

Suburban Pa. Jury Awards \$5.1M Over Yearslong Misdiagnosis, Delayed Treatment Claims

The suit centered on allegations that a misdiagnosis and years of improper treatment ultimately led to severe complications, including emergency surgery and multiple amputations.

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A Bucks County, Pennsylvania, jury has found that a gastroenterologist's yearslong reliance on an ulcerative colitis diagnosis delayed proper treatment, culminating in a \$5.1 million verdict after plaintiff Jean Zekas developed sepsis, underwent colon removal and suffered multiple amputations.

Last week, following a nine-day trial in *Zekas v. Markos*, the jury awarded Zekas \$2 million for pain and suffering, as well as nearly \$3 million for past and future medical expenses, finding that defendant Dr. Ronald Markos' conduct fell below the standard of medical care, that his negligence

was a factual cause of harm to Zekas, and that he was an agent of GI Health Professionals, who the jury found was vicariously liable.

The jury awarded Zekas \$500,000 for past pain and suffering, \$500,000 for future pain and suffering, \$500,000 for embarrassment, \$500,000 for loss of life's pleasures, and \$500,000 for disfigurement. Zekas was also awarded \$96,583.68 for past medical expenses and \$2.7 million for future medical expenses, for a total award of nearly \$5.1 million.

In her pretrial memo, Zekas alleged that Markos, her gastroenterologist, deviated from the standard of care when she was misdiagnosed with ulcerative colitis in 2014, despite records that she said reflected segmental colitis associated with diverticulosis (SCAD). She claimed Markos continued treating her for years with medications, including steroids, that were ineffective or inappropriate, worsening her condition.

In 2020, Zekas developed acute diverticulitis that was allegedly mismanaged, claiming Markos failed to act on worsening symptoms or order timely testing. By October 2020, Zekas was allegedly hospitalized in septic shock with a perforated colon, requiring major surgery and resulting in multiple amputations, including her left hand, right thumb and left great toe.

Attorneys David Inscho and Helen A. Lawless of Kline & Specter represented Zekas.

Lawless told Law.com that focusing on the extent of the delay and how obtaining a proper diagnosis would have required only a few additional steps was a big factor in convincing the jury.

Inscho agreed, saying the defendants had years to make the correct diagnosis, and then had further opportunities to realize she had an infection after she fell ill. He shared that Zekas just needed a CT scan to make the correct diagnosis, and that the defendants had multiple opportunities to correctly identify her condition.

According to Inscho, the team relied on expert testimony and the doctor's own records to make their case.

"His own record-keeping showed a lack of thoroughness in making the diagnosis and frankly evaluating the patient," Inscho said.

He claimed that the doctor's computer-generated records were often inconsistent and unreliable, with similarities over time showing signs of auto-completion. He also said the records were point-and-click templates that showed inconsistent findings and failed to capture what was actually going on with Zekas.

"I think it was essential to the jury's evaluation of the doctor's credibility," Inscho said, noting that the records created a lack of credibility for Markos because of his alleged attempts to rely on

inaccurate and unreliable records.

Inscho also noted that the defendants represented having \$1 million in available insurance. Although the plaintiffs demanded the full amount in 2025, he said the insurer did not offer the policy limits, prompting the case to proceed to trial and exposing the defendants to a verdict roughly five times higher.

In the defendants' pretrial memo, they argued that Markos met the standard of care and that the plaintiff couldn't establish negligence or causation. They claimed that there was no reason for Markos to suspect that Zekas developed diverticulitis and that Zekas didn't report any symptoms consistent with sigmoid diverticulitis.

According to the defendants, all of her symptoms were consistent with her history of ulcerative colitis, that Markos was well within the standard of care when he prescribed Zekas steroids to treat the condition, and that the allegedly low dose Zekas was prescribed didn't contribute to "the poor outcome in the case."

Amy L. Blackmore of Saxton & Stump represented the defendants and did not immediately respond to a request for comment.

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