

## \$6 Million Record Verdict in Lake County Adult Wrongful Death Case

July 23, 2007

On April 18, a Lake County jury returned a \$6 million verdict against an anesthesiologist for negligently causing the death of a 46-year-old wife and mother of four boys. The mother died on Thanksgiving day and on the 14th birthday of her son. She was a homemaker and the caretaker of her husband, who is legally blind. It is the largest verdict in a Lake County, Illinois wrongful death case involving an adult. Shawn Kasserman represented the victim's surviving family.

On Wednesday, November 17, 2003, the decedent underwent a routine laparoscopic gallbladder surgery at Condell Medical Center, Libertyville, Lake County, Illinois. Following discharge, she continued to experience severe abdominal pain and was unable to eat or drink because any type of nourishment resulted in severe vomiting. On November 22, 2003, she returned to the emergency room where a nasogastric tube was inserted and 2 liters of fluid were removed. She was discharged on November 25 but returned to the emergency room at Condell that night at midnight.

At that time, it was determined that she had a small bowel obstruction as a result of an incarcerated hernia and she was scheduled for emergency surgery. On November 26, the anesthesiologist, Dr. Steven Marquardt, in his pre-anesthesia assessment, failed to identify the fact that the mother had a small bowel obstruction, which increased the risk for aspiration during the induction of anesthesia. As a result, he provided general anesthesia without a rapid sequence induction with cricoid pressure. The mother vomited and aspirated during the induction of anesthesia, resulting in her death.

In an 8-day jury trial presided over by Judge Raymond McKoski, with 16 witnesses including 6 expert witnesses, the Lake County jurors held Dr. Marquardt liable for negligently causing the death of the mother.

### Attorneys

- Shawn S. Kasserman

### Related Practices

- Medical Negligence
- Personal Injury & Wrongful Death

The mother's death has been very difficult for the family. Her four boys find it difficult to express their feelings but say they miss their mother very much. The loss has been particularly significant for the woman's husband, who is legally blind and relied on her for his care.

Attorney Kasserman said that prior to trial, the defendant offered \$350,000, during trial, \$750,000 and after closing arguments, \$1 million.