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\$5 Million Birth Injury Settlement Reached by BWMK's Kevin Burke, Elizabeth Kaveny Over Canceled Test

BWMK Partners Kevin G. Burke and Elizabeth A. Kaveny recently reached a \$5 million settlement of a client's medical malpractice lawsuit against Northwestern Memorial Hospital Physicians

Group and two doctors.

The case was filed after Angela Cecchi, then age 35, gave birth in May 2003 to her first child, who suffered from brain damage and was diagnosed with cerebral palsy, spastic quadriplegia and dystonia. He will be unable to walk, work, live independently or enjoy a normal life.

The medical malpractice claim arose from the decision of Dr. Scott David Moses to cancel a 24-hour urine test ordered by another attending obstetrician. That decision, Burke and Kaveny said, eliminated the chance of correctly diagnosing superimposed preeclampsia on chronic hypertension.

According to Burke, the test is the "golden standard" for diagnosing hypertension disorders during pregnancy because it is capable of accurately determining when excessive protein appears in the urine, a hallmark of the disease.

Over time, the condition impaired the flow of blood to the placenta and the fetus. As a result of the canceled test, the diagnosis of the condition and the delivery of the child before injury did not occur. After being released from the hospital the next day, Cecchi returned a week later, did not undergo the 24-hour urine test or an ultrasound, and delivered the child by Cesarean section two days later when heart monitoring indicated distress.

The settlement was reached on July 28, 2015, at a mediation before Geoffrey L. Gifford of Pavalon & Gifford. For more information about the settlement, please read an extensive account appearing in the Aug. 4, 2015, Chicago Daily Law Bulletin article titled "Birth injury nets \$5M in settlement."

Kevin G. Burke and [Elizabeth A. Kaveny](#) have repeatedly obtained verdicts and settlements of plaintiff personal injury and professional malpractice actions in excess of \$1 million, with many at more than \$10 million. Burke is recognized by Leading Lawyers as one of the Top 10 personal injury and consumer lawyers in Illinois, and since 2012 Kaveny has been named one of the state's Top 10 women personal injury, litigation and consumer lawyers. Kaveny is also first vice president of the Illinois Bar Foundation and treasurer of the Illinois Trial Lawyers Association.

Attorney contact: Elizabeth Kaveny, eak@bwmklaw.com, 312-580-2040

Media contact: Denise M. Henderson, denise@mmiconsultingservices.com, 312-848-0067

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312-985-0930

Office Location

161 North Clark Street

Suite 3250

Chicago, IL 60601

[Chicago Law Office Map](#)

Contact Numbers

Phone: 312-985-0930

Fax: 312-580-2041

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