

# OF COUNSEL

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BARNHART & SHIPLEY PA**

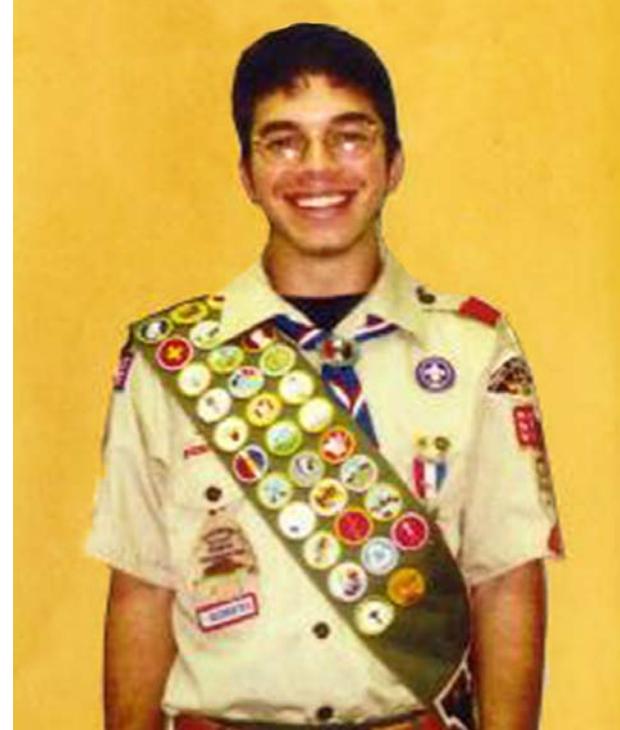
A REPORT TO CLIENTS & ATTORNEYS: VOLUME 10 - NUMBER 1

## \$8 Million Verdict in Boy's Death as Result of Medical Negligence

**Ten years, four appeals later, jury decides boy's death was preventable**

Just over 10 years ago, 15-year-old Nathan Hannon suffered irreversible brain damage and died. In March 2010, a jury in the Third Judicial Circuit Court, Suwannee County, Florida, awarded \$8 million to Nathan's family in a verdict ruling that the boy died after Shands Teaching Hospital and Clinics, Inc., failed to provide timely treatment for a life-threatening medical condition. The verdict also found that the hospital had set up a negligent system in which Nathan's condition was allowed to deteriorate because no health-care provider managed his care.

At age two, Nathan had been diagnosed with hydrocephalus, a condition in which fluid builds up in the brain causing cranial pressure that often leads to oth-



er neurological disorders. Surgeons inserted a shunt in his brain to drain the fluid into his lower body where it could be reabsorbed. The shunt was replaced at age five, and again at age nine. As a result of the shunt and good health, Nathan lived a normal life, became an Eagle Scout at age 14, played soccer on the high school soccer team, and played trumpet in the high school marching band. He was a happy, normal teenager with a full life ahead of him.

On October 28, 1999, after playing trumpet with the marching band at a junior varsity football game, Nathan told his father that he had a headache and vomited one time. The condition continued the next morning. His mother, Yvette Hannon, (*Continued on page two.*)

## \$1.1 Million Awarded to Young Athlete for Damages in Collision With School Bus

In December 2005, Altavious Carter was a 14-year-old aspiring basketball player. At his young age, he was already 6 feet 4 inches tall, with athletic skills that were catching the attention of college scouts. A week before Christmas – and one day before his first high school game – Altavious caught a ride home from basketball practice with his coach, Vince Merriweather, a 41-year-old firefighter and coach of boys basketball at Summit Christian School in West Palm Beach, Florida. The coach stopped for a red light not far down the road. Suddenly, their vehicle was rear-ended

by a Palm Beach County School District bus.

The impact of the collision pushed Vince's van 300 feet down the road. Vince and Altavious were thrown to the floor of the vehicle. Vince, suffering from severe spinal injuries, was airlifted to a local hospital. Altavious was taken to a local hospital as well, where examinations revealed he had a broken neck (*Continued on page ten.*)

### NOTICE TO SEARCY DENNEY CLIENTS

Searcy Denney Scarola Barnhart & Shipley, P.A. is conducting an investigation on behalf of a current client into matters relating to the sale of liquid propane gas (LPG). If you have LPG delivered to your home or business, we would like to see a copy of any recent bills you have received for your propane purchase. If you do not use propane, this notice does not apply to you. If you do use LPG, and have a recent bill available, we would appreciate your sending us a copy of the front and back of the bill addressed to:

**Jack Scarola, Esq.  
2139 Palm Beach Lakes Boulevard  
West Palm Beach, FL 33409  
or Fax: 561-383-9451**

After we receive the bill, we will be back in touch with additional information if your bill confirms any involvement in our investigation. Thank you for your anticipated cooperation.



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**had the accident not robbed him of that year of development.**

## \$1.1 Million Awarded to Young Athlete for Damages in Collision Caused by School Bus

(Continued from page one.)

and a ruptured disc between his C6 and C7 vertebrae. Three days later, doctors fused the vertebrae, and Altavious spent the next three months in a neck brace. He couldn't even touch a basketball for seven months. Altavious's father had died when he was quite young, and his mother had taught him not to make excuses. He didn't want sympathy; he wanted to get back to playing basketball. With sheer personal determination and courage, he worked hard to succeed at rehabilitation. He will always have neck and back pain, and his reaction time may have been impacted. But after more than a year, he is finally playing basketball again.

In 2008, a suit charging negligence against the school district was filed by SDSBS attorneys **Chris Searcy** and **David White** on behalf of Vince Merriweather. Settlement was reached in September 2008 in the amount of \$3.9 million.

SDSBS attorneys **Brian Denney** and **Jack Hill** filed a negligence suit against the school board on behalf of Altavious Carter. The school board readily admitted their driver's negligence in the accident, but pressed for a trial, arguing that they owed the young man only \$250,000 in damages because he was not permanently injured. The defense's argument included videos of Altavious playing basketball. Attorneys Denney and Hill countered that the young man had, in fact, suffered severe injuries. No one would ever know how capable he could have been had the accident not robbed him of that year of development. He should not be punished for accomplishing some measure of success at his own rehabilitation.

In February 2010, the jury agreed with plaintiff's argument and awarded Altavious \$1.1 million. Since the school board is a governmental entity, a claims bill must be presented to the Florida legislature for approval. ♦

## Taking... Time to Care



### 'Spoiled Dogs' team from SDSBS participates in ninth annual walk to benefit Rescue League

The 9th Annual Walk for the Animals, sponsored by the Peggy Adams Animal Rescue League, was held February 13 at John Prince Park in Lake Worth. Nearly 350 pet owners and supporters of the League, including 11 SDSBS employees and family members, participated in the event. The League recently opened the Grace Pavilion, a state-of-the-art, 38,000-square-foot, animal welfare center, increasing its capacity to rescue homeless dogs and cats. Proceeds from the Walk will support these services. ♦

For more information, visit [www.hspb.org](http://www.hspb.org)



### The Quinlan family in events supporting St. Jude Children's Research Hospital

In March 2010, Patrick and Nancy Quinlan, and sons Brendan and Brian, participated in several events supporting St. Jude Children's Research Hospital. Brian is a pediatric leukemia survivor. The family joined Florida Atlantic University students for an "Up 'Til Dawn" fundraiser where everyone stayed up all night writing letters to family and friends asking for donations. The event was also attended by Miami Dolphin cheerleaders. Patrick and his family also spoke on behalf of St. Jude at a local walk-a-thon, luncheon, and St. Jude's signature fundraising event, the Math-a-Thon. ♦

For more information, visit [www.stjude.org](http://www.stjude.org)

