

Record \$19+ million verdict in Cook County for baby's wrongful death at St. Bernard Hospital

Beam Legal Team announces record verdict of non-economic damages for wrongful death of baby caused by obstetrical malpractice during labor and delivery.

BEAM LEGAL
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Beam Legal Team - Chicago birth injury attorneys

CHICAGO, ILLINOIS, UNITED STATES,
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Darone Bush was only ten months old when he died. After being fatally injured by negligent doctors and staff at St. Bernard Hospital, his short life was plagued by brain damage due to lack of oxygen during labor and his delivery. Last week a Cook County jury decided St. Bernard Hospital should pay his family \$19,025,000 for the loss due to obstetrical malpractice.

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*Matt Patterson, Moore and
Bush Family Attorney*

During her labor at St. Bernard Hospital on October 17, 2016, Darone's mother, Charlene Moore was given Cervidil, a medication contraindicated and dangerous for mothers like Moore – having a vaginal birth after cesarean (VBAC) – and the results were deadly. After a harrowing, painful and perilous labor followed by an emergency cesarean, baby Darone was born with acute brain damage. Moore suffered from an extreme loss of blood that required a stay in the intensive care unit (ICU) and recovery before she could even meet her newborn son.

Moore's legal team says the jury truly considered the facts of the case and the record verdict is appropriate due to the severe medical negligence and pain their clients endured.

“From the top down, this hospital utterly failed this family, and the jury didn't agree with the assertion made by Saint Bernard – that it's a small, poor hospital in a small, poor community and this is the kind of care patients should expect,” said the Moore and Bush family attorney Matt Patterson of the [Beam Legal Team](#). “(The jury) sent a powerful message with this verdict: that everyone deserves appropriate, quality care, regardless of what community they're in.”

“This case wasn't about medical bills or future lost wages,” said Jack Beam, attorney and

Managing Partner at Beam Legal Team. "The jury had to assess, 'What is life worth?' Darone was a baby. He lived for 10 months, but he died because the doctors and nurses at St. Bernard violated the standard of care before he was even born."

Beam and Patterson point to Moore's obstetrician, Jamiere Smith, M.D. who had signed a consent order for suspension by the Illinois Department of Financial and Professional Regulation three days before Darone's birth. Even with the suspension looming, Smith kept her privileges at St. Bernard and when she went to the hospital on October 17th she never saw, examined, or spoke to Moore, her patient.

Instead, Smith called in orders for the contraindicated Cervidil – an order that nurses at St. Bernard Hospital followed without taking any precautions or consideration of Moore's VBAC. It wasn't until Moore was screaming in pain that another doctor, General Hood, M.D. finally came to her room and attempted to assess the situation, wasting valuable time. A third obstetrician, Jerry Mutua, M.D. finally performed an emergency cesarean, likely saving Moore's life but not before her baby Darone was fatally injured.

"I couldn't tell them how much pain I was in because no one was coming in my room when I was pressing the (call) button," said Moore about the fact that doctors and nurses neglected her at the hospital. The mother of three says though nothing can take away the pain of losing her son, the jury's verdict finally makes her feel heard, "(St. Bernard Hospital) has to listen now."

Beam Legal Team thanks Judge Joan Powell and the Cook County Court staff for facilitating a fair trial.

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(From the Circuit Court of Cook County, Illinois County Department - Law Division. Case No. 18 L 011164, Complaint 2018L011164 filed October 15, 2018)

About Beam Legal Team, LLC

Though based in Chicago, Beam Legal Team takes cases nationwide. Our firm represents families in a wide range of birth injuries that are the result of [medical malpractice](#). We specialize in finding justice for families of children whose conditions may have been the result of mismanagement of pregnancy or labor. Our firm also assists clients in detecting birth injuries. For more information visit beamlegalteam.com.

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