

IN THE IOWA DISTRICT COURT IN AND FOR SCOTT COUNTY

THE ESTATE OF KATHLEEN HAZEN, by)	
STEVEN J. HAZEN, Administrator, and)	
STEVEN J. HAZEN, Individually,)	
)	NO. LACE 130055
Plaintiffs,)	
)	
v.)	
)	DEFENDANT OLSON'S
GENESIS HEALTH SYSTEM d/b/a)	TRIAL BRIEF
GENESIS MEDICAL CENTER,)	
and WILLIAM E. OLSON, M.D.,)	
)	
Defendants.)	

COMES NOW Defendant, William E. Olson, M.D., by his attorneys, Brooks Law Firm, P.C., submits the following brief regarding the issues in this matter:

I. NATURE OF THE CASE:

Dr. William Olson performed a laparoscopic cholecystectomy on Kathleen Hazen, by Defendant William Olson, M.D., on February 8, 2016, at Mercy Medical Center in Clinton, Iowa. Five days after the procedure, on February 13, 2016, Mrs. Hazen went to Mercy's emergency room complaining of abdominal pain, and physicians diagnosed her with a small bile leak, which is a known risk that can occur because of a cholecystectomy.

On February 14, 2016, Mrs. Hazen was transferred to Genesis East Medical Center in Davenport, Iowa, where she underwent an endoscopic retrograde cholangiopancreatography ("ERCP") and stent placement performed by Sreenivas Chintalapani, M.D. In the week following that February 14, 2016, surgical procedure, Ms. Hazen developed complications. On February 22, 2016, Ms. Hazen had a significant change in her condition. Ms. Hazen underwent an exploratory laparotomy, which was

performed by Dr. Olson, and he discovered hemoperitoneum of unclear etiology and no active bleeding. After the surgery, on February 23, 2016, Mrs. Hazen reported feeling significantly better. But, the next day, Mrs. Hazen experienced seizure-like activity and suffered a left-sided stroke. Mrs. Hazen remained at Genesis until February 29, 2016, at which time she was transferred to the University of Iowa Hospitals and Clinics in Iowa City, Iowa, where her condition did not improve, and she passed away on March 12, 2016.

II. LEGAL ISSUES:

Defendant Olson has filed his proposed jury instructions, which contain the legal standards applicable to the issues in this case. Dr. Olson denies he was negligent or that any alleged negligence caused Mrs. Hazen's damages.

III. EVIDENTIARY ISSUES

Defendant Olson has filed a Motion in Limine, which raises several anticipated evidentiary issues. The Motion in Limine includes the arguments and legal authorities cited therein in support of Dr. Olson's position.

WILLIAM E. OLSON, M.D., Defendant,

/s/ *Brian T. Fairfield*

For Brooks Law Firm, P.C.

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