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## Dentes malpractice suit overturned

### Family previously awarded \$1.4M in case involving DA's death

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Correspondent

A New York state appeals court has ordered that the \$1.4 million settlement awarded to Elsie Dentes in her lawsuit against her late husband's doctor must be returned and the jury's verdict reversed because it was based on insufficient evi-

dence of malpractice.

In June of 2010 Dentes alleged that her husband's cardiologist, Jonathan Mauser of Cayuga Cardiology Associates P.C., failed to see that former Tompkins County District Attorney George Dentes had heart disease, and this professional



Dentes

#### ON THE WEB

We filed the appellate court's decision with this story at [ithacajournal.com](http://ithacajournal.com)

negligence led to Dentes' fatal heart attack in October 2006. But the appeals court found fault with a jury's decision in

the case and the resultant settlement. The court wrote that Dentes' lawyers failed to establish legally sufficient proof of the alleged negligence, in this case, the failure to order a cardiac catheterization that caused George Dentes' death.

"We find that the jury's finding to the contrary is against the weight of the credible evi-

dence adduced at trial," the justices wrote. "Indeed, the overwhelming medical evidence supports the conclusion that (Dentes') condition at the time (Mauser) saw him was not exceptional, that most people have some level of non-obstructive coronary artery disease by the time they reach middle age and that the appropriate treatment is lifestyle changes and

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