

Martin Walker Honored for Winning Texas' Largest Medical Malpractice Verdict in 2018

Trial law firm **Martin Walker** has earned honors for winning the largest medical malpractice verdict in Texas in 2018 for the \$43.32 million jury award against Tyler-based East Texas Medical Center and one of its doctors. The editors of *Texas Lawyer* included the verdict in the magazine's listing of Top Verdicts and Settlements, 10th Edition, based on research gathered by VerdictSearch.

A jury found ETMC grossly negligent for allowing Dr. Gary Boyd to treat 61-year-old Billy Pierce, despite having been placed on probation by the Texas Medical Board. Pierce was admitted in April 2014 with stomach pain and vomiting.

During the trial, Martin Walker attorneys argued the hospital bylaws should have prevented Boyd from practicing at the facility. Testimony showed that Boyd diagnosed Pierce with an abnormality he said would make surgery to remove bile duct stones impossible. For more than a month, the firm said, Pierce was in a medically induced coma during which time Boyd and the hospital abandoned him, according to testimony. Once the hospital sought a second opinion, a new doctor rejected Boyd's diagnosis and operated without complication.

Jurors agreed that Boyd's improper care led to the loss of Pierce's quality of life and his ability to provide for his family. The \$43 million verdict included \$18.57 million for past and future pain, anguish, loss of earning capacity, and medical care and expenses. The jury also awarded \$25 million in punitive damages, after concluding the hospital's conduct

involved an extreme risk of potential harm to others.

Pierce was represented by Martin Walker name partners Reid Martin and Jack Walker and attorney Marisa Schouten. The case is *Billy Pierce v. East Texas Medical Center and Dr. Gary Boyd and the ETMC Digestive Disease Center*, Cause No. 16-0853-C in the 241st District Court in Smith County.

The firm is based in Tyler, Texas.

Each year, VerdictSearch conducts a comprehensive review to produce the list of top verdicts in Texas. The full list is published in the July 2019 issue of *Texas Lawyer*.