

# Verdict \$65 million in wrongful death

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BAY MINETTE — A \$65 million dollar verdict for the widow of a nursing home patient was the largest wrongful death award in Alabama history, said one of the widow's attorneys.

The Baldwin County Circuit Court jury returned the verdict Friday against Montrose Bay Health Care Center and Vari-Care Inc., which operated Montrose Bay when William West died there.

"It was more than I expected, but I expected them to be outraged as any decent person would be hearing what had happened to him," said Robert Cunningham Jr., one of Lillian West's two attorneys.

Mr. Cunningham said the ruling was the biggest wrongful death verdict ever awarded in Alabama.

Mr. West, a partially paralyzed 83-year-old stroke victim, was placed in the facility about a month before he died May 29, 1990 at Thomas Hospital. Mr.

West was admitted to the hospital on May 22, 1990.

James Vance, Mrs. West's other attorney, said Mr. West died after large pressure sores developed and became infected with gangrene. The attorney said Mr. West's condition was made worse because he was malnourished.

"The sores were all the way to the bone," Mr. Vance said. "They were gangrenous with a foul-smelling discharge."

Mr. Cunningham said workers testified the sores had been noticed as early as May 11, but no action was taken.

Edward L. Kuntz, chairman and chief executive officer of Living Centers of America, a Houston-based company that acquired Vari-Care last month, said the verdict will be appealed.

Mrs. West said her husband was placed in the home after she was hospitalized in 1990. She said she did not know how he had been treated until she was released from the hospital three weeks later.