

# Chicago Daily Law Bulletin.

Serving the city's law profession since 1854

December 20, 2018

By Jordyn Reiland  
Law Bulletin staff writer

## \$7M verdict after escape from vehicle



Michael F. Bonamarte



Margaret Battersby Black



Cari F. Silverman

A Cook County jury awarded \$7 million to the family of a veteran who died in 2014 after he climbed out of a moving ambulance.

Jurors reached their verdict Dec. 12 after a nearly three-week trial before Circuit Judge Bridget A. Mitchell.

In July 2014, Patrick Stein was taken to the emergency room at St. James Olympia Fields Hospital after family members reportedly saw him outside with a butcher knife held against his abdomen, according to his family's attorneys.

His estate was represented by Michael F. Bonamarte IV, Margaret P. Battersby Black and Cari F. Silverman of Levin & Perconti.

Stein, 64, served three tours of military duty, including two in South Vietnam where he witnessed several people die, according to a law firm news release. Following his discharge, Stein struggled with post-traumatic stress disorder, his attorneys said.

During the summer of 2014 he became confused, paranoid and delusional, his attorneys said.

The St. James medical staff indicated Stein had an "altered medical status, acute confusion, suicidal behavior and hypoxia," according to a firm-issued news release. His medical records also noted his previous behavior indicated he could be a potential danger to himself and others.

The St. James staff eventually decided to transfer him to Hines Veterans Affairs Hospital, where psychiatric services were available.

The Stein estate attorneys contended at trial that St. James nurses and defendants Anthony Turman and Colleen Farmer never shared Stein's post-traumatic stress disorder history with the Kurtz Ambulance Service paramedics.

"The truth is the hospital should have provided more info and the paramedics should not have left before they looked at Stein's medical documents," Bonamarte said in an interview.

Paramedics Stanley Nevels and Michael Donath asserted they did not know Stein was a danger to himself because no one had conveyed that to them before his transfer to Hines.

Paramedics testified at trial that one of the paramedics was sitting in the ambulance's "jump seat" when, had they known Stein's medical history, they should have sat in the "bench seat" parallel to the gurney.

While the paramedic sitting in the jump seat was turned away from Stein to complete paperwork, Stein was able to unbuckle straps around his chest and waist and slide his feet away from the ankle straps, in addition to removing his oxygen before the paramedic noticed, Bonamarte said.

The paramedic testified that by the time he looked up Stein had his feet on the ground of the ambulance and was already near the back looking to unlock the door.

One of their attorneys, Stetson F. Atwood of Donohue Brown Mathewson & Smyth LLC, argued at trial his clients did not act in a willful and wanton manner.

The paramedics said they would have more closely monitored Stein had they known his medical history.

The paramedics were also represented by Laura Coffey Ileremia of Donohue Brown Mathewson & Smyth LLC.

"I believed plaintiffs' attorneys did an excellent job prosecuting their case, however, we continue to stand by our positions raised at trial," Atwood said in an interview.

The hospital and nurses were represented by Bradford D. Roth, Robert H. Summers Jr. and Daniel J. Broderick Jr. of Cassidy Schade LLP.

They could not be reached for comment.

The case is *Christopher Stein v. Franciscan Alliance Inc., et al.*, 15 L 4732.