

Local News

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RIVERSIDE

Surgeon sued for botched knee operation

By Laura Bollin

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Krzysztof Kordes went to MacNeal Hospital in Berwyn in May 2008 for routine surgery to repair his right knee, damaged in a skiing accident.

Instead, the 27-year-old Chicago resident woke up from the operation with both knees bandaged. His surgeon, Dr. Scott A. Seymour of the Orthopaedics Associates of Riverside, had started the operation on Kordes' left knee before realizing his mistake and beginning work on the right knee, Kordes said.

As a result, Kordes has had to undergo extensive physical therapy on both knees and still has pain in his knees, more than a year after his surgery. Kordes is suing Seymour; Seymour's surgical assistant, Lukasz Sidorowicz; and the hospital for more than \$50,000.

Kordes filed his medical malpractice lawsuit July 28 in Cook County Circuit Court.

"I didn't comprehend what had happened until I got home," Kordes said. "The operation was only supposed to be one hour, but it took almost five. When I woke up, they told me there was a complication, but didn't tell me what it was. I knew I was supposed to walk out on crutches, but I came out of the hospital in a wheelchair, so I knew something was wrong."

"I was only supposed to have one leg messed up."

Suburban Life made several attempts to contact Seymour, all of which were unsuccessful. A receptionist in Seymour's office said he was on vacation through the first week of August and was unreachable. Requests for Seymour's cell phone number and the name of the attorney representing him were declined.

MacNeal Hospital officials issued a statement about the lawsuit through Carrie M. Brethaeur, the hospital's director of marketing and public relations.

"We are aware that a complaint has been filed; however, patient privacy laws prevent us from commenting on the specifics of any case," said the hospital in an e-mail. "Our No. 1 priority is the safety of our patients and employees. We are committed to addressing all patient care issues to ensure quality and



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Staff photo by Bill Ackerman

Krzysztof Kordes (left) and his lawyer, Tom Zimmerman, discuss the botched knee operation in which Dr. Scott A. Seymour operated on the wrong leg. Zimmerman has filed a lawsuit against the Riverside doctor.

safety care for our patients."

Kordes had the surgery in the hopes he could make a return to his athletic lifestyle.

"Seymour told me we should operate, because then I'd be able to do sports again," he said. "I'm young, so it would heal fast. And if I didn't take care of it, it could hurt me in the long run."

Kordes went in for his surgery May 6, 2008, and woke up with pain in both knees. He hasn't been able to participate in physical activities like he used to since his surgery.

"When I try to run, my left knee becomes stiff," he said. "I used to be able to run five or six miles a day, now I can only run two."

"It's almost been a year, and it's not getting better. There are cracking noises in my (left) knee. I run for a while, and my left knee gives up on me. The knee I tore my ACL on is now stronger than the one that was fine."

Tom Zimmerman, Kordes' attorney, said there are three main issues in the case.

"The doctor started to perform surgery on the left knee, which was the wrong knee," Zimmerman said. "They failed to document in the medical records that they had operated

on the wrong knee, which is a deviation from the standard of care. Lastly, with respect to the hospital, MacNeal failed to have policies or procedures in place to ensure that their surgeons do not operate on the wrong body part."

Zimmerman said that the setup for the surgery, as far as Kordes understood it, went according to plan.

"He went in for right knee surgery and was laid out correctly," he said. "When he woke up, he started asking why both knees were bandaged. There was no apology from the doctor — you think there would have been. I don't know how a physician would think a patient would not realize there was an error when he has a left knee that's bandaged."

One of the things that bothered Kordes the most, despite injuries to both knees, is that he said the surgeon didn't acknowledge his mistake.

"The doctor didn't write anything in his report about why the wrong knee was operated on," Kordes said. "When he talked to me, he used the excuse that the nurse prepared the wrong knee. But it's his job to check this out."