

Doctor Dies After Tooth Infection Ignored

On March 4, 1997, Dr. Steven Falk, an internal medicine specialist, went to see his dentist, Dr. Easter, after developing some tooth pain. Dr. Easter took a wait-and-see attitude, despite having never identified the source of the pain. Unfortunately, Dr. Easter failed to recognize that the dental x-ray he took indicated that there was a periapical infection developing in Dr. Steven Falk's lower jaw.

For the next five days, Dr. Falk's pain continued to worsen. On Sunday, March 9, he contacted an endodontist, Dr. Craig Broome, who performed an emergency root canal. Dr. Broome performed the procedure without his normal office staff and without reviewing Dr. Falk's prior x-ray. Unbeknownst to Dr. Broome, the root canal caused Dr. Falk's infection to spread. Over the next several days, Dr. Falk suffered increased swelling and pain. Though Dr. Falk was clearly suffering from a severe infection, neither Dr. Easter nor Dr. Broome took appropriate measures to diagnose or treat it.

On March 13, four days after his root canal surgery, Dr. Falk's wife came home from work to find her husband dead on the bedroom floor. An autopsy performed by the Pinellas County Medical Examiner's Office determined that Dr. Falk died of a basilar artery aneurysm, which was not related to the dental infection. However, Dr. Falk's wife Antoinette, a board-certified medical doctor in psychiatry, felt strongly that her husband's aneurysm must have resulted from the dental treatment.

Dr. Antoinette Falk retained the services of St. Petersburg attorney Jeffrey Chambers, who referred the case to attorneys Chris Searcy and Bill Norton. In working with experts in the fields of neurology, physiology, biophysics, dentistry, oral surgery, and otolaryngology, Mr. Searcy and Mr. Norton were able to develop a theory that Dr. Falk died as a result of his tooth and jaw infection. The attorneys representing Dr. Broome and Dr. Easter vehemently argued that in the annals of medical literature, no case with similar facts had ever been reported. However, the plaintiffs developed evidence that such a scenario was not only possible, but was in fact the probable cause of Dr. Steven Falk's death.

After arduous litigation and settlement discussions, the case was settled. Dr. Broome paid his insurance limit of \$1 million and Dr. Easter paid slightly less than his \$2 million insurance policy. Dr. Antoinette Falk elected to place the money in a structured settlement, which will provide benefits for her and her three children, Ann, age 18, Sarah, age 13 and Ben, age 7. ■



**L. to r. Dr. Steven, Sarah, Dr. Antionette,
and Ben Falk in 1996.**