

## Stationary Engineer's Family to Receive Over \$3.2 Million in Wrongful Death Settlement

April 2009

The City of Chicago has agreed to settle a wrongful death lawsuit filed against it by the family of a stationary engineer employed by the Board of Education for \$3,219,745.00. An order approving the settlement and distribution of proceeds was entered by the Honorable Susan M. Coleman, following entry of an order approving the settlement by the Honorable William D. Maddux. The family was represented by Chicago personal injury lawyers Susan J. Schwartz and Francis Patrick Murphy of the Corboy & Demetrio law firm.

### Personal Injury Lawsuit

On January 22, 2005, a 49 year-old man was using a snow blower to remove snow in front of his home when his son, a licensed paramedic then with the Hillside Fire Department, witnessed him collapse. The son provided CPR while waiting for the Chicago Fire Department to respond to a 911 call. When an engine manned by a paramedic arrived, the father was in ventricular tachycardia. The defibrillator used by the paramedic was unable to deliver a therapeutic dose to defibrillate him because the batteries used to power it were old and had not been properly maintained. When the paramedic attempted to replace the battery with a spare battery, the defibrillator again powered off before delivering a charge due to an old battery.

### Attorney Susan Schwartz

Susan Schwartz, one of the attorneys for the family, said:

If the victim had been properly defibrillated, he would have been successfully resuscitated and he would have survived. This death occurred because the City of Chicago did not follow industry standards and manufacturer recommendations regarding battery maintenance. Both industry standards and manufacturer recommendations require that batteries be replaced every two

### Attorneys

- Francis Patrick Murphy
- Susan J. Schwartz

### Related Practices

- Personal Injury & Wrongful Death

years. No batteries for this type of defibrillator were purchased by the City of Chicago after October, 2000.

Schwartz continued:

Industry standards also require that each battery be labeled with the date of purchase and the expected replacement or expiration date. Unfortunately, no preventative maintenance log was kept on any battery by the City of Chicago to track the age and condition of any individual battery.