

Hearmon v C

Out of Court Settlement: 04.08.2016
Damages: £4,500
Dental Condition: Neglect
Defendant Representatives: DDU
Reference: lawdent.com

The Claimant, a 23 year old woman, received £4,500 in respect of the loss of LR7, as a result of the Defendant's failure to diagnose and treat caries.

The Claimant attended the Defendant on six occasions between 8th March 2012 and 3rd September 2013.

On 2nd September 2013, the Claimant presented due to pain emanating from LR7. A radiograph was taken the following day which showed that deep caries was present at LR7.

The Claimant suffered inflammation and tenderness from the LR7 area, and on 21st October 2013 LR7 was extracted under sedation.

Allegations of negligence: It was alleged that the Defendant failed to promptly diagnose and treat dental caries at LR7 between 8th March 2012 and 3rd September 2013.

Liability: Denied

Injuries: The Claimant underwent the extraction of LR7 under sedation and sustained the avoidable loss of this tooth.

Effects: The Claimant experienced episodes of pain, infection and inflammation associated with LR7, and requires an implant to replace the tooth. The implant retained crown at LR7 will need to be replaced at regular intervals for the rest of her life.

Out of Court Settlement: £4,500.

Breakdown of General Damages: No breakdown was provided by the Defendant's representatives. The Claimant's Solicitor estimates £1,500.

Background to Special Damages: No breakdown was provided by the Defendant's representatives. The Claimant's Solicitor estimates £3,000 for past expenses and future financial losses.

The Dental Law Partnership representing the Claimant, The Dental Defence Union for the Defendant.

This case report was provided courtesy of Sadie Cartwright, Solicitor with The Dental Law Partnership.