



BSPH congratulates Bret C. Perry and Brian F. Lange on obtaining a unanimous defense verdict in favor of their client in a recent medical malpractice, wrongful death, and Ohio Nursing Home Resident's Bill of Rights violation trial. Plaintiff claimed that the skilled nursing facility was negligent in permitting the decedent to develop a pressure ulcer injury resulting in overwhelming sepsis and death. Plaintiff alleged that the staff failed to appropriately document, turn and reposition the decedent, and timely involve specialists such as infectious disease and a wound care expert. Most damaging, Plaintiff claimed the facility and staff knowingly failed to inform the decedent's family of the advancing injury. Plaintiff requested that the jury return a verdict for compensatory damages in the amount of \$6,000,000 and to award punitive damages.

The defense countered Plaintiff's allegations establishing that facility staff appropriately charted and assessed the decedent throughout his residency and that the staff provided one to one care on numerous occasions. Additionally, the staff was in close communication with the family and the decedent's wife. Further, the defense offered medical evidence confirming that the pressure ulcer injury was unavoidable and was caused by the decedent's underlying medical comorbidities including Parkinson's disease, dementia and decreased respiratory function. After less than (2) hours of deliberations, the jury returned the unanimous verdict in favor of the defense.



Bret C. Perry, ESQ.
BONEZZI SWITZER
POLITO & HUPP CO. LPA
ATTORNEYS AT LAW



Brian F. Lange, ESQ.
BONEZZI SWITZER
POLITO & HUPP CO. LPA
ATTORNEYS AT LAW

