

Wigdor Files Racial Complaint Alleging Dangerous Patient Care Practices and Racial Discrimination against Montefiore Medical Center

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Wigdor has filed a complaint alleging dangerous patient care practices and racial discrimination against Montefiore Medical Center and Surgeon-in-Chief Dr. Robert Michler on behalf of colorectal and general surgeon, Dr. Iyare Esemuede. Dr. Esemuede is an accomplished surgeon who carried a demanding workload, including more than 100 to 200 colonoscopies per year and more than 300 operative procedures per year, exceeding the 200-case threshold in his contract. His work has also received recognition, including by the Connecticut Chapter of the American College of Surgeons Clinical Oncology and the National Medical Association Drew-Walker Surgical Forum.

As alleged in the complaint below, Dr. Esemuede repeatedly raised concerns about dangerous care practices – some of which resulted in serious harm to patients, including in one instance, death. Rather than investigate his concerns, Montefiore chastised Dr. Esemuede for trying to protect patients and threatened him with retaliation, telling him that further complaints would “get shit in [his] face.” The Complaint also alleges that Montefiore discriminated against Dr. Esemuede and other Black doctors and, by extension, their patients.

According to allegations, once at Montefiore, Dr. Esemuede quickly learned that there was a systemic lack of OR availability and he and the sole other Black surgeon were regularly de-prioritized in favor of their white counterparts. In addition to the inequitable employment standards, Dr. Esemuede observed frequent oversights in patient care. For example, in September of 2022, Dr. Esemuede experienced a nurse canceling patient visits and procedures without telling him. In November 2022, Dr. Esemuede treated an emergency pelvic sepsis case but was unable to operate in a timely fashion because the anesthesiologist insisted on multiple unnecessary pre-procedure treatments and continued to delay treatment in favor of assisting white orthopedic surgeons on non-urgent cases. As a result, of the delay, the patient was hypotensive, hyperglycemic and on pressors by the time surgery began. She also had necrotizing fasciitis – an extremely serious “flesh eating” bacterial infection, that required ongoing treatment. This patient literally almost died. In another example, Dr. Esemuede had a laparoscopic cholecystectomy delayed for hours because the in-house anesthesiologists decided to go home early.

Dr. Esemuede repeatedly raised concerns about dangerous care practices – some of which resulted in the near death of a patient. Rather than investigate his concerns, Montefiore chastised Dr. Esemuede for his race-neutral decision making and told him further complaints would “get shit in [his] face.” Not only did the hospital not change their process, after continuing to complain to HR, he was terminated with brute force in April 2026.

ON RECORD

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Statement of Michael J. Willemin, Partner, Wigdor LLP:

"All institutions of medicine have an obligation to "do no harm." Dr. Esemuede repeatedly saw this foundational principle being breached and did everything in his power to ensure that patients were not being subjected to active harm. In response to his complaints, Montefiore terminated Dr. Esemuede in an effort to sweep its misdeeds under the rug. That ends today."

[The full complaint for *Iyare Esemuede v. Montefiore Medical Center and Dr. Robert Michler* may be found here.](#)

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