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Contact:

Levin & Perconti

325 North LaSalle Dr #450

Chicago, IL 60654

312.332.2872

questions@levinperconti.com

Negligence Lawsuit Filed Against Lester and Rosalie Anixter Center in Chicago

CHICAGO, March 2, 2015 - The sister of Loren Braun, formerly of Chicago, filed a lawsuit Thursday against the Anixter Center, one of Chicago's largest providers of services to people with disabilities, resulting from an incident at its community integrated living arrangement (CILA) group home, located at 5615 N. Rockwell Ave. in Chicago. The suit alleges that Loren's choking death was the result of negligence on the part of the Anixter Center caregivers. Attorneys Margaret Battersby Black and Michael Shanahan of Levin & Perconti filed the lawsuit on behalf of the family.

Loren, 61, lived at the Anixter state licensed group home from January, 1997 through November 1, 2014. He experienced a mental health condition, a schizoaffective disorder, as well as a developmental disability, and required supervision and assistance with activities of daily living. Loren's plan of care contained written physician's orders to receive a mechanical soft diet, and Anixter caregivers were required to provide one-on-one supervision to Loren during mealtimes in order to protect him from choking and aspirating.

On November 1, 2014, Loren was on an outing with Anixter caregivers and other residents of the group home. Before returning to the group home, they stopped at a local fast food restaurant. Despite knowing that Loren could only eat small pieces of food at a time, his caregivers gave him a hamburger and allowed him to eat the hamburger unsupervised. Loren choked on the hamburger and was found unresponsive in the backseat of the Anixter Center's van, his airway obstructed by a large chunk of hamburger. He was transferred from the Anixter Center van to a local hospital where he was pronounced dead soon after his arrival.

"Anixter caregivers knew that Loren was at a high risk for choking and had a duty to supervise him when he was eating. They even had written care plans in place to ensure that he was supervised at all times while eating and drinking and simply decided not to follow these plans," said Margaret Battersby Black, the family's attorney. "The caregivers failed in this health-life safety duty when they gave him a hamburger and allowed him to eat it unsupervised.

"Much like state laws that protect residents of nursing homes and assisted living facilities, there are laws to protect the safety and well-being of residents of CILA facilities throughout Illinois,"

added Black. “When caregivers and administrators fail to protect CILA residents from neglect and these residents suffer serious injuries or death, families can take legal action to hold wrongdoers accountable.”

“After my father was hospitalized and could no longer care for my brother, I placed my trust with the Anixter staff to protect and care for my brother,” said Barbara Chyette, Loren’s sister. “I requested one-on-one supervision because I was concerned about Loren's safety after a series of incidents. Despite high turnover among the Anixter caregiver staff, they were always aware that Loren had no teeth and ate very rapidly, making him susceptible to choking. After he suffered a choking incident in 2013, I had numerous discussions with Anixter staff and even went out to restaurants with my brother and his caregivers to reinforce the need for Loren to have supervision, soft foods, small portions, and a drink at all times as written in his care plan.

“I was shocked, devastated and saddened when I learned that my brother’s death was the result of staff carelessness and could have easily been prevented,” added Chyette. “I took action to hold the facility responsible for my brother’s untimely death, with the hope that his case will prevent others from suffering at the hands of negligent CILA employees.”

Levin & Perconti is a nationally renowned law firm concentrating in all types of nursing home abuse and neglect, elder abuse, personal injury, medical malpractice, and wrongful death litigation. The lawyers at Levin & Perconti are committed to protecting and vindicating the rights of people who are injured by the negligence of others. Please contact the firm at (312) 332-2872 or visit www.levinperconti.com for more information.

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