

Bath doctor wins \$5 million lawsuit

• Jury agrees official, Akron General owe man for ruining his practice with rumors and rivalry

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A Bath surgeon, alleging his medical practice was destroyed, has won a \$5 million lawsuit against Akron General Medical Center and its chief of surgery.

A Summit County Common Pleas jury deliberated for almost two days before finding in favor of Dr. Peter S. Boutsicaris.

Akron General Medical Center plans to appeal, a spokeswoman said.

The lawsuit, filed Sept. 6, 1994, charged that Dr. Daniel Guyton, chairman of the surgery department, and the hospital set out to ruin Boutsicaris' private practice because Boutsicaris was the hospital's most active surgeon and a threat to Guyton's practice.

According to the lawsuit, Guyton began causing problems for Boutsicaris in 1993, when he allegedly tried to discredit him through the hospital's peer review process, and tried to "usurp" Boutsicaris as the doctor for one patient.

The lawsuit also stated that Guyton told other doctors that Boutsicaris provided substandard care to his patients and that Guyton finally removed Boutsicaris

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from the hospital's teaching staff.

John F. Hill, an attorney for Boutsicaris, said a key in the case was implausible testimony from four hospital residents.

Boutsicaris had alleged that Guyton used the residents in his personal vendetta against Boutsicaris, and that some of the residents spread rumors that Boutsicaris was a danger in the operating room.

The rumors proved false, but Boutsicaris' reputation was ruined at the hospital. Hill said Boutsicaris' practice had grown to rely on about 70 doctors for patient referrals. But that number dropped to four doctors because of his problems with Guyton.

Boutsicaris, 40, and Guyton, 48, declined comment. Attorneys for Akron General Hospital.

Guyton and the hospital, Richard K. Aughenbaugh and Gary Banas, could not be reached for comment.

Mary Adams, vice president of communications at the hospital, said, "Having an excellent residency program is very important to Akron General. We do not agree with the verdict and plan to appeal."

The verdict awarded \$3.5 million to Boutsicaris for his claim against Guyton and the hospital for wrongly interfering with Boutsicaris' business. It awarded him \$1.5 million against the hospital for his claim that the residents defamed his reputation by circulating false information about his medical practice.

The damages were based on the surgeon's loss of past and future earnings, damage to his reputation, and emotional suffering. There were no punitive damages.

Hill said Boutsicaris has privileges to see patients at Akron General Medical Center but now devotes most of his practice to other hospitals, including Barberton Citizens Hospital and Medina General Hospital.