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CRUISE CONTROL? TOM'S IMAGE HAS GOTTEN AWAY FROM HIM, 2B

METRO & STATE

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Patient with brain tumor sues Moffitt

■ It has not been determined whether his debilitated state is caused by receiving too much radiation or by his tumor's return.

By JUSTIN GEORGE
Times Staff Writer

TAMPA — After surviving lung cancer, John Graham, learned he had a brain tumor. Doctors gave him two choices: Undergo brain surgery or have a one-time radiation treatment at the H. Lee Moffitt Cancer Center & Research Institute.

He chose radiation, which seemed to work. Then doctors told him and 76 other patients last year that they received too much radiation because a machine was improperly calibrated.

Graham, 68, said he can barely get around any

more. He sued Moffitt on Friday in Hillsborough County Circuit Court, and a jury could decide whether his problems have been caused by the tumor's resurgence or excessive radiation.

"That's the \$64,000 question," Graham's Coral Gables attorney Tomas Gamba said.

Graham and his wife, Pauline, are limited to seeking no more than \$200,000 in compensation because of laws that limit awards against government agencies or those aligned with them. Moffitt is affiliated with the University of South Florida.

In March 2005, federal inspectors detected that Moffitt's BrainLAB Novalis beam shape therapy had been miscalibrated. It zaps tumors with powerful beams of radiation narrow enough to minimize harm to healthy tissue.

Moffitt doctors told Graham he received 50 percent more radiation than he should have during the 45-minute treatment in 2004. They told him it would take some time before they could detect any

possible symptoms from too much radiation.

But lately, Graham's wife said, his balance is off and he drags the right side of his body. He uses a wheelchair and his right arm is paralyzed.

Before the treatment, he could drive, cook and work part-time. Now, his condition offers clear evidence of the damage, Graham said.

Moffitt attorney Andrew Brown declined to comment Friday saying the cancer center hadn't received the lawsuit. Privacy laws and procedures prohibited him from talking about patients.

Graham's attorney, Gamba, said Moffitt has indicated that the radiation levels Graham received didn't harm him and that it is the tumor's regrowth that is causing his problems.

He said he has an expert who says Graham suffers from radiation necrosis, or the death of cells that control movement and body functions.

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