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82

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## **Verdict reached in case**

### **From STAFF REPORTS**

An Ellis County jury recently awarded \$1.5 million to the family of the late Fred Ramirez, reaching a decision after a two-week trial in 40th District Court.

Court documents related to the case indicate the jury determined there was negligence in caring for Ramirez, who died in June 2005. According to a press release from the family's attorneys, Hossley & Embry of Tyler and Phil Pfeifer PC of Houston, Ramirez had gone to local physician Paul Kare's office, complaining of shortness of breath and severe chest pain three days earlier.

"Dr. Kare diagnosed Mr. Ramirez with heartburn and sent him home with heartburn medication," according to the release, which states, "One week later Mr. Ramirez died of a fatal heart attack while returning from horse riding in West Texas."

According to the release, a Tarrant County medical examiner testified Ramirez died of a heart attack and his heart tissue had evidence of a prior heart attack. Another physician testified for the plaintiffs that the standard of care in the case should have included referring Ramirez to a cardiologist.

According to the release, the defense provided testimony that the standard of care was appropriate and Ramirez' death was due to "a form of heart arrhythmia that was neither diagnosable nor treatable."

"The jury got it right," said Jeff Embry, counsel for the Ramirez family. "There is no question that this man's death was preventable if Dr. Kare had just done what was right and sent him to a cardiologist. It is a tragedy for the Ramirez family."

Kare was represented by Doug Lewis and Todd Allen of Chamblee & Ryan of Dallas.

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