

## Hamid v P

Out of Court Settlement:	Yes
Damages:	£8,000
Dental Condition:	Endodontics
Defendant Representatives:	Dental Defence Union
Reference:	lawdent.com

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The Claimant, a 45 year old man, received £8,000 in respect of multiple poor root fillings at LR6 leading to the avoidable future loss of LR6.

On 10.09.13 the claimant attended the Defendant for root canal treatment at LR6. On 25.09.13 the Claimant returned to the Defendant for completion of root canal treatment at LR6.

On 02.10.13 the Claimant returned to the Defendant with ongoing pain at LR6.

On 16.01.14, 22.05.14, 29.07.14 and 08.09.14 the Claimant returned to the Defendant complaining of ongoing pain at LR6.

On 24.09.14 the Defendant carried out repeat root canal treatment at LR6.

On 29.04.15 and 04.06.15 the Claimant returned to the Defendant complaining of ongoing pain at LR6.

On 01.07.15 the Defendant carried out repeat root canal treatment at LR6.

The Claimant continued to suffer pain and discomfort at LR6 until 26.08.15 when he attended another dentist who carried out repeat root canal treatment at LR6.

### **Allegations of negligence:**

It was alleged that the Defendant:

1. Failed to use reasonable care and skill in the technical execution of root canal treatment at LR6 between 10.09.2013 and 25.09.2013.
2. Failed to use reasonable care and skill in the technical execution of the repeat root canal treatment at the distal root of LR6 on 24.09.14.
3. Failed to use reasonable care and skill in the technical execution of repeat root canal treatment at LR6 on 01.07.15.

**Liability** : Denied

### **Injuries:**

- Avoidable repeat root treatment procedures at LR6 on 24.09.2014, 01.07.2015 and in August 2015.
- Episodes of pain and infection emanating from LR6 between September 2013 and August 2015.
- Avoidable future loss of LR6.

**Effects:**

- Pain emanating from LR6 and the associated difficulties chewing and eating.
- Discomfort of avoidable repeat root canal treatment on three occasions.
- Low mood which affected the Claimant's ability and desire to socialise with friends and family.
- Disturbed sleep and associated irritability.
- Avoidable future extraction of LR6 following by uncomfortable remedial treatment.

**Out of Court Settlement: £8,000**

**Breakdown of General Damages:** No breakdown was provided by the Defendant's representative however the Claimant's solicitor estimates £2,000.

**Background to Special Damages:** No breakdown was provided by the Defendant's representative however the Claimant's solicitor estimates £6,000.

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

This case report was provided courtesy of Robert Pettitt, Legal Executive with The Dental Law Partnership.