

TUESDAY

January 2, 2001

## Parachutist waits to get cash won in loss of leg

By Carol Sowers  
 The Arizona Republic

Sgt. Jeffrey Dennis tugged on his rip cord that springlike day in Yuma and watched his parachute billow open. Dennis, a member of the Golden Knights, the Army's elite exhibition parachute team, had done it hundreds of times before.

But this time was different. As he neared the ground, an angry, swirling wind caught the chute's delicate fabric, squeezing the air out and sending Dennis into a 30-foot free fall that crushed his right heel.

That March 5, 1996, accident at the Yuma Proving Grounds cost Dennis his lower right leg, forced him out of the Army and caught

the attention of Texas billionaire H. Ross Perot.

It also made a jury take notice, and that could make Dennis, 32, a rich man.

The jury deliberating Dennis' malpractice lawsuit late last year against a Phoenix doctor who treated him awarded the husband and father of two \$2.8 million for pain and suffering, the loss of his leg and Army career.

The award is believed to be the first ever handed down by a Yuma jury in a medical malpractice case, said Michael Rollins, one of Dennis' two Tucson-based lawyers.

The Yuma verdict stunned

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the lawyer who represents Dr. Barton Butterbaugh, the Phoenix doctor who Dennis blamed for the amputation of his leg.

Phoenix attorney Joseph

Kendhammer said the award is out of proportion to the injury, particularly because jurors knew that despite an artificial leg, Dennis is still sky-diving.

The lawsuit did not specify a dollar amount to repay Dennis for his loss.

"The jury just wanted to give him some money," Kendhammer said.

He said he will appeal the verdict because Butterbaugh was not negligent in the case.

Butterbaugh, who specializes in emergency medicine, was on duty when Dennis was brought to the Yuma Regional Medical Center. He was working as a contract physician for Yuma Emergency Services and Spectrum Emergency Care, also named in the lawsuit.

An emergency room nurse wrote in her notes that Dennis was in "extreme pain," could feel pressure mounting in his foot and was unable to move his toes.

Two hours later, Dennis told a nurse: "I feel like my toes are going to explode."

Such "out of proportion pain" and intense pressure are classic signs of "compartment syndrome," Silas Schultz, another of Dennis' attorneys, told the jury.

The syndrome occurs as pressure climbs in the extremities, threatening to damage muscles and tissues. Rollins said Butterbaugh failed to diagnose the condition because he failed to perform a simple test: lifting Dennis' toes.

"They (patients) will squeal with pain" if they have compartment syndrome, Rollins said in an interview.

If Butterbaugh had done the test, he could have immediately scheduled an operation in Yuma to relieve the pressure, the lawsuit says.

Instead, Butterbaugh sent Dennis on a 3½-hour trip by ambulance to Balboa Naval Medical Center in San Diego, where the operation was performed.

The lawsuit claims the operation was too late. Pressure continued to build and Dennis was in agony. Doctors amputated his right foot below the ankle and later fitted him with a prosthesis, but the pain persisted.

Desperate, Dennis, who was also a Green Beret, called Perot, knowing that the billionaire is a fan of the



Parachutist **Jeffrey Dennis** is trying to get his life back after an accident in 1996 in which he lost a leg.

elite fighting force and might help. Perot arranged for Dennis to see an Oklahoma City surgeon outside the Army's medical system in hopes that a different prosthesis would end his pain.

It didn't.

Perot then sent Dennis to another Oklahoma City surgeon who cut the leg off below the knee and fitted him with a new artificial limb.

Perot offered to pay for the artificial limbs, but the Army picked up the tab, Rollins said.

This time the surgery worked. The pain in Dennis' foot is gone. But the stump on his right leg can become so painful that the ex-soldier "can't walk for six or seven days," Rollins said.

Kendhammer has a different version of the story.

He says Butterbaugh, who has an unblemished 20-year medical career in Arizona, did not fail to diagnose compartment syndrome, "because we don't believe he (Dennis) had it at Yuma Regional Medical Center."

Kendhammer also said that the natural consequence of untreated compartment syndrome is the death of muscle tissues but that Dennis had no loss of tissue. The initial pain Dennis experienced could have been from the injury and later procedures, including the first amputation and the fusion of his ankle with screws.

Meanwhile, Dennis, who was medically discharged from the Army in October, is living with his wife and children in Fort Bragg, N.C. They have received none of the settlement money and may have to wait as long as 18 months for Kendhammer's appeal to be heard.

He continues to sky-dive and plans a career in the aviation industry, either as a commercial pilot or airplane mechanic.

"He's getting his life back together," Rollins said.