



COOK COUNTY
JURY VERDICT REPORTER

Cook County Jury Verdict Reporter

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MEDICAL MALPRACTICE--NURSING HOME FAILED TO PREVENT FALLS AND FRACTURES
(EEE 32/1) *Ida Mae Brown, disabled v Kenwood Healthcare Center Inc., d/b/a Kenwood Healthcare Center* 09L-13912
Tried Mar. 11-20, 2013 (12S)

Verdict: \$842,802 (\$415,000 pain & suffering; \$300,000 disability; \$75,000 disfigurement; \$52,802 medical expenses).

Judge: Irwin J. Solganick (IL Cook-Law)

Pltf Attys: Jordan S. Powell and Patricia L. Gifford of *Levin & Perconti* Demand: \$600,000 Asked: \$1,492,802

Deft Attys: Ami L. DeMarco and Joshua D. Rubin of *Quintairos, Prieto* (Lloyd's of London) Offer: \$350,000

Pltf Experts: Joan Spitrey, R.N., 18407 Lansford Drive, Hudson, FL (727-237-5645) (Nursing) and Dr. Keith Hollingsworth, 2405 N. Columbus St., Lancaster, OH (740-687-3346) (Orthopedist)

In 2006, Ida Mae Brown was admitted to deft Kenwood Healthcare Center, located at 6125 S. Kenwood Ave., Chicago. She was at risk for falls and suffered falls on Jan. 28, 2007, Oct. 6, 2008, and Nov. 17, 2008. Pltf asserted deft nursing home failed to properly assess her risk for falls and failed to provide the appropriate supervision, assistance, or interventions to prevent her from falling. As a result, F-82 Brown fell again on Dec. 26, 2008, sustaining fractures to her right hip, pelvis and arm, requiring surgery on the fractured hip. She became immobile due to her injuries from this fall, and subsequently developed pressure sores on her left hip, buttocks, and sacrum (\$52,802 medl. bills). Deft contended its staff cannot provide constant monitoring and the interventions would not have prevented the patient from falling. The defense also contested the nature and extent of injuries. The defense did not present any expert witnesses.

AUTO--PLTFS CLAIM DEFT TEEN DRIVER RAN STOP SIGN BEFORE MAKING LEFT TURN
(EEE 32/2) *Linda Hasan, Jihad Al-Qawasmi, Yousef Al-Qawasmi v Caitlyn Bestwina* 10L-2973 consol. w/11L-10500
Tried Apr. 1-4, 2013 (1F)

Verdict: Not Guilty to all pltfs.

Judge: Patrick F. Lustig (IL Cook-Law)

Pltf Attys: John R. Gorey of *Gorey Law Group* for Linda, Jihad Demand: \$250,000 policy, John J. Dwyer, Jr. of *Dwyer & McDevitt* for Yousef

Deft Attys: Daniel G. Suber and Anthony J. Debre of *Daniel G. Suber & Associates* (Grange Mutual Ins.) Offer: \$15,000 (indicated)

Pltf Medl: Assem Jaber, D.C. (Chiropractor) for Linda, Jihad, Assem Jaber, D.C. (Chiropractor) and Dr. Michel Malek (Neurosurgeon) for Yousef

Deft Expert: Dr. Kevin Walsh (Orthopedist)

August 6, 2009, pltf Linda Hasan was driving an SUV with four passengers when she collided with deft's car at the intersection of 169th St. and 84th Ave., Tinley Park. Linda contended she was traveling southbound on 84th when deft F-17 failed to stop at her stop sign on westbound 169th before making a left turn onto 84th and striking the SUV's door. After the impact, four of the five occupants in the SUV were transported to the hospital. All three pltfs (F-25 Linda, M-32 Jihad, and M-72 Yousef) claimed neck and/or back soft tissue injuries. Yousef was also diagnosed with a herniated C4-5 disc which Dr. Malek testified was made symptomatic by the collision (Yousef \$43,710 past medl., \$212,297 future surgery; Linda \$50,170 medl.; Jihad \$52,642 medl. bills). The defense argued deft did stop at her stop sign, she had already completed her turn when pltf driver moved into the left lane without activating her turn signal, pltf was preparing to make a left turn at the next block, vehicle photos showed side-to-side contact, and the pltfs could not have been injured as a result of such a low-speed impact that caused minimal damage to the vehicles. The jury deliberated 1.5 hours.