

Corboy & Demetrio Attorney David R. Barry, Jr., Secures Medical Malpractice Settlement of \$9 Million

**Mother Dies While Undergoing Outpatient Procedure
March 2009**

The University of Illinois has agreed to pay \$9 million to the husband and daughters of a woman who died while undergoing an outpatient procedure at the University Hospital in April, 2008. Judge Donald O'Connell mediated the settlement which was approved by the University's Board of Directors. The family was represented by attorney David R. Barry, Jr., a partner at the law firm of Corboy & Demetrio.

A 39 year-old mother of two young children, ages seven and one, went to the University of Illinois Medical Center on April 17, 2008 for what was represented to be a relatively routine outpatient procedure. She was scheduled for an endoscopic retrograde cholangiopancreatography which involves the removal and replacement of a stent in the biliary tree, which transports fluid secreted by the liver into the small intestine.

The anesthesia plan was to use moderate sedation, but she was over-medicated during the procedure which resulted in the cessation of her breathing. The caregivers were slow to recognize her deteriorating condition or its cause. When her lack of breathing and resulting severe hypoxia was finally recognized, a code blue was called. The code team misinterpreted electrical activity in her heart and failed to perform chest compressions as part of the cardiopulmonary resuscitation (CPR) to ensure that blood was being circulated through her. The team's failure to perform appropriate CPR resulted in both the heart and the brain not receiving adequate oxygen, and she suffered severe hypoxic brain damage. She died on April 25, 2008 without regaining consciousness.

Attorneys

- David R. "Chip" Barry, Jr.

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Attorney Barry stated, "The University, to their credit, investigated this tragic event and determined the care given this young mother was not acceptable. They initiated discussions early to help the family gain closure and admitted that mistakes were made. The family has been devastated by her death but, appreciate the manner in which the University has acknowledged this tragedy."