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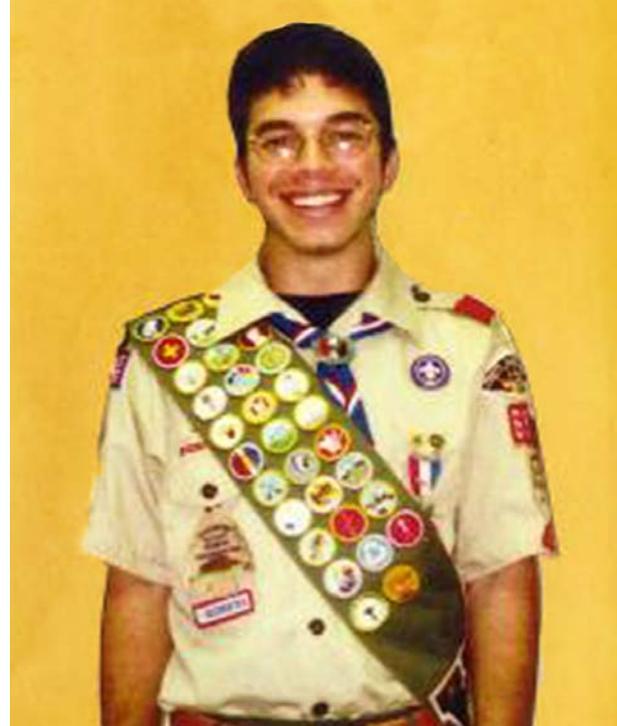
A REPORT TO CLIENTS & ATTORNEYS: VOLUME 10 - NUMBER 1

## **\$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.

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

*(Continued from page one.)*

took him to the Shands Medical Group clinic in Live Oak, where they lived. Nathan's symptoms were consistent with a shunt malfunction, a life-threatening condition requiring emergency consultation with a neurosurgeon.

At the clinic, Nathan was seen by a physician assistant who correctly recognized that Nathan's situation was beyond his capability. The PA called the ER doctor at Shands Live Oak hospital to get help. The ER doctor recommended that Nathan be brought to Live Oak for a CT scan and lab work. Nathan spent over two hours at Shands Live Oak, his condition deteriorating as he sat in a wheelchair. No health-care provider took responsibility for his care and treatment, assessed or monitored his condition, or called a neurosurgeon to address the shunt malfunction. Ultimately, the ER doctor told Nathan's mother and father that Nathan's condition was urgent, but not emergent, and that it was fine for them to drive him 75 miles to Gainesville in the family car for an appointment that afternoon with a neurosurgeon.

With the ER doctor's assurance regarding the drive, Nathan's parents stopped to pick up Nathan's younger brother, gassed up the car, and headed to

Gainesville. At one point on the trip, Nathan said, "Mama, make me comfortable." Yvette looked down at her son and saw that his lips were turning blue, and he was not breathing. They pulled off the highway and called 911 for help. For seven minutes, Mrs. Hannon desperately tried to keep her son alive by performing CPR until the ambulance arrived. Recognizing Nathan's critical condition, the emergency crew called for Nathan to be airlifted to Gainesville. Upon arrival at the hospital, the excess fluid was removed from Nathan's shunt by a neurosurgeon. It was too late. For days the family kept a vigil at Nathan's bedside. Eventually, however, Nathan was declared brain dead.

Nathan's death devastated his family and the community. Suffering from the sudden, unexpected, and preventable loss of their son, the Hannon's sought representation by SDSBS attorneys **Chris Searcy** and

**James Gustafson**. Ten years and four appeals later, a Suwannee County jury recognized that Nathan's tragic death was preventable, that Shands Live Oak's negligent system caused Nathan's wrongful death. They rendered a verdict in favor of the Hannon's. "The doctors that day did not take responsibility for the patient," said Chris Searcy. "We trust our lives to medical centers and hospitals." "The tragic death of this young boy was preventable," said James Gustafson. "It is hoped that this verdict will bring a sense of justice to Nathan's family." ♦

No health-care provider took responsibility for his care and treatment, assessed or monitored his condition. The tragic death of this young boy was preventable.

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NOTE: The accounts of recent trials, verdicts and settlements contained in this newsletter are intended to illustrate the experience of the firm in a variety of litigation areas. Each case is unique, and the results in one case do not necessarily indicate the quality or value of any other case. Omitting clients' names and/or defendants' names are the result of requests for anonymity.