

# PROFESSIONAL NEGLIGENCE LAW REPORTER

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## DENTISTRY

### Late diagnosis of gum disease

*Jarzebowski v. Kubilius*, No. 09L6772 (Ill., Cook Co. Cir. July 12, 2013).

Mary Jarzebowski, 49, saw dentist Christian Kubilius for about 12 years. When she switched to another provider, Jarzebowski was diagnosed with advanced-stage periodontal disease. She now requires full upper dentures. She was also hospitalized for a lung abscess, which doctors attributed to bacterial growth in her gums. Her medical expenses were about \$24,000.

Jarzebowski sued Kubilius, alleging failure to timely diagnose the gum disease in light of several factors, including her loose teeth and X-rays showing progressive bone loss. Suit did not claim lost income.

The defense argued that Jarzebowski was a smoker and that she failed to come to all of her dental appointments.

The jury awarded \$420,000.

**Plaintiff counsel:** Donald A. Shapiro and Matthew R. Basinger, both of Chicago.

**Plaintiff expert:** Martin Lapidus, dentistry, Chicago.

**Defense expert:** Robert Citronberg, infectious disease, Niles, Ill.