

# Estate for woman settles suit with doctor, hospital

*The estate of an area woman, who died after she gave birth to twins in 1997, has settled all of its legal claims against a local hospital system and obstetrician, according to several sources.*



THE  
MORNING  
CALL

By Tim Gulla  
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Therese Carey's estate had filed two separate legal actions in connection to her death. One pertained to her medical care during and after her delivery of twins on May 10, 1997 at Nesbitt Memorial Hospital. The second lawsuit pertained to the hospital's performance of an autopsy and, previously unknown to the estate, the retention of Carey's heart and other organs.

Trial of the estate's first lawsuit was scheduled to be heard this week in Luzerne County Court. However, all of the parties to the legal action were able to finalize a settlement agreement on Tuesday, it was confirmed.

All of the attorneys involved met in closed door talks Monday afternoon in the chambers of Luzerne County Judge Michael Conahan, who was presiding over the dispute.

The terms of the settlement were subject to a confidentiality agreement, and no details of the agreement are available.

When reached for comment about the settlement late Tuesday afternoon, Attorney [Tom Kline](#), who represented the estate along with Attorney Martin Meyer and Matthew Casey, said:

"After a long road of litigation, Mr. Carey (Theresa's husband) can now go on with his life and the raising of his children. The hospital and doctor can get on with their lives as well."

Meyer is from the Kingston law firm of Meyer & Swatkoski. Kline and Casey are from the Philadelphia law firm of Kline and Specter.

Some of the defendants named in the estate's legal actions included Wyoming Valley Health Care System, Dr. Mark Polin, Nesbitt Memorial Hospital, and the hospital's staff pathologist.

On May 10, 1997, 34-year-old Theresa Carey, Wilkes-Barre, went to Nesbitt Memorial Hospital and delivered twins, one vaginally and one by cesarean section. Following the delivery, Carey reportedly began hemorrhaging and losing large amounts of blood.

Dr. Mark Pollin, who attended Carey during the delivery reportedly performed an operation to remove blood clots and to try to stop the bleeding. After the procedure, Polin left the hospital for hours, an action that Carey's estate would later term "irresponsible and unconscionable."

Despite the operation, Theresa Carey allegedly continued to bleed. It is alleged that Polin did not return to the hospital until about 12:30p.m., and a decision was made to perform a second operation.

Carey reportedly died after suffering a cardiac arrest on the operating table. The estate's lawsuit attributed Carey's death to "a consequence of well documented, prolonged postpartum hemorrhage and resulting hypovolemia with associated shock." While two sides engaged in pre-trial court battles and discovery, a second dispute erupted when the estate learned the hospital had retained Carey's heart and lungs following an autopsy. Despite the hospital's alleged knowledge of the cause of Carey's death, a second lawsuit claimed, the organs were retained "and used in such a manner as to divert from the hospital any possible complicity in her negligent care and treatment." Attorneys for the hospital and Dr. Polin could not be reached for immediate comment early Tuesday evening.