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**For Immediate Release May 9, 2006**

**Trial Attorneys Christian R. Patno and James A. DeRoche Win Landmark Wrongful Birth Decision in the Supreme Court of Ohio**

Trial attorneys Christian R. Patno and James A. DeRoche of Garson Associates Co., L.P.A., and both Hudson residents, won their wrongful birth case in the Supreme Court of Ohio on April 19, 2006. The case, *Coleman v. Dogra*, was one of first impression in Ohio involving what damages, if any, should be awarded to a mother who's profoundly deformed and non-viable fetus was misdiagnosed after a 20-week ultrasound. Cleveland resident Lois Coleman received inadequate information regarding the health of her fetus from medical providers and, subsequently, Ms. Coleman gave birth to a terminally ill baby girl in December of 2001. The baby died two weeks later. Ms. Coleman is seeking damages for the costs and damages incurred from the continued pregnancy and delivery, since her ability to make an informed decision to terminate the pregnancy or mentally prepare for a terminal newborn was compromised by a negligent misdiagnosis that the fetus was healthy and fine.

The trial court in Cleveland had previously ruled that Ms. Coleman had no cause of action for this type of claim. The Eighth District Court of Appeals, in a unanimous decision, found that there was such a first impression claim and reversed the trial court's ruling. On April 19, 2006, the Supreme Court of Ohio agreed with the Appellate Court and Ms. Coleman. The case received much national attention by legal scholars and several major news organizations. Coleman was interviewed on CNN in June of 2005. The case was sent back to the trial court and will now proceed to a jury trial.

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“The Ohio Supreme Court has now determined that the prenatal misdiagnosis of a terminally defective fetus is a valid cause of action in Ohio,” said Stuart I. Garson, Managing Partner of Garson & Associates Co., L.P.A.

Garson & Associates Co., L.P.A. is a Cleveland-area law firm that has been in business since 1976 and assists clients who have been personally or professionally injured or harmed by the actions of others to successfully recover losses and damages. Garson & Associates Co., L.P.A. specializes in personal injury, medical malpractice, wrongful death, worker’s compensation, product liability, and business litigation on a contingency fee basis. For more information, contact Stuart Garson at (216) 696-9330.

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