



BRANDON D. HENRY

Partner

Phone Number: 816.701.1163

Email: vgross@wcllp.com

4740 Grand Avenue Suite 300
Kansas City, MO 64112

In Brief

- **Partner of Wagstaff + Cartmell LLP**
- **Awarded Thomas J. Conway Young Trial Lawyer Award by the Kansas City Metropolitan Bar Association**
- **Recognized as a Kansas City “Super Lawyer”**
- **Voted “Best of the Bar”**
- **Member of the adjunct faculty at the University of Kansas School of Law, teaching a course in trial advocacy**

Brandon Henry has extensive jury trial experience, having tried more than 25 jury cases to verdict in various state and federal courts, with several involving multimillion-dollar damage claims. He represents clients in the areas of professional liability, product liability, personal injury and wrongful death, as well as commercial and business disputes. Brandon has regularly been recognized by his peers as a top trial lawyer in the Kansas City Metro.

Brandon is a contributor to various legal publications and also frequently presents at continuing legal education and professional education seminars. Brandon also has presented to audiences outside of the legal profession. For example, upon invitation of the faculty, he has lectured on multiple occasions to residents, fellows, and attending physicians at the Duke University School of Medicine in Raleigh, North Carolina, regarding legal and ethical considerations in the practice of medicine. Brandon has been an adjunct professor at the University of Kansas School for many years, teaching a course in trial advocacy.

Brandon devotes time to community service as well. He currently serves as a member of the Board of Directors of Giving the Basics, a local non-profit organization, and Lawyers Encouraging Academic Performance (“LEAP”).

Notable Litigation

Defense Verdict – Ruptured Appendix with Complications

Wagstaff & Cartmell successfully defended a family practice physician in a five-day jury trial in Douglas County, Kansas, in which the plaintiff asserted a claim of medical negligence and sought \$3.3 million in damages.

The plaintiff claimed that the defendant was negligent by failing to appropriately work up and diagnose appendicitis during a visit to an urgent care clinic. The plaintiff was diagnosed with appendicitis by another healthcare provider during a subsequent urgent care visit that occurred four days later. The plaintiff claimed the delayed diagnosis caused his appendix to rupture, which led to an open appendectomy procedure, and that he experienced wound breakdown and a hernia at the incision site as a result, which required further surgical intervention. Furthermore, the plaintiff claimed that the hernia repair surgery left him with an entrapped ilioinguinal nerve, which caused life-limiting pain and discomfort and prevented him from working, being active, and enjoying time with his family.

Wagstaff & Cartmell attorneys successfully argued that the plaintiff’s presentation on the date of the client’s involvement was atypical for appendicitis and that the plaintiff had a retrocecal appendix, which is uncommon and made the diagnosis of appendicitis more difficult. The team also argued that the plaintiff’s appendix likely ruptured before his visit with the client; thus, the ultimate outcome likely still would have occurred even if the diagnosis of appendicitis had been made at the time of our client’s involvement.

Confidential Settlement – Suicide

Wagstaff & Cartmell obtained confidential settlement on behalf of the family of a 53-year-old husband and father of two who committed suicide after a long battle with depression.



BRANDON D. HENRY

Partner

Confidential Settlement – Wrongful Death Due to Defective Car Seat

Wagstaff & Cartmell confidentially settled a wrongful death case against a national manufacturer arising from the death of an infant due to a defective car seat in which she was riding at the time of an automobile accident.

Confidential Settlement – Wrongful Death Due to Improper Railroad Crossing

Wagstaff & Cartmell confidentially settled a wrongful death case against a railway company arising from the death of a child who was injured and eventually died following a train/automobile collision at the location of an unsafe railroad crossing.

Confidential Settlement – Wrongful Death from Zip Line Fall

Wagstaff & Cartmell settled a wrongful death case for a confidential amount for a family arising from the death of a 39-year-old wife and mother who fell from a zip line.

Defense Verdict – Alleged Failure to Diagnose Temporal Arteritis

Wagstaff & Cartmell successfully defended a local urgent care center and an advanced registered nurse practitioner in a jury trial in which the plaintiff made claims of alleged failure to diagnose temporal arteritis, resulting in total vision loss and other injuries.

Defense Verdict – Birth Injuries Due to Infectious Process

Wagstaff & Cartmell obtained a defense verdict on behalf of a local obstetrician/gynecologist in a jury trial in which the plaintiffs made claims of alleged failure to diagnose and treat an infectious process in a pregnant mother, which allegedly resulted in injuries to her daughter.

Defense Verdict – Perforation to Esophagus during Esophageal Procedure

Wagstaff & Cartmell successfully defended a gastroenterologist in a jury trial in Jackson County, Missouri, in which the plaintiff claimed past and future damages and injuries due to an esophageal perforation sustained during an esophageal procedure.

Defense Verdict – Post-Operative Spinal Hematoma and Paralysis

Wagstaff & Cartmell successfully defended a local orthopedic surgeon in a six-day Johnson County, Kansas, jury trial in which the plaintiff asserted a claim of medical negligence and sought \$2.8 million in damages relating to permanent paralysis in his lower extremities.

Defense Verdict – Wrongful Death Following Elective Hernia Surgery

Wagstaff & Cartmell successfully defended a local surgeon in a jury trial in Jackson County, Missouri, in which the plaintiffs asserted a claim of wrongful death arising from the death of a patient following surgery performed to address a paraesophageal hernia and sought damages in the amount of \$2,465,347.24. The plaintiffs claimed that the defendants were negligent for failing to fully repair the patient's paraesophageal hernia during a surgical procedure in July 2013. Further, the plaintiffs contended that the defendant was negligent for failing to place a nasogastric tube or gastrostomy tube during or following surgery for purposes of reducing the risk and effects of gastroparesis (dysmotility of the stomach) and aspiration. Lastly, the plaintiffs claimed the defendant departed from the standard of care by advancing the patient's diet post-operatively, increasing the risk of aspiration and related problems. Ultimately, the plaintiffs claimed that the actions and decisions of the defendant lead to the patient experiencing post-operative vomiting, aspiration, aspiration pneumonia, sepsis and death. Wagstaff & Cartmell successfully argued that the surgical procedure selected for the patient was the most appropriate option for him due to his age and overall medical condition. The attorneys also argued it was reasonable for the clients not to place tubes during or



BRANDON D. HENRY

Partner

following surgery and to advance the patient's diet after surgery because the absence of tubing and advancement of the diet can promote gastric and intestinal motility and reduce complications. Further, the team was able to convince the jury that the patient's post-operative course and death occurred despite appropriate care by the clients and likely still would have occurred if a different treatment course had been selected for the patient. After a seven-day trial, a Jackson County, Missouri jury returned a verdict in favor of the clients in this case in which the plaintiffs' final pretrial demand was \$1.95 million.

Confidential Settlement – Severe Reaction to Prescription Medication

Wagstaff & Cartmell confidentially settled a personal injury case on behalf of a family, which arose from a young child who experienced Stevens-Johnson syndrome and Toxic Epidermal Necrolysis (SJS/TEN) after ingesting a prescription medication manufactured by an international pharmaceutical company.

Practice Areas

Brandon healthcare and professional liability and mass actions & personal injury. Brandon has built a national reputation handling some of the nation's largest and most challenging mass actions and achieving highly regarded results along the way. Brandon represents leading hospital systems, physician groups, individual doctors and other healthcare professionals in malpractice cases in every area of medicine.

His practice area has:

- Recovered billions of dollars on behalf of clients
- Achieved historic results in catastrophic injury and wrongful death suits
- Regularly appointed to leadership positions in MDLs nationwide
- Proudly represented Kansas City institutions
- Expertise across the entire healthcare field
- Midwest leader in healthcare defense cases

Prior Work Experience

Norris & Keplinger, LLC

Education

- J.D., University of Kansas School of Law, 2003
- B.A., Washburn University, 2000
 - Cum laude

Professional Organizations

- [Kansas Bar Association](#)
- [Missouri Bar](#)
- [Kansas City Metropolitan Bar Association](#)
- [Lawyers Association of Kansas City](#)
- [Johnson County Bar Association](#)

Admissions

- [Kansas](#)
- [Missouri](#)
- [U.S. District Court, District of Kansas](#)
- [U.S. District Court, Western District of Missouri](#)
- [U.S. Court of Appeals, Eighth Circuit](#)
- [U.S. Court of Appeals, Tenth Circuit](#)



**BRANDON D.
HENRY**

Partner

Honors and Awards

- Thomas J. Conway Young Trial Lawyer Award, Kansas City Metropolitan Bar Association
- Missouri & Kansas Super Lawyer, Thomson Reuters
- Best of the Bar, Kansas City Business Journal
- AV Rating, Martindale-Hubbell