

## Livingston man's estate gets \$1.5 million in suit

Associated Press

PADUCAH, Ky. — The estate of a Livingston County man has won a \$1.5 million settlement from Lourdes Hospital and a Paducah physician.

The settlement cancels the trial of a malpractice suit against Dr. Joseph Curtsinger that was scheduled to begin today in U.S. District Court.

The suit arose when the estate of Billy Crouch of Smithland alleged that Curtsinger delayed an operation, allowing a fatal gangrene infection to develop. The plaintiffs also alleged that the hospital was negligent for issuing credentials to Curtsinger. Both denied wrongdoing.

Crouch's estate alleged that Curtsinger's battle at the same time with the hospital over a peer-review report had left the doctor distraught and that the hospital negligently left him on the staff.

The peer-review report on Curtsinger cleared him of any wrongdoing in another case, but a minority report in the files allegedly was critical of him.

Curtsinger sued the hospital, alleging that it had allowed William McMurry, a Louisville attorney representing Crouch's estate, to review the report. The doctor had asked that he be allowed to see the critical report also, but his request was denied last November in McCracken Circuit Court. Curtsinger's lawyer, Mark Greene of Louisville, made a similar request of U.S. District Judge Tom Russell, who was to hear the malpractice suit.

Citing a Kentucky Supreme Court ruling last year that said hospital records could be released in malpractice cases, Russell ordered Lourdes in January to turn over most of Curtsinger's peer-review files to the plaintiffs.

However, he declined to release the critical document, saying it "had no relevance" in the case. He ordered the document sealed.

McMurry said Lourdes had agreed to pay \$500,000, and \$1 million would be covered by Curtsinger's malpractice insurance.

Greene, Curtsinger's attorney, could not be reached for comment.

## CJ 1997 Crouch Settlement

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