

DAISY BRIDGES, INDIVIDUALLY
AND ON BEHALF OF ELZIE
BRIDGES (D)

NO.: 641,800 - SECTION: 25

19TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF EAST BATON ROUGE

BATON ROUGE GENERAL
MEDICAL CENTER

STATE OF LOUISIANA

JUDGMENT

This matter was before the court for trial by jury from August 5, 2019 through August 8, 2019. Present in court were:

Bobby R. Lormand, Jr.
and Adam W. Taylor

Counsel for Plaintiff, Daisy Bridges,
Individually and on Behalf of Elzie
Bridges (D)

William C. Rowe
and Joseph S. Manning

Counsel for Louisiana Patient's Compensation
Fund and Louisiana Patient's Compensation
Fund Oversight Board, Statutory Intervenor on
Behalf of Nominal Defendant, Baton Rouge
General Medical Center

The jury, having heard the evidence and been properly charged by the Court, returned a verdict in favor of plaintiff in response to special interrogatories on a Verdict Form incorporated herein by reference finding that Defendant was negligent which caused harm to and the death of Elzie Bridges, and making the following awards of damages:

Elzie Bridges

A. Physical Pain and Suffering	\$87,500.00
B. Mental Pain and Suffering	\$30,000.00
C. Loss of Enjoyment of Life	\$0.00
D. Medical Expenses	\$212,100.00

Daisy Bridges

A. Loss of Love and Affection	\$30,000.00
B. Loss of Enjoyment of Life	\$100,000.00
C. Mental Pain and Suffering	\$250,000.00

The Court, having examined the Verdict Form and finding it was properly completed, hereby adopts the jury's verdict as the judgment of the Court and enters judgment as follows:

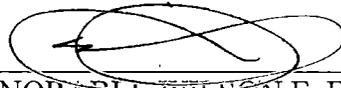
RECEIVED
August 22, 2019
DIVISION O
JUDGE FIELDS

IT IS THEREFORE ORDERED that judgment be rendered herein in favor of plaintiff, Daisy Bridges, Individually and on Behalf of Elzie Bridges (D), and against Louisiana Patient's Compensation Fund and Louisiana Patient's Compensation Fund Oversight Board, Statutory Intervenor on Behalf of Nominal Defendant, Baton Rouge General Medical Center, in the full sum of \$709,600.00, minus \$100,000.00 credit for payment made by Baton Rouge General Medical Center, for a total of \$609,600.00; plus legal interest on all amounts from the date of judicial demand until paid.

IT IS FURTHER ORDERED that plaintiff be awarded court costs and reasonable expert witness fees to be determined in accordance with a motion to tax costs.

IT IS FURTHER ORDERED that the claims of Daisy Bridges, Individually and on Behalf of Elzie Bridges (D), be and same are hereby dismissed, with prejudice.

Thus done and signed in Chambers at Baton Rouge, Louisiana, this 26 day of August, 2019.



HONORABLE WILSON E. FIELDS
JUDGE, 19TH JUDICIAL DISTRICT COURT

**I HEREBY CERTIFY THAT ON THIS DAY A COPY OF
THE WRITTEN REASONS FOR JUDGMENT /
JUDGMENT / ORDER / COMMISSIONER'S
RECOMMENDATION WAS MAILED BY ME WITH
SUFFICIENT POSTAGE AFFIXED.
SEE ATTACHED LETTER FOR LIST OF RECIPIENTS.**

DONE AND MAILED ON August 30, 2019



DEPUTY CLERK OF COURT

RECEIVED

August 22, 2019

**DIVISION O
JUDGE FIELDS**

ELZIE BRIDGES (D), ET AL
VERSUS
BATON ROUGE GENERAL MEDICAL CENTER BLUEBONNET

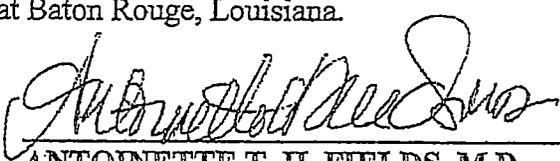
PCF FILE NUMBER: 2013-00782

DECISION OF MEDICAL REVIEW PANEL

This matter came to be decided at a Medical Review Panel on Wednesday, July 15, 2015. The panel has been advised by the Attorney-Chairman that it has the authority to request or subpoena any additional evidence it feels that is needed to render an opinion in this matter. It is the determination of this Medical Review Panel that they have all the evidence needed to render an opinion.

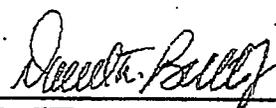
It is the opinion of this medical review panel that there was a deviation from the appropriate standard of medical by Baton Rouge General Medical Center Bluebonnet as there is no clear documentation the patient was turned every two hours as is the standard of care. If the patient was not repositioned and turned every two hours then this could lead to the development of a pressure ulcer. He developed an ulcer at Baton Rouge General that was treated appropriately. The pressure ulcer was a contributing factor to the patient's demise but was not the only contributing factor.

Signed this 15th day of July, 2015, at Baton Rouge, Louisiana.


ANTOINETTE T. H. FIELDS, M.D.

W. PATRICK GAHAN, M.D.

BRIAN GREMILLION, M.D.



DAVID T. BUTLER, JR.
ATTORNEY-CHAIRMAN

EXHIBIT
tabbles 2

ELZIE BRIDGES (D), ET AL
VERSUS
BATON ROUGE GENERAL MEDICAL CENTER BLUEBONNET

PCF FILE NUMBER: 2013-00782

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ATTORNEY-CHAIRMAN

ELZIE BRIDGES (D), ET AL
VERSUS
BATON ROUGE GENERAL MEDICAL CENTER BLUEBONNET

PCF FILE NUMBER: 2013-00782

DECISION OF MEDICAL REVIEW PANEL

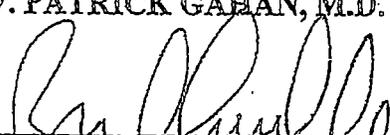
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Signed this 15th day of July, 2015, at Baton Rouge, Louisiana.

ANTOINETTE T. H. FIELDS, M.D.

W. PATRICK GAHAN, M.D.



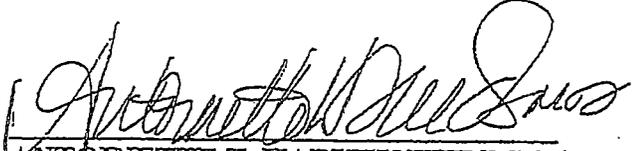
BRIAN GREMILLION, M.D.



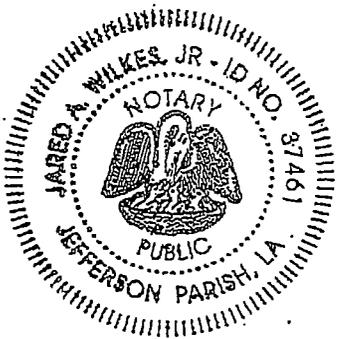
DAVID T. BUTLER, JR.
ATTORNEY-CHAIRMAN

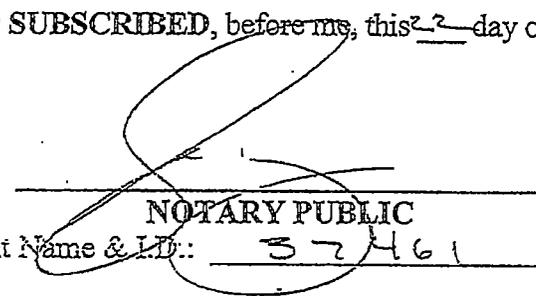
STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

I, ANTOINETTE T. HARVEY FIELDS, M.D., do solemnly swear/affirm that I will faithfully perform the duties of medical review panel member to the best of my ability and without partiality or favoritism of any kind. I acknowledge that I represent neither side and that it is my lawful duty to serve with complete impartiality and to render a decision in accordance with law and the evidence.


ANTOINETTE T. HARVEY FIELDS, M.D.
400 Russell Ave., Bldg. 41
Belle Chase, La 70037

SWORN TO AND SUBSCRIBED, before me, this 22 day of July, 2015.




NOTARY PUBLIC
Print Name & ID: 37461

STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

I, WILLIAM PATRICK GAHAN, M.D., do solemnly swear/affirm that I will faithfully perform the duties of medical review panel member to the best of my ability and without partiality or favoritism of any kind. I acknowledge that I represent neither side and that it is my lawful duty to serve with complete impartiality and to render a decision in accordance with law and the evidence.

William Patrick Gahan M.D.
WILLIAM PATRICK GAHAN, M.D.
5247 Didesse Drive
Baton Rouge, Louisiana 70808

SWORN TO AND SUBSCRIBED, before me, this 15th day of July, 2014.

David T. Butler, Jr.
DAVID T. BUTLER, JR. (#14123)

STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

I, Brian Gremillion, M.D., do solemnly swear/affirm that I will faithfully perform the duties of medical review panel member to the best of my ability and without partiality or favoritism of any kind. I acknowledge that I represent neither side and that it is my lawful duty to serve with complete impartiality and to render a decision in accordance with law and the evidence.



Brian Gremillion, M.D.
3812 Deerfield Lane
Baton Rouge, LA 70816

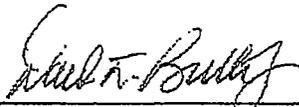
SWORN TO AND SUBSCRIBED, before me, this 15th day of July, 2015.



DAVID T. BUTLER, JR. (#14123)

STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

I, DAVID T. BUTLER, JR., do solemnly swear/affirm that I will faithfully perform the duties of medical review panel member to the best of my ability and without partiality or favoritism of any kind. I acknowledge that I represent neither side and that it is my lawful duty to advise the panel members concerning matters of law and procedure and to serve as chairman.



DAVID T. BUTLER, JR. #14123
1111 South Foster Drive, Suite G
Baton Rouge, Louisiana 70806

SWORN TO AND SUBSCRIBED, before me, this 7 day of Aug, 2015.



ROBERT C. FUNDERBURK #9221

CLERK OF COURT - EAST BATON ROUGE PARISH

Judge: FIELDS, WILSON E Session: 8/8/2019

C-641800
25
08/08/2019

This matter came on for continuation of trial by jury. Present in court was: Bobby R. Lormand and Adam Taylor, counsel for the plaintiff, Daisy Bridges; and William T. Rowe, Jr. and Joseph Manning, counsel for the defendant, Baton Rouge General Medical Center. Counsel for plaintiff and defendant stated no objection to jury charge or the verdict form. The jury entered the courtroom. Closing arguments were made by counsel. The Court then charged the jury as to the law applicable to the case. At 11:13 a.m. the jury was retired to deliberate on the case. At 3:51 p.m. the jury returned to the courtroom and delivered the following verdict:

1. Do you find by a preponderance of the evidence that the defendant breached the standard of care when caring for Elzie Bridges? Yes

If you answered "yes" to Question No. 1, please proceed to Question No. 2.

If you answered "No" to Question No. 1, Please sign the form and summon the bailiff.

2. Do you find by a preponderance of the evidence that Mr. Bridges suffered as a result of the breach of the standard of care by the defendant? Yes

If you answered "Yes" to Question No. 2, please proceed to Question No. 3.

If you answered "No" to Question No. 2, please proceed to Question No. 4.

3. What amount of money, if any, will justly compensate Elzie Bridges for his suffering before his death?

- a. Physical pain and suffering \$87,500.00
- b. Mental pain and suffering \$30,000.00
- c. Loss of Enjoyment of Life \$ 0
- d. Medical expenses \$212,100.00

4. Do you find by a preponderance of the evidence that the breach of the standard of care by the defendant was the substantial factor in the cause of Mr. Bridges' death?

Yes

If you answered "Yes" to Question No. 4, please proceed to Question No. 5.

If you answered "No" to Question No. 4, please sign the form and summon the bailiff.

5. What amount of money, if any, will justly compensate Daisy Bridges for the wrongful death of Elzie Bridges?

- a. Loss of love and affection \$30,000.00
- b. Loss of enjoyment of life \$100,000.00
- c. Mental pain and suffering \$250,000.00

Baton Rouge, Louisiana, this 8th day of August, 2019

Signed, [REDACTED]
Foreperson

Counsel for plaintiff waived polling of the jury. Counsel for defendant requested polling of the jury. The Court polled the jury as to their verdict. Polling was unanimous 12/0 as to each item on the verdict form. The Court thanked and excused the jury from further service. The Court requested that Mr. Lormand prepare a judgment and submit it to the Court for signature. Court was adjourned at 4:02 p.m. Kim Ford; 08/08/19 (1-hour)

Judge: DOC MINUTE Session: 8/8/2019

C-641800
25
08/08/2019

Motion in Limine to Exclude Privileged, Unauthenticated, Hearsay Document Created in Anticipation of Litigation; File As Is; Matter was held in Court on August 5, 2019.

Judge: FIELDS, WILSON E Session: 8/7/2019

C-641800
25
08/07/2019

This matter came on for continuation of trial by jury. Present in court was: Bobby R. Lormand and Adam Taylor, counsel for the plaintiff, Daisy Bridges; and William T. Rowe, Jr. and Joseph Manning, counsel for the defendant, Baton Rouge General Medical Center. Testimony was

presented and documentary evidence was introduced. Plaintiff rested her case. Out of the presence of the jury, counsel for defendant made an oral motion for involuntary dismissal of plaintiff's case. The matter was argued by counsel and submitted to the Court. Whereupon, the Court for oral reasons assigned denied said motion. The jury entered the courtroom and the defense began and concluded the presentation of their evidence. The Court admonished the jury not to discuss the case and asked that they return back to court at 10 a.m. on Thursday, August 8, 2019 to conclude the case. Court was adjourned at 4:08 p.m. A jury charge conference was held in chambers with counsel following adjournment. Kim Ford: 08/08/19 (testimony- 2 hours)

Judge: FIELDS, WILSON E Session: 8/6/2019

C-641800
25
08/06/2019

This matter came on for continuation of trial by jury. Present in court was: Bobby R. Lormand and Adam Taylor, counsel for the plaintiff, Daisy Bridges; and William T. Rowe and Joseph Manning, counsel for the defendant, Baton Rouge General Medical Center. The jury entered the courtroom and was sworn. Opening remarks were given by the Court. Counsel stipulated to the introduction of exhibits. Opening statements were made by counsel. Testimony was presented and documentary evidence was introduced. Upon return from the lunch recess, it was brought to the Court's attention that juror no. 83, Mr. [REDACTED] engaged in conversation with Dr. Erroll Ozdalga, the witness on the stand at the lunch recess. Discussion was had with counsel. Dr. Ozdalga was questioned by the Court and counsel as to the contents of the conversation. The Court then brought into the courtroom juror no. 83, [REDACTED]. The Court and counsel questioned [REDACTED] as to the contents of their conversation. The Court admonished [REDACTED] not to have any discussion with the other jurors and [REDACTED] returned to the jury room. Counsel for defendant made a motion for mistrial. The matter was argued by counsel and submitted to the Court. Whereupon, the Court denied the motion for mistrial, but did remove juror no. 83, [REDACTED] from the jury. The alternate, [REDACTED] will replace [REDACTED] as the twelfth juror. [REDACTED] was instructed to return back to jury management. The jury returned to the courtroom and the presentation of evidence was resumed. The Court admonished the jury not to discuss the case and asked that they return back to court on Wednesday, August 7, 2019 at 9 a.m. Court was adjourned at 3:58 p.m. Kim Ford; 08/06/19 (testimony- 4.5 hours)

Judge: FIELDS, WILSON E Session: 8/5/2019

C-641800
25
08/05/2019

This matter came on for hearing on a Motion in Limine to Prevent Assertion of Personal Knowledge or Facts by Lawyers or False Claims of Expertise filed on behalf of the statutory intervenor, Louisiana Patient's Compensation Fund and Louisiana Patient's Compensation Fund Oversight Board through nominal defendant, Baton Rouge General Medical Center reassigned form July 8, 2019. Present in court was: Joseph Manning, counsel for defendant, Baton Rouge General and the Louisiana Patient's Compensation Fund. Counsel for plaintiff waived their appearance for the hearing. The matter was argued by counsel and submitted to the Court. Whereupon, the Court granted said motion as to Mr. Lormand talking about his experience as a nurse. As to lay persons rendering medical opinion, the Court will reserve the matter until trial. Counsel are to object and the Court will rule on the issue at that time. Judgment to be submitted and signed accordingly. Kim Ford; 08/05/19

Judge: FIELDS, WILSON E Session: 8/5/2019

C-641800
25
08/05/2019

This matter came on for trial by jury pursuant to previous assignment. Present in court was: Bobby R. Lormand and Adam Taylor, counsel for the plaintiff, Daisy Bridges; and William T. Rowe, Jr. and Joseph Manning, counsel for the defendant, Baton Rouge General Hospital. The jury venire entered the courtroom and preliminary remarks were given by the Court. Jury selection was begun. The following named persons were selected, sworn and impaneled to serve as jurors in this case:

1. [REDACTED] - juror no. 155
2. [REDACTED] juror no. 88
3. [REDACTED] - juror no. 286
4. [REDACTED] - juror no. 488
5. [REDACTED] - juror no. 107
6. [REDACTED] - juror no. 180
7. [REDACTED] - juror no. 83
8. [REDACTED] - juror no. 108
9. [REDACTED] - juror no. 202
10. [REDACTED] - juror no. 187
11. [REDACTED] - juror no. 241

12. [REDACTED] - juror no. 132
Alt. [REDACTED] - juror no. 329

The selected jurors were admonished not to discuss the case and asked to return back to court at 9 a.m. on Tuesday, August 6, 2019. The remainder of the jury venire was thanked and asked to return to jury management for further instructions. Court was adjourned at 4:59 p.m. Kim Ford; 08/05/19

Judge: FIELDS, WILSON E Session: 6/24/2019

C-641800
25
06/24/2019

This matter came on for hearing on a Motion for Partial Summary Judgment on Wrongful Death Action filed on behalf of the Statutory Intervenor, Louisiana Patient's Compensation Fund and Louisiana Patient's Compensation Fund Overnight Board. Present in court was: Bobby R. Lormand, Jr. and Adam Taylor, counsel for the plaintiff, Daisy Bridges, et al; and Joseph Manning, counsel for Baton Rouge General Medical Center statutory intervenor for the Patient's Compensation Fund. The matter was argued by counsel and submitted to the Court. Whereupon, the Court denied said motion. Mr. Lormand is to submit a judgment for the Court's signature within 10 days.
Kim Ford; 06/24/19

Judge: FIELDS, WILSON E Session: 4/15/2019

C-641800
25
04/15/2019

This matter came on for hearing on (1) Plaintiff's Motion in Limine reassigned from October 30, 2017. (2) Peremptory Exception of No Right of Action filed on behalf of Statutory Intervenor, Louisiana Patient's Compensation Fund and Louisiana Patient's Compensation Fund Oversight Board. (3) Exception of No Right/Cause of Action and/or Motion in Limine filed on behalf of Statutory Intervenor, Louisiana Patient's compensation Fund and Louisiana Patient's Compensation Fund Oversight Board through Nominal Defendant, Baton Rouge General Medical Center. (4) Motion in Limine to Exclude the Use of Deposition Testimony taken Outside the Presence of Statutory Intervenor filed on behalf of Statutory Intervenor, Louisiana Patient's Compensation Fund and Louisiana Patient's Compensation Fund Oversight Board through Nominal Defendant, Baton Rouge General Medical Center. (5) Motion in Limine to Exclude Irrelevant and Prejudicial Photographs and Non-Expert Testimony on Medical Causation filed on behalf of Statutory Intervenor, Louisiana Patient's Compensation Fund and Louisiana Patient's Compensation Fund Oversight Board through Nominal Defendant, Baton Rouge General Medical Center. Present in court was: Bobby R. Lormand and Adam Taylor, counsel for the plaintiff, Daisy Bridges; and Joseph Manning, counsel for the Statutory Intervenor, Louisiana Patient's Compensation Board and Louisiana Patient's Compensation Board Oversight Fund. As to the Motion in Limine to Exclude the Use of Deposition Testimony Taken Outside the Presence of the Statutory Intervenor, counsel requested that the matter be passed without date reserving the right to re-raise the matter if needed. The matters were argued by counsel and submitted to the Court. As to the Motion in Limine on collateral source filed on behalf of defendant, the Court denied. As to the issue of when attorneys were employed, the Court denied. As to taxation, the Court granted. As to court rulings, the Court reserved ruling until trial. As to the issue of uncalled witnesses, the Court denied. As to the issue of undisclosed witnesses and evidence, the Court granted said motion. As to the issue of ethical rules and character evidence, ethical rule 3.4, the Court will reserve ruling for trial. As to the issue of lay witness opinion, the Court reserved ruling for trial. As to the issue of hospital rates and insurance rates, the Court granted said motion. As to the issues of independent medical expert, medical causation and turning every 2 hours, the Court deferred to trial of the matter. As to defendant's Motion in Limine to exclude irrelevant and prejudicial photographs the Court denied the motion. As to defendant's Motion in Limine on the issue of non-expert testimony on medical causation, the Court reserved the matter for trial. As to the Exception of No Right of Action/No Cause of Action the filed on behalf of the defendant, the Court overruled the exceptions. The Court requested that Mr. Lormand prepare a judgment on all matters and submit it to the Court for signature. Kim Ford; 04/16/19

65

DAISY BRIDGES, INDIVIDUALLY
AND ON BEHALF OF ELZIE
BRIDGES (D)

NO.: 641,800 - SECTION: 25

VERSUS

19TH JUDICIAL DISTRICT COURT

BATON ROUGE GENERAL
MEDICAL CENTER

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

#90-
COST OK \$
APR 13 2017
Deputy Clerk of Court

PRE-TRIAL ORDER

I. CONTENTIONS

Plaintiff's Contentions:

Mr. Bridges was admitted to the Baton Rouge General Hospital (BRGH) on July 31, 2012 with his chief complaints being altered mental status, weakness and respiratory distress. He was diagnosed with pneumonia and while in the hospital, he developed extreme weakness and immobility to the point he was not able to reposition or turn himself in bed. Because of his debility, the standard of care was to turn and reposition him at least every two hours in order to prevent bedsores/pressure ulcers. And, failure to do so was a breach in the standard of care. Not only is turning every two hours the standard of care, BRGH policy, procedure and protocol also requires that patients like Mr. Bridges be turned every two hours.

BRGH failed to turn Mr. Bridges every two hours and on August 11, 2012, the staff identified a stage II bedsore. Due to substandard monitoring and assessment of Mr. Bridges by BRGH staff, the bedsore was not identified in its earlier stages, but only after it had already reached a stage II. This also is a breach in the standard of care by BRGH.

Once the bedsore developed on Mr. Bridges, due to his other illnesses, even with appropriate care going forward, the bedsore could not be healed. Instead, it progressed and continued to worsen until it became severely infected. After the bedsore became infected, it caused an infection to Mr. Bridges tailbone (sacrum and coccyx), which is called osteomyelitis. Due to the inability of his doctors to successfully treat the wound infection, it caused an infection in his blood (septicemia) and he eventually developed septic shock (low blood pressure caused by infection in his blood).

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DIVISION O
JUDGE FIELDS

REC'D C.P.

APR 18 2017



Because Mr. Bridges had renal failure, he required hemodialysis. Just a few days before his death, due to his septicemia and resulting low blood pressure, he was no longer able to tolerate hemodialysis without his blood pressure becoming fatally low. Because Mr. Bridges could not continue to receive life-sustaining hemodialysis, he died from renal failure on December 13, 2012. On Mr. Bridges' death certificate the causes of death are end stage renal disease and sepsis. While renal disease was his ultimate cause of death, it was the bedsore which caused him to become septic and develop septic shock, which then prevented him from being able to undergo the hemodialysis which had been successfully managing his renal failure.

Following Mr. Bridges' death, or on July 26, 2013, Mrs. Bridges filed a medical review panel complaint requesting a medical review panel be formed to review her allegations that BRGH breached the standard of care and caused Mr. Bridges' death. On July 15, 2015, the medical review panel rendered a unanimous opinion that BRGH deviated from the appropriate standard of care and it caused his bedsore.

BRGH, in a 1442 deposition, testified they could not give an opinion as to whether Mr. Bridges should have been turned every two hours. As such, BRGH cannot reasonably deny that the standard of care for Mr. Bridges was for him to be turned every two hours to prevent pressure ulcers. BRGH was also asked whether they had any information which would evidence that Mr. Bridges was being turned every two hours between August 6 and August 11, 201 and they replied "no." BRGH's testimony establishes that they cannot dispute the standard of care was for Mr. Bridges to be turned every two hours, and furthermore, they have no evidence he was turned every two hours, which again was irrefutably was the standard of care.

After evaluating Mr. Bridges' care provided by BRGH staff, the BRGH enterostomy nurse (skin nurse), Tereska Lawrence, RN prepared an incident report addressing Mr. Bridges' pressure ulcer. In the report, she documented that the telemetry ward (the floor where Mr. Bridges was a patient) "is responsible for this pressure ulcer." She identified as factors which led to Mr. Bridges' bedsore, "lack of assessment" and "lack of preventative care/turning." As such, one of the BRGH's own staff, documented BRGH employees breached the standard of care that it owed to Mr. Bridges and caused his bedsore.

Ms. Daisy Bridges filed the current medical malpractice lawsuit against BRGH and its

employees, individually and on behalf of her deceased husband Elzie Bridges, because it is her belief that the substandard care provided by BRGH, caused Mr. Bridges' bedsore which ultimately resulted in his death. She is praying for damages in the form of a wrongful death claim and a survival action. The evidence which will be presented at trial will establish the extreme physical and mental pain Mr. Bridges endured for five months before dying as a result of BRGH's substandard care. Additionally, the evidence will show the emotional and psychological injury Ms. Bridges endured before Mr. Bridges died, in combination with the loss of her longtime husband and best friend. Once the jury is provided this evidence, they will easily find that significant compensation, which will certainly exceed the Louisiana Medical Malpractice statutory limit, will be required to adequately compensate Ms. Bridges for what her and her husband endured and lost, because of BRGH's substandard care administered to Mr. Bridges.

Defendant's Contentions:

Elzie Bridges, a sixty-eight (68) year old African-American male presented to the emergency department at Baton Rouge General on July 31, 2012 at 6:30 p.m. Mr. Bridges had a history significant for a left renal transplant and presented to the emergency department due to extreme weakness and labored breathing. Mr. Bridges suffered from end stage renal disease and one of his diagnoses upon admission was acute renal failure. Upon presentation to Baton Rouge General on July 31, 2012, Mr. Bridges was not a healthy individual.

Mr. Bridges was admitted to telemetry under the care of Dr. Heather S. Hill and was seen at 10:30 p.m. on July 31, 2012. His chief complaint was altered mental status, weakness and respiratory distress. Mr. Bridges was unable to give a history, but according to his wife, Mr. Bridges was also experiencing slurred speech and right-sided pain. Mr. Bridges past medical history was significant for atrial fibrillation with permanent pacemaker placement, hypertension, diabetes mellitus, and chronic kidney disease status post renal cell transplant. He also had a history of noncompliance.

Nursing staff began turning and repositioning Mr. Bridges on August 2, 2012, although there was no signs of skin breakdown at that time. On August 3, 2012 he was seen by Dr. Kiran Padigala for acute renal failure. On August 4, 2012 he was seen by Dr. Steven E. Kelly for

evaluation of chronic a-fibrillation with abnormal troponin levels. On August 8, 2012 he was seen by Dr. Charles Mason for a palliative care consult. During this consult, Ms. Bridges advised that although she was not ready to make any formal arrangements, she did not want Mr. Bridges to be placed on any long term ventilation and did not want CPR or life support machines to be used if there was no possibility of meaningful recovery. Dr. Mason also noted that Mr. Bridges had been switched to an intermittent BiPAP machine, which he was wearing mostly at night on account of his depressed respiratory function.

On August 9, 2012 Mr. Bridges began receiving dialysis treatments. He received additional dialysis treatments on August 10, 2012 and August 11, 2012. The first indication of a pressure ulcer forming on the patient's lower back was noted on August 11, 2012 at 19:40, after Mr. Bridges had been immobile for approximately twelve (12) days. At the time, the wound was described as a pressure ulcer of the coccyx that was cherry red in color with no wound drainage. Mr. Bridges' physicians were appropriately informed of the patient's condition. By August 12, 2012 the coccyx pressure ulcer had progressed to stage II. It was 6 cm in length and 4 cm in width with rolled edges. It was again noted to be cherry red in color with sanguineous drainage noted. The wound was cleaned and dressing was applied. At 7:26 p.m. on August 12, 2012 the wound was described as a blister on Mr. Bridges' back.

It is worth noting, that an ET nurse does not have to be consulted for stage 1 or 2 pressure ulcers; however, in this case, an ET nurse was in fact consulted for a stage 2 ulcer. This was above and beyond the standard of care. It is also clear that at this time, the only wound present on Mr. Bridges was the right flank blister, described elsewhere in the nurse's notes as being on his right coccyx. The wound that eventually developed sepsis at a subsequent facility was located on the patient's left buttock.

From August 13, 2012 through his discharge on August 18, 2012, Mr. Bridges was repositioned and turned in accordance with the above order when practicable. His turning schedule was complicated by his frequent dialysis treatments on August 13, 2012, August 15, 2012 and August 17, 2012 and by the BiPAP machine that he wore primarily at night. Nevertheless, by August 18, 2012 his coccyx wound had improved. At 11:30 a.m. on August 18, 2012 his wound was described as a stage II blister. The surrounding area was intact and the ulcer dressing

was dry and intact. He was transferred on August 18, 2012 to Promise Hospital for long term acute care.

While at Promise Hospital, the left buttock ulcer had progressed to stage III. The right back wound, for which Mr. Bridges had been receiving treatment at Baton Rouge General, had resolved as of August 27, 2012. Mr. Bridges received his last wound care consultation from Promise Hospital on September 24, 2012. By that time, the only remaining wound was his left buttock pressure ulcer (Wound 4), which had increased in length and depth and had progressed to stage IV, although it was noted to be “improving”. There were no signs or symptoms of infection. Mr. Bridges was discharged home at his family’s request on September 25, 2012 in stable condition with instructions to continue outpatient hemodialysis.

Over the course of the next several months, Mr. Bridges was seen by various healthcare providers including Home Health, Our Lady of the Lake, Hospice Compassus and DaVita Denham Springs – Ochsner Nephrology. He passed away on December 13, 2012. According to his death certificate, the cause of death was end stage renal disease and sepsis.

Baton Rouge General maintains that it did not breach the standard of care in its treatment of Elzie Bridges and that any alleged breach did not cause Mr. Bridges any injury.

II. ESTABLISHED FACTS

Plaintiff’s Established Facts:

1. Mr. Bridges was admitted to BRGH on July 31, 2012 and discharged with a bedsore on August 18, 2012;
2. Because of Mr. Bridges’ condition, standard of care for pressure ulcer prevention was to turn him at least every two hours;
3. Mr. Bridges’ bedsore was not identified by BRGH staff until it was a stage II on August 11, 2012;
4. There is no documentation in Mr. Bridges’ medical record to evidence that he was being turned every two hours as was required by the standard of care between August 6 and August 11, 2012;
5. BRGH enterostomy nurse prepared an incident report and identified as factors causing

- Mr. Bridges' bedsore, "lack of assessment" and "lack of preventative care/turning";
6. Mr. Bridges died on December 13, 2012 and a cause of death on his death certificate was sepsis, which was caused by the infected bedsore which occurred at and was caused by BRGH;
 7. The medical review panel provided a unanimous opinion that: 1) the standard of care for Mr. Bridges was that he be turned every two hours, 2) BRGH violated that standard of care, and 3) it was a factor contributing to Mr. Bridges' demise and death;
 8. Dr. Gremillion, a member of the medical review panel, testified in deposition that; 1) the standard of care for Mr. Bridges was that he be turned every two hours, 2) BRGH violated the standard of care and caused Mr. Bridges' bedsore, and 3) that this bedsore was the leading cause of Mr. Bridges' death; and
 9. BRGH testified that: 1) they have no opinion on Mr. Bridges should have been turned every two hours, and 2) they have no information to evidence that Mr. Bridges was turned every two hours.

Defendant's Established Facts:

1. Defendant objects to Plaintiff's Established Fact #5 as a misstatement of the contents of the incident report. Further, this document is privileged and Defendant maintains its objection to the incident report being introduced into evidence.
2. Defendant objects to Plaintiff's Established Fact #6. This fact has not been established and is disputed.
3. Defendant objects to Plaintiff's Established Fact #7. As the panel opined: "The pressure ulcer was a contributing factor to the patient's demise, but was not the only contributing factor."
4. Mr. Bridges was a critically ill man in July 2012 and at that time his kidneys were only functioning at 20 percent or less capacity. *Deposition of Dr. Amin Kamyar, page 16.*
5. Mr. Bridges was depressed in July 2012 and was a noncompliant patient. He was not taking his antirejection medication which was accelerating his kidney rejection. *Deposition of Dr. Amin Kamyar, page 16.*

6. Dr. Yakimova testified that Baton Rouge General did not breach the standard of care in this matter. *Deposition of Dr. Yakimova, page 41.*
7. Based on the deposition testimony of Dr. Brian Gremillion, Dr. Gremillion did not review the entirety of the Promise Hospital records, only excerpts

III. CONTESTED ISSUES OF FACT

Plaintiff's Contested Issues of Fact:

1. Whether BRGH breached the standard of care it owed to Mr. Bridges;
2. Whether the breach in the standard of care by BRGH caused harm to Mr. and Mrs. Bridges;
3. Whether Mr. Bridges' bedsore was a contributing cause of his death; and
4. All issues of fact implicit in the pleadings and claims and in the contentions of the parties.

Defendant's Contested Issues of Fact:

Defendant agrees with Plaintiff's Contested Issues of Fact

IV. CONTESTED ISSUES OF LAW

Plaintiff's Contested Issues of Law:

Any issues of law implicit in the pleadings.

Defendant's Contested Issues of Law:

1. Any and all issues of law inherent in the various pleadings filed by or on behalf of all parties to this proceeding.
2. Whether Elzie Bridges' alleged injuries were caused by this incident.
3. The liability of Baton Rouge General Medical Center.
4. The liability of Elzie Bridges and/or Daisy Bridges.
5. The liability of Promise Hospital.
6. All percentages of negligence attributable to Baton Rouge General Medical Center and/or Elzie Bridges and/or Daisy Bridges and/or Promise Hospital

V. WITNESSES

Plaintiff's Witnesses:

Plaintiff may call the following witnesses at trial:

1. Daisy Bridges – fact witness
2. Carletta L. Taylor – fact witness
3. Terrell Turner, Sr. – fact witness
4. Evelyn Griffin – fact witness
5. Edgar Thomas – fact witness
6. W. Patrick Gahan, MD – expert witness and Medical Review Panelist
7. Antoinette T. H. Fields, MD –expert witness and Medical Review Panelist
8. Brian Gremillion, MD – expert witness and Medical Review Panelist
9. Any and all physicians who provided care to Mr. Bridges while he was a patient at the Baton Rouge General from July 31, 2012 to August 17, 2012, including but not limited to: (10-21)
10. Brian W. Johnson, MD – fact witness
11. Heather S. Hill, MD – fact witness
12. Violetta Yakimova, MD – fact witness
13. Ronald D. Menard, MD – fact witness
14. Kiran K. Padigala, MD – fact witness
15. Steven E. Kelley, MD – fact witness
16. Charles W. Mason, MD – fact witness
17. Amin Kamyar, MD – fact witness
18. Kaycee L. Weaver, MD – fact witness
19. Joseph M. Griffin, MD – fact witness
20. Andrew J. Olinde, MD – fact witness
21. Ronald R. Reichel, MD – fact witness
22. Any and all nurses who cared for Mr. Bridges while he was a patient at the Baton Rouge General from July 31, 2012 to August 17, 2012 – fact witnesses
23. Tereska Lawrence (Morgan) RN, BRGH enterostomy nurse – fact witness
24. All Certified Nursing Assistants who cared for Mr. Bridges while he was a patient at the Baton Rouge General Medical Center from July 31, 2012 to August 17, 2012– fact witnesses
25. Sandra Jones, RN – fact witness
26. Robin Passman, RN – designated representative for BRGH and fact witness

27. Jannaiah Tripuraneni, MD – fact witness
28. Rebecca Hunt, Nurse Practitioner – provided wound care to Mr. Bridges at Promise Hospital – fact witness
29. Christopher Keaton, Nurse Practitioner – provided wound care to Mr. Bridges at Promise Hospital – fact witness
30. Monica Saizan, RN – wound care nurse who provide care to Mr. Bridges while a patient at Promise Hospital – fact witness
31. Peter Monetyne, MD – fact witness
32. Any and all physicians who cared for Mr. Bridges at Our Lady of the Lake Regional Medical Center from October 7, 2012 to October 13, 2012 including but not limited to: (33-37)
33. Mitchell Hebert, MD – fact witnesses
34. Mark Kantrow, MD – fact witness
35. Benton Oubre, MD – fact witness
36. Satyaprasad V. Alapati – fact witness
37. Jan L. Boudreaux, RN – wound care nurse – fact witness
38. Gertrude Ihuaku, MD – infectious disease at AMG – fact witness
39. Pallavi Sunkara, MD – internist at Ochsner Medical Center – fact witness
40. John O. Nnadi, MD – infectious disease at Ochsner Medical Center – fact witness
41. James A. Ratliff, MD – internist at Ochsner Medical Center – fact witness
42. Lori Koonce, RN – nurse with Amedisys Home Health – fact witness
43. Gambrielle Brown, OT – therapist with Amedisys Home Health – fact witness
44. Bryan Chelette, PT – therapist with Amedisys Home Health – fact witness
45. Donna Satterfeal, RN – nurse with Amedisys Home Health – fact witness
46. Jessi Landeche, RN – nurse with DSI Denham Springs – fact witness
47. Jenny Terrell, RN – nurse with DSI Denham Springs – fact witness
48. Any and all physicians who cared for Mr. Bridges at the VA, including but not limited to: (49-51)
49. Uzoma Moore, MD – fact witness
50. Hau Toan, MD – fact witness
51. W. Richard Chissler, DO – fact witness
52. Jessica M. Albores, NP – saw Mr. Bridges at Ochsner Health Center – fact witness

53. Any and all nurses who cared for Mr. Bridges with Hospice Compassus, including but not limited to: (54-58)
54. Kim Neck, RN -fact witness
55. Robin G. Roberts, RN-fact witness
56. Gina Morgan, RN-fact witness
57. David S. Waite, RN-fact witness
58. Jackie Jordan, RN-fact witness
59. John Marston, RN-fact witness
60. Ronald M. Coe, MD-fact witness
61. Any and all witnesses identified during discovery or identified by the defendant as a person having information relative to this matter
62. Any and all witnesses called by the defendant
63. Any and all witnesses needed for rebuttal and/or impeachment
64. Any and all witnesses necessary to enter necessary exhibits into evidence including but not limited to policies and procedures and incident reports
65. Any and all witnesses who are identified in the discovery conducted in this matter including but not limited to depositions and written discovery

Plaintiff reserves the right to amend and supplement the above Witness List as allowed by law.

Defendant's Witnesses:

The following witnesses may be called as designated on behalf of Baton Rouge General Medical Center:

1. W. Patrick Gahan, M.D.
Expert Witness, panelist on Medical Review Panel in this matter;
2. Antoinette T.H. Fields, M.D.
Expert Witness, panelist on Medical Review Panel in this matter;
3. Brian Gremillion, M.D.
Expert Witness, panelist on Medical Review Panel in this matter;
4. Daisy Bridges *on cross examination*
5. Any and all employees and/or representatives of Baton Rouge General who may be called to testify concerning policies and procedures in 2012 and the care and treatment involving Elzie Bridges.
6. Sandra Jones
7. Robin Passman

8. Any and all health care providers who provided medical treatment to Elzie Bridges including, but not limited to, the following to provide factual and expert medical testimony:

- a. Dr. Violeta Yakimova
- b. Dr. Amin Kamyar
- c. Dr. Jannaiah Tripuraneni
- d. Any and all nurses who treated Mr. Bridges at Baton Rouge General Medical Center, including, but not limited to, the following:

Laura Landry, RN
Badeaux, Katalynn, RN
Roundtree, Anna, RN
Taylor, Itesha, RN
Kleinpeter, Kari, RN
Justice, Marissa, RN
Waddell, Miranda, RN
Butler, Kimberly, RN
Couvillon, Kacey, RN
Davis, Allenesia, RN
Pham, Tuan, RN
Rumfola, Julie, RN
Cutrer, Richard, RN
Bergeron, Andrew, RN
Crain, Chastity, RN
Allen, Curtis, RN
Grandpre, Corinne, RN
Harvey, Denesha, RN
Wagner, Rhonda, RN
Blanchard, Kayla, RN
Cedotal, Randi, RN

9. Any and all family members who visited Elzie Bridges during his time at Baton Rouge General Medical Center and/or any and all family and friends of Daisy Bridges and Elzie Bridges who have been named in discovery. This includes, but is not limited to:

- 1) Evelyn Griffin – Daisy Bridges’ cousin
- 2) Rose Pittman – family friend
- 3) Mary P. Maiden – family friend
- 4) Leslie Kinchen, Sr. – family friend
- 5) Gladys Scott – Daisy Bridge’s sister
- 6) Pastor Edgar L. Thomas – Daisy Bridge’s pastor
- 7) Isaac Gilmore, Sr. – Daisy Bridges’ brother
- 8) Ruby Gilmore - Isaac Gilmore, Sr.’s (Daisy Bridges’ brother) wife
- 9) Carleta Taylor – Daisy Bridges’ daughter.

- 10) Lucretia T. Harbor - Daisy Bridge's daughter
- 11) Terrell Turner, Sr. - Daisy Bridge's son
- 12) Harry Bridges – Elzie Bridges' brother. Daisy Bridges' brother in law
- 13) Paul Bridges - Elzie Bridges' brother. Daisy Bridges' brother in law
- 14) Marshall Burton - Elzie Bridges' brother. Daisy Bridges' brother in law
- 15) Linda Burton – Marshall Burton's wife
- 16) Bunion Wilkerson - Elzie Bridges' brother. Daisy Bridges' brother in law
- 17) John L. Bridges - Elzie Bridges' brother. Daisy Bridges' brother in law
- 18) Christopher Bridges - Elzie Bridges' son. Daisy Bridges' son in law
- 19) Emma Bridges - Elzie Bridges' daughter
- 20) Malik Turner – Daisy Bridges' grandson
- 21) Gwendolyn Jackson - Elzie Bridges' sister. Daisy Bridges' sister in law
- 22) Theresa Wilkerson - Elzie Bridges' sister. Daisy Bridges' sister in law
- 23) Ardell Walker – family friend
- 24) Pastor Ernest Peters- family friend

10. Any witnesses needed to authenticate any documents, medical records, and/or bills or any other evidence.
11. Any and all rebuttal witnesses.
12. Any witness listed herein, used, called by or named in discovery by any other party to this proceeding.

Defendant, Baton Rouge General Medical Center, reserves the right to amend and supplement the above Witness List.

VI. EXHIBITS

Plaintiff's Exhibits:

Plaintiff may introduce the following exhibits at trial:

1. Mr. Bridges' medical records and/or bills from:
 - A. Our Lady of the Lake Hospital
 - B. Baton Rouge General Medical Center
 - C. Promise Hospital

- D. AMG Specialty Hospital
 - E. Ochsner Medical Center
 - F. Amedysis Home Health
 - G. VA Medical Center
 - H. DSI Dialysis Center, Denham Springs
 - I. Hospice Compassus
 - J. Ochsner Health Center
 - K. Any and all pharmacies including but not limited to CVS
2. Any and all photographs taken at any of the above-named healthcare facilities
 3. Photographs from Mrs. Bridges including but not limited to family photographs, photographs of Mr. Bridges and photographs of Mr. Bridges' bed sore
 4. Medical Review Panel opinion
 5. Incident Report from Baton Rouge General Medical Center
 6. Mr. Bridges' death certificate
 7. Mr. Bridges' obituary
 8. All panel submissions provided by the parties to the Medical Review panel members
 9. Any and all depositions taken in this matter
 10. Any and all discovery responses and attachments thereto in this matter
 11. Any and all pleadings by all parties to this matter
 12. CD of any video depositions taken in this matter
 13. Any and all exhibits listed by any other party

Plaintiff reserves the right to amend and supplement the above Exhibit List as allowed by law.

Defendant's Exhibits:

Exhibits which may be introduced and/or used by Baton Rouge General:

1. Louisiana Patient's Compensation Fund Certificate of Enrollment of Baton Rouge General (unless stipulated).
2. Certified medical records of any and all health care providers who provided treatment to Elzie Bridges, including, but not limited to, the following:

- A. The medical record of Elzie Bridges from Dr. Kevin McCarthy;
 - B. The medical record of AMG Specialty Hospital;
 - C. The medical record of Baton Rouge General Medical Center;
 - D. The medical record of Hospice Compassus;
 - E. The medical record of CVS Pharmacy;
 - F. The medical record of Ochsner Health Center;
 - G. The medical record of Our Lady of the Lake;
 - H. The medical record of Southeast Louisiana Veterans Health Care System;
 - I. The medical record of DSI Denham Springs;
 - J. The medical record of Promise Hospital;
3. Medical Records and Reports and/or affidavits, and/or depositions, including any and all exhibits attached thereto, including, but not limited to the following:
- A. Deposition of Dr. Amin Kamyar;
 - B. Deposition of Dr. Peter Monteyne;
 - C. Deposition of Daisy Bridges;
 - D. Deposition of Sandra Jones;
 - E. Deposition of Dr. Violeta Yakimova;
 - F. 1442 Deposition of Baton Rouge General Medical Center;
 - G. Affidavit of Daisy Bridges;
 - H. Any additional deposition taken prior to trial in this matter.
4. Any and all discovery in this matter, including, but not limited to, Interrogatories, Requests for Production of Documents, Requests for Admission and responses thereto, including any and all documents attached to said discovery.
5. Any and all pleadings filed in this matter.
6. Submission materials presented to the Medical Review Panel by any and all parties to these proceedings, including any and all exhibits attached to submissions.
7. Blow-ups of certain portions of exhibits (including but not limited to depositions, medical records, reports, and opinions)
8. Certified copy of the Medical Review Panel Opinion, and written reasons, subject to any objection by Baton Rouge General.
9. Any and all pharmacy records of Elzie Bridges.
10. Any and all films taken of Mr. Bridges, including, but not limited to x-ray films.
11. Any and all medical journals, medical texts, treatises, publication, or authority used by any expert in this matter or relevant to any medical issue in this matter.
12. The August 1, 2012 security report in this matter.
13. The Death Certificate of Elzie Bridges

14. Any and all policies and procedures related to this lawsuit and the alleged malpractice in this lawsuit, including any and all policies and procedures exchanged through discovery.
15. Any and all exhibits which become necessary as impeachment evidence.
16. Any and all exhibits listed or used by any other party in this proceeding.

Baton Rouge General Medical Center objects to the incident report being introduced into evidence in this matter and reserves any and all objections to the incident report being introduced into evidence at trial. Baton Rouge General Medical Center also reserves any and all objections to the Medical Review Panel opinion being introduced into evidence based upon the testimony of Dr. Gremillion.

Defendant, Baton Rouge General Medical Center, reserves the right to amend and supplement the above Exhibit List.

VII. STIPULATIONS:

None

VIII. OTHER MATTERS:

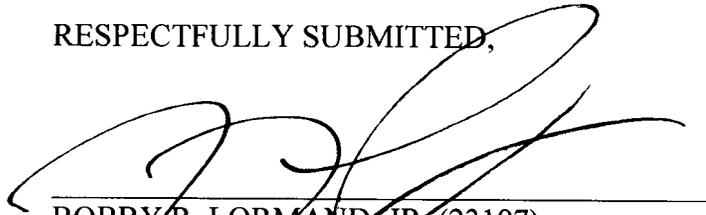
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IX. ESTIMATED LENGTH OF TRIAL

The parties estimate that trial in this matter will take five (5) days in front of a jury.

EAST BAYOU DISTRICT COURT
2017 APR 13 11:12 AM CDT
Daisy Bridges
DEPUTY CLERK

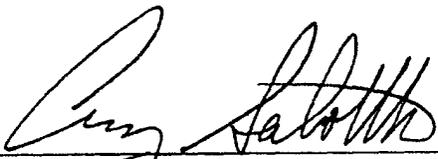
RESPECTFULLY SUBMITTED,



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CASE NO. 2017-118

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