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Jury finds Bayonne physician shares blame in patient death

By MICHAELANGELO CONTE and KEN THORBOURNE
 JOURNAL STAFF WRITER

A Hudson County jury last night awarded money to the widower of a 46-year-old Bayonne woman who died in November 2006, five days after she underwent a risky lymph node and lung biopsy.

The widower of Cecille Vida is in line to receive a payout of \$1 million from Dr. Margaret Engel as a result of yesterday's verdict because he had already settled with five other doctors who were part of the original lawsuit, said his attorney, Christian LoPiano.

The jury yesterday concluded that Engel bore 20 percent of the blame for Cecille Vida's death and two other doctors, with whom Vincent Vida has already settled, bore the other 80 percent of the blame.

LoPiano, a partner with Hoboken-based LoPiano, Kenny, and Stinson, did not reveal the amounts of the settlements.

Neither Engel nor her attorney could be reached to comment last night.

The jury began deliberations at 1 p.m. yesterday and the verdict was returned about 6:30 p.m.

"We are very happy that the Vida family got something and that Dr. Engel was held accountable for the unjustified death of Cecille Vida, a 46-year-old wife and mother," LoPiano said after the verdict.

In his closing argument yesterday, LoPiano tried to convey the loss suffered by Vincent Vida and told jurors: "The system failed him once. He is an honorable man, and he and his family have suffered a tragic loss."

Cecille Vida went to Bayonne Medical Center on Nov. 19, 2006 complaining of shortness of breath and tests revealed she suffered from severe pulmonary hypertension and had swollen lymph nodes in her lung.

The suit alleged the biopsy procedure represented a great

risk due to the hypertension and other low-risk tests should have been performed first. During the procedure, Vida's oxygen level fell and she was on a ventilator until her death, court papers say.

LoPiano argued that Engel was negligent in her role as Vida's primary physician because she was to oversee the treatment.

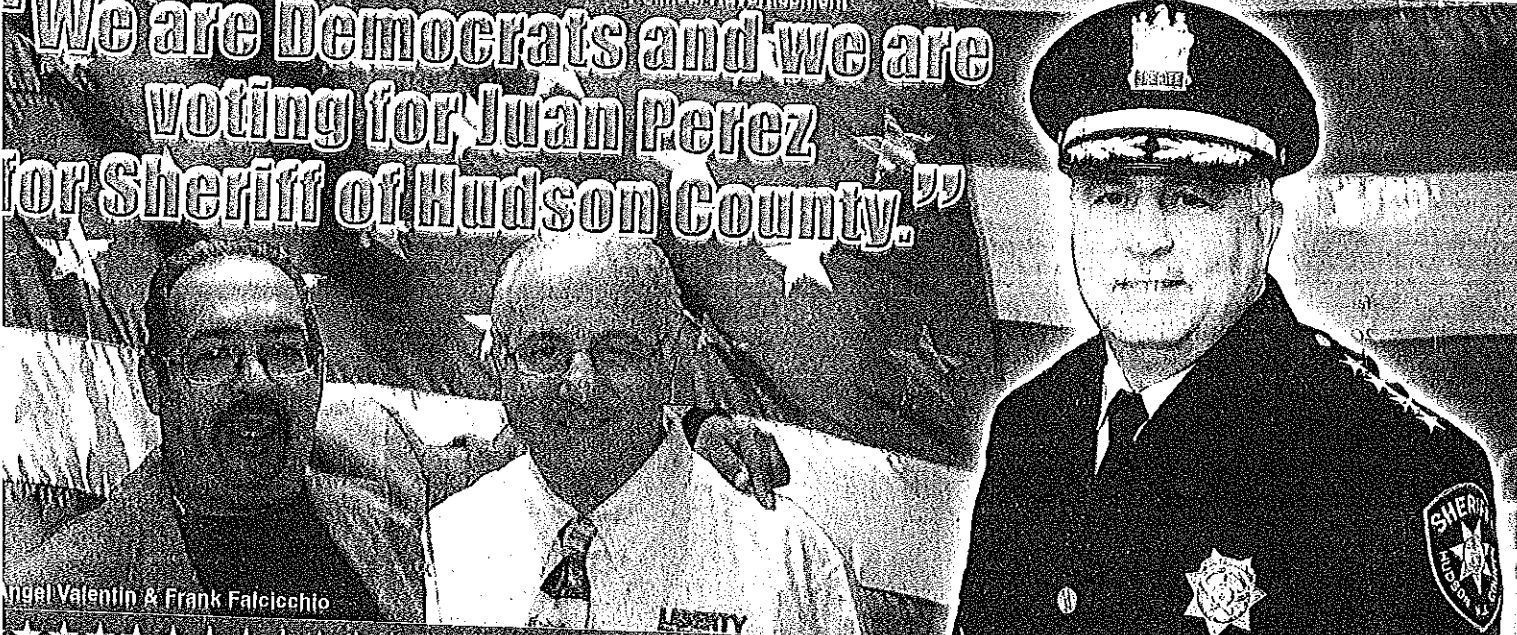
But Engel's attorney, Neil Reisman, said in his closing arguments that those doctors who settled may have had concerns about what a jury might decide regarding the decisions they made in treating Vida.

The defense attorney said the plaintiff was now trying to switch the blame to Engel, who had done her job properly and was subordinate to specialists involved in treating Vida.

In his closing argument, Reisman told the jury: "For Dr. Engel to rely on consultants is appropriate... You have a right to rely on them. You have to know your own limitations."

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