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Cook County jury awards \$6M over undiagnosed heart condition

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A Cook County jury awarded \$6.3 million to a then 56-year-old man who required a heart transplant as a result of an undiagnosed heart condition.

When Edgardo Lopez was diagnosed with diabetes and diabetic retinopathy, his doctor recommended he see an internist.

Lopez subsequently established care with internal medicine specialist Dr. Peter Yoon of DuPage Medical Group on March 1, 2019.

At that appointment, Yoon ordered a number of tests, including an electrocardiogram (EKG) test because Lopez was complaining of a fast heart rate and palpitations.

Despite the results of the EKG allegedly showing abnormalities, no further evaluation of Lopez's heart, such as an echocardiogram, was ordered, the complaint stated.

Yoon did, however, order an event monitor, a portable device used to record the heart's electrical activity, to check for abnormal heartbeats.

According to the plaintiffs' attorney, Lopez wore the monitor for 30 days, but did not display abnormalities.

Lopez saw Yoon again several times to manage his diabetes. His heart issues were not further addressed in any of those appointments, the attorneys said.

A few months later, on Oct. 1, 2019, Lopez saw Yoon again complaining of shortness of breath and chest pain.

The attorneys said Yoon thought Lopez had an upper respiratory infection. He was diagnosed with pneumonia, prescribed antibiotics and told to come back in a few weeks for a chest X-ray.

Days later on Oct. 9, 2019, his condition worsened and Lopez was experiencing an abnormally high heart rate.

He was admitted to the emergency room at Advocate Good Samaritan Hospital in Downers Grove the next day on Oct. 10, 2019.

While in the emergency room it was discovered that Lopez was experiencing severe heart failure with poor pumping function, his attorneys said.

He underwent an emergency procedure to examine his heart, which revealed a severe three vessel coronary artery disease, the complaint stated.

Lopez was transferred to Advocate Christ Medical Center in Oak Lawn for a heart pump implant.



Keith A. Hebeisen

About a month later on Nov. 1, 2019, Lopez underwent a heart transplant.

According to the plaintiffs' attorneys, Lopez was experiencing "silent" coronary ischemia for more than six months that went undetected by Yoon.

Following the heart transplant, Lopez has a shortened life expectancy, he will have to be on medication for the rest of his life, is at a higher risk for cancer or fatal infection, and will experience some limitations on activities he previously enjoyed, his attorneys said.

Lopez and his wife, Jordana Arzadon, sued Yoon and DuPage Medical Group in Cook County Circuit Court, alleging medical negligence and loss of consortium.

The complaint alleged Yoon failed to interpret Lopez's tests, diagnose his condition and recommend urgent cardiovascular evaluation after obtaining the abnormal tests on March 1, 2019.

The case went to trial June 10 before Cook County Circuit Court Judge Karen L. O'Malley.



Courtney A. Berlin

The jury returned a verdict Wednesday in favor of Lopez and Arzadon and against Yoon and DuPage Medical Group.

The award covers loss of a normal life, shortened life, pain and suffering, emotional distress and medical expenses for Lopez. It also covers loss of society and companionship for Arzadon.

Lopez and Arzadon are represented by Keith A. Hebeisen and Courtney A. Berlin of Clifford Law Offices.

Hebeisen said the jury came out with a fair verdict.

"This man relied upon his doctor to do what was necessary ... He neglected to do the right thing and now Mr. Lopez and his wife are left to suffer for the rest of their lives," Hebeisen said in a press release.

Yoon and DuPage Medical Group are represented by Scott A. Herbert and Anne S. Kuban of Cunningham Meyer & Vedrine PC. They could not be reached for comment.

The case is *Lopez v. DuPage Medical Group, et al.*, No. 2021 L 1755.