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The Evangelical Lutheran Good Samaritan Society Wrongful Death Suit

Case No. 4:11 cv-00059-MHW | Idaho, United States

We defended Good Samaritan against a lawsuit by a surviving son for the wrongful death of his mother, alleging negligent care. The plaintiff claimed that failure to give medication as ordered, failure to turn, and failure to use interventions to prevent pressure ulcers, dehydration, malnutrition, and weight loss, resulted in Stage 3 pressure ulcer and which caused her death. We were asked to associate in to the case approximately four months before trial, joining local Idaho counsel. We were able to obtain dismissal of the negligent training and supervision claims. We effectively presented testimony of nursing and dietary staff who provided care to this particular resident and who remembered her. We were able to obtain a defense verdict with the jury answering the first question on the verdict form that Good Samaritan was not negligent. With that verdict, the jury never had to answer any further questions about causation and did not award the plaintiff any damages.