashmat prevailed on the tortious interference count.

The jury awarded King $8,000 in compensatory damages representing lost wages and emotional suffering. The jury then heard separate arguments on punitive damages. It then assessed $50,000 more in punitive damages against the hospital. A consistent judgment reflecting the verdict has been tendered to the court.

Case Documents:

Complaint
Defense Summary Judgment Motion
Plaintiff Summary Judgment Response
Summary Judgment Order

A Notable Tennessee Verdict

Medical Negligence - During a laparoscopic cholecystectomy, the defendant surgeon "got lost" and "made a mistake" in clipping multiple structures including transecting the plaintiff's common bile duct – there was a recognition delay in identifying the injury and while the plaintiff, a woman in her middle 30s, later underwent a complex repair surgery at Vanderbilt, she has permanent complications with abdominal infections and will require a lifetime of care – the defendant had explained the so-called mistake was not a deviation from the standard of care, the plaintiff's expert countering the defendant got lost in the anatomy because he used the wrong surgical approach - the jury awarded the plaintiff $11.056 million at trial which included $7.5 million in non-economic damages – *Helmendach v. Colquitt*, C-23-0317-23
Plaintiff: Gary K. Smith and C. Philip M. Campbell, *Gary K. Smith Law, PLLC*, Memphis
Defense: James R. London, *London & Amburn*, Knoxville
Verdict: $11,056,770 for plaintiff
Court: **Knoxville, Tennessee Knox Circuit Court**
Judge: Deborah Stevens
Date: 10-29-25

Amy Helmendach, age 35 and working as a production technician for Siemens at its medical manufacturing facility, suffered from nausea, heartburn and abdominal pain in early 2022. An ultrasound on 1-11-22 revealed she had gallstones. She first presented for evaluation to a surgeon, Dr. Mark Colquitt of Foothills Weight Loss Surgeons. He scheduled a laparoscopic cholecystectomy (gallbladder removal) surgery for 1-26-22 at Fort Sanders Regional Medical Center. There was a misadventure during the surgery. Colquitt clipped both Helmendach's common bile duct and hepatic artery. Colquitt realized the arterial injury and believed it was repaired. Helmendach awoke from the surgery in severe pain. She was now leaking bile fluid into her abdomen.

Helmendach was released the next day. Over the next few days she made numerous calls to Colquitt and his office reporting her worsening symptoms. Finally on 2-6-22 (a Sunday), she called Colquitt and told him she felt like she was dying. He directed her to go the ER in advance of a scheduled office visit the next day.

Colquitt met Helmendach at the hospital and a CT scan was taken. She was clearly accumulating fluid in her abdomen. Colquitt performed a so-called "washout" of her abdomen but didn't identify a bile leak. Helmendach was in the hospital for five more days.

Finally on 2-11-22, she was taken to Vanderbilt. She had a long course of care which ultimately resulted in a seven hour Roux-en-y repair surgery by Dr. Sunil Geevargehese (an expert in hepatobiliary surgery) in April of 2022. This was in part because Helmendach's bile duct had been completely transected. Her medical bills were $556,770.

Helmendach sued Colquitt and alleged negligence by him in injuring her anatomy. Her expert, Dr. Preston Miller, Surgery, Winston-Salem, NC, concluded Colquitt used the wrong surgical technique. Miller explained Colquitt relied on the outdated infundibular method instead of using "critical view of safety." This error limited Colquitt's vision of Helmendach's anatomy and caused the serious and permanent bile duct injury. Smith also believed that rather than an arterial injury (or in addition to it), the injury was more likely to her common hepatic duct as later identified during the Vanderbilt repair surgery.

Helmendach deals with periodic abdominal infections and will require expensive antibiotics to manage this for life. Her treating gastroenterologist, Dr. Matt Moore, Knoxville, described her injury and the ongoing care. Her future medicals were extensive. If Helmendach prevailed on liability she sought non-economic damages in five categories.

The defense expert was Dr. Adam Harris, Surgery, Birmingham, AL. He believed Colquitt's surgical technique was appropriate (infundibular was the standard of care) and the unfortunate injury was a known and recognized complication that can occur in the best of hands. He also explained that Colquitt "got lost" and had "made a mistake" but there was no deviation from the standard of care. Smith (the plaintiff's expert) replied that whatever the method (critical view or infundibular), Colquitt still violated the standard of care in cutting and clipping (completely transecting the common bile duct) multiple wrong structures.

This case was tried for three days. The jury verdict and jury instructions are not a part of the record. However the judgment indicates the jury found Colquitt violated the standard of care.

The jury then went to damages. Helmendach took medicals of $556,770 plus $3,000,000 more for her future medicals. Non-economic

New Publication

The South Carolina Jury Verdict Reporter

Beginning in January of 2026, we are adding the seventh state to our stable. South Carolina joins our stable along with Kentucky (1997), Indiana (2000), Alabama (2001), Tennessee (2004), Mississippi (2011) and Louisiana (2011). I'm really pleased with it and it goes public in a few weeks.

The cases there are fascinating and unusual. There was a wild golf cart case on Sullivan's Island involving the owner of the Charleston Battery soccer team, a $5,000,000 trip on a tree root premises case in Columbia, and a lot more. If you know anybody in South Carolina, don't hesitate to let them know about it. And if you don't, the first issue is an all-around good read. The historic section looks to a 1988 verdict at a Loverboy concert (it's a good story) where a patron was struck in the head by a thrown bottle.
The premiere issue is linked below in PDF:
South Carolina January 2026

The South Carolina Jury Verdict Reporter

The Most Current and Complete Summary of South Carolina Jury Verdicts

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In This Issue

Civil Jury Verdicts

Timely coverage of civil jury verdicts in South Carolina including court, presiding judge, parties, attorneys and results.

Premises Liability - The plaintiff tripped on a "curled" rug as he exited a Dollar General and sustained a broken hip in the resulting fall – a Rock Hill jury awarded the plaintiff $296,000 – Dollar General appealed the verdict (it called the hazard open and obvious), but the case has since been dismissed as settled

Sullivan v. Dolgencorp,
2022-CP-46-00085
Plaintiff: T. Elaine White, *Love Sloan Law*, Rock Hill
Defense: R. Trippett Boineau, III and Michael Trask, *McAngus Goudelock & Courie*, Columbia
Verdict: $296,000 for plaintiff
Court: **York**
Judge: William A. McKinnon
Date: 6-18-24

Thomas Sullivan, age 68, shopped at a Rock Hill Dollar General on 6-10-19. Dollar General is operated by a Kentucky company, Dolgencorp. As Sullivan walked out of the store pushing a shopping cart, he tripped on a weathered rug that was curled at its edge. Sullivan sustained a left hip fracture in the fall. He was taken to Piedmont Hospital where he underwent a surgery two days later. He was then in rehabilitation for several more weeks. There was proof Sullivan had a gait disturbance that was related to his injury.

Sullivan filed a lawsuit against Dolgencorp and alleged negligence regarding the condition of the rug. He died by suicide in June of 2019. Sullivan, who was on disability at the time, wasn't married and had no children. His sister was appointed as personal representative for the estate and continued to prosecute the case.

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