

Jury awards \$5.6M for brain injury

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A Baltimore jury awarded \$5.6 million to a woman who suffered brain damage from a blocked breathing tube while in a Frederick care facility after undergoing three weeks of intensive care after an automobile accident.

The court entered judgment in favor of Sarah Beth Rankin, 22, and her parents, Charles G. and Rose E. Rankin, against Mark Bauman R.N., of University of Maryland Medical System Corp.'s R Adams Cowley Shock Trauma, and Dr. James Grissom.

G. Macy Nelson, the lawyer who tried the case for Linda M. Fotheringill, the Rankins' lawyer, said \$3.6 million of the award is earmarked for Rankin's future care. She suffers from permanent brain damage and will need 24-hour care for the rest of her life with the remaining \$2 million in non-economic damages subject to a cap.

John T. Sly, a lawyer for the University of Maryland Medical Systems, said several motions challenging the judgment are pending.

"We have post-trial motions seeking to vacate the judgment and we would expect that the court would rule on them relatively quickly," Sly said.

Sarah Beth Rankin was 17 in October 1997 when an automobile in which she was traveling home from school was struck by a truck, causing her very serious head injury, according to Nelson.

After treatment at Shock Trauma, Rankin was transferred in a coma to a care facility where her physician failed to evaluate her condition and a breathing tube, blocked for 10 to 12 minutes, nearly ended her life, Nelson said. The case hung on whether the jury believed that Rankin sustained her injuries incident to the automobile accident or to the 10 to 12 minutes her oxygen was cut off in the care facility, he said, adding that he is grateful that they did, but that several post trial motions are pending.