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Levin & Perconti files lawsuit against Woodstock Residence for the suspicious death of 78-year-old Virginia Cole

CHICAGO, IL – Steven M. Levin of the Chicago-based law firm Levin & Perconti will file a lawsuit in the Circuit Court of Cook County, Illinois on behalf of Vickie Lund (Cary, IL), the daughter of 78-year-old Virginia Cole, who died on September 10, 2006 at Woodstock Residence.

Virginia Cole was married for over 50 years. She got much pleasure from her role as mother, grandmother and great-grandmother. Her children, grandchildren and great-grandchild loved her and loved to be around her. According to her son-in-law, Frank Lund, “Virginia enjoyed life. She enjoyed being with her family.”

According to Virginia’s daughter, Vickie Lund, Virginia had a good day on September 5, 2006, just one day before she became unconscious and was admitted to the hospital. Vickie Lund said, “My mom had her hair done. Afterwards, she wheeled up and down the corridors at Woodstock Residence, stopping whenever she received a compliment about how nice she looked.”

The very next day, on September 6, 2006, Virginia’s life and the lives of her family members changed forever. Vickie Lund said, “I got a call from a Woodstock Residence employee informing me that my mother was unconscious and being taken to the hospital. I was shocked because she had such a good day the day before. I had just checked on her that morning and was told that she was doing fine.”

When Virginia was admitted to the hospital she was diagnosed with four conditions, three of which, including confusion, hypothermia and bradycardia, are possible symptoms

of a drug overdose.

On Friday, April 4, 2008, two Woodstock Residence employees were arrested and criminally charged with multiple felonies. Within the indictment, Marty Himebaugh, a nurse at Woodstock Residence, was charged with criminal neglect of long-term care facility residents by recklessly administering excessive dosages of morphine, thereby endangering the lives of Virginia Cole and several other residents. Penny Whitlock, Director of Nursing at Woodstock Residence, was charged with recklessly endangering the residents' lives by failing to report and even recklessly encouraging these wrongful acts.

When asked how she felt when she learned of the recent arrests, Vickie Lund said, "It made me sad. It frightens me to think that two health care professionals would violate the law and endanger the lives of residents without anyone in the nursing home stopping them. My mother was a wonderful woman who was full of life. She was part of a family who loved and cherished her. We chose Woodstock Residence because they promised to care for my mother and to keep her safe. Woodstock Residence betrayed our trust."

After a closed door meeting with members of Virginia Cole's family, it was decided that Steven Levin will file a lawsuit to address the facts and circumstances of the events leading up to her death. The lawsuit will be filed against WRHC & RC, Incorporated, doing business as Woodstock Residence, Marty Himebaugh, Virginia's treating nurse at Woodstock Residence and Penny Whitlock, Director of Nursing on behalf of Vickie Cole, the daughter of Virginia Cole. Administrator of Woodstock Residence, Alissa Nataupsky, will be named as a Respondent in Discovery as she may have information important to the case."

Steven Levin added, "Woodstock Residence violated a family's trust by endangering her

life.” Virginia’s family now faces the nightmare of likely foul play leading up to their mother’s death.

Special Note: Steven M. Levin has more than 25 years experience representing nursing home residents and their families. Mr. Levin has earned national distinction in the highly specialized area of nursing home abuse and neglect by drawing national attention to this unacceptable epidemic. Steven Levin has testified before the House of Representatives in Springfield and before the Illinois Department of Public Health (IDPH) in an effort to protect the rights of nursing home residents and their families. He is also actively involved with the National Citizens’ Coalition for Nursing Home Reform and Illinois Nursing Home Ombudsmen. His comments on nursing home litigation are frequently quoted in national news publications, including The New York Times and The Wall Street Journal.

Please contact Marikay Martin at (847) 732.6996 to schedule a personal interview with Steven Levin regarding developments in the Virginia Cole Woodstock Residence case and the national epidemic of nursing home abuse and neglect.