

UC Davis, Family Reach \$9 Million Settlement In C-Section Case

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DAVIS (CBS13) — UC Davis Medical Center reached a \$9 million settlement with a family whose child will need 24-hour nursing care for the rest of her life.

From the moment 2-year-old Leah Gumb was born, she's struggled to just to live each day.

"They took her right away to resuscitate her, and then she was put on a cooling blanket," her mom, Jenny Kaminer said. "She was blue and lifeless. Didn't cry, didn't move. It was obvious to us that something was really catastrophically wrong with her."

During labor, Leah's heart rate would drop, and there wasn't enough blood from her mother's placenta to give her oxygen.

Kaminer signed a waiver at the medical center to deliver the baby by C-section. But doctors decided against it.

"Why, when they got me into the O.R., did they not perform the C-section?" she said. "I was told, 'If this happens again, you need a C-section,' which is why I signed the consent without any hesitation. And I still don't know to this day when doctors made the decision to not perform the C-section."

Once Leah was born, she spent the next 30 days in the hospital. Until recently, she's been getting food from a feeding tube.

Her parents filed a lawsuit, and on Friday they were awarded damages.

UC Davis Medical Center released the following statement:

"This case is devastating for everyone involved, especially for the parents and child. We share their sorrow. In the best interests of all parties, we reached a settlement agreement. We cannot discuss the details of the case at this time."

Leah's care will be costly, but now the family has the money they need to give her the best chance at a normal life as possible.

"The settlement is very welcome in the sense that it relieves our financial burden in the sense that it allows us to get her as much therapy as she needs without worrying about the cost," Kaminer said.

The family has had another child since Leah's birth, who is healthy and doing very well.