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Keely E. Duke, a shareholder with **Hall, Farley, Oberrecht & Blanton, P.A.** in Boise, Idaho, recently obtained two defense verdicts. Ms. Duke obtained a defense verdict for a physician assistant in a wrongful death medical malpractice action in Twin Falls, Idaho. The defendant was a physician assistant at a pain clinic in Twin Falls.

On September 26, 2003, the deceased, a sixty-year-old woman, went to the clinic for the first time and was seen by the defendant physician assistant for treatment of chronic back and leg pain. He changed the decedent's long acting pain medication from OxyContin to Methadone on September 26, 2003, and she passed away six days later. The autopsy report stated that she died from Methadone and Hydrocodone poisoning.

The decedent's husband and three adult children brought a wrongful death action against the physician assistant, his supervising physician, and the clinic for medical malpractice, generally alleging that the physician assistant should not have changed the decedent's pain medication to Methadone and also that he increased her Methadone dose too rapidly.

After a two week trial, the jury returned a unanimous verdict for the defense, finding that none of the defendants breached the standard of care.

DRI member, **Keely Duke**, also obtained a trial victory for a defendant dentist in a medical malpractice action. During the course of a root canal procedure, an intracanal medicine extruded beyond the apex of the tooth, resulting in an alleged lip droop and numbness in the plaintiff's lower left lip, gums and teeth. The plaintiff alleged that the dentist breached the standard of care with regard to his use and application of calcium hydroxide, as well as his post-operative and follow-up care.

After a one week jury trial in Boise, Idaho, the jury concluded that the defendant met the standard of care in all respects.

**Keely E. Duke**