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\$75M awarded for birth injury

Family of twin sued
U of C hospital,
alleging negligence

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A Cook County jury awarded \$75.8 million to the family of a now 6-year-old girl who sustained permanent physical injuries and brain damage during birth at the University of Chicago Medical Center.

Tanita Housen, then 37, arrived at Feb. 12, 2018 to give birth to twins, Nasir and Hannah. Housen went into labor the following day.

Perpetua T. Goodall was the physician handling labor and delivery. Goodall was also the attending physician responsible for supervising fourth-year resident physician Elizabeth Banks during the procedure.

Goodall and Banks were both acting as agents of the University of Chicago Hospitals and Health System, doing business as the University of Chicago Medical Center.

Housen first gave birth to her son Nasir without any complications.

When it was time to deliver Hannah, Goodall decided to use a different method known as breech delivery, where the baby is delivered feet first, rather than head first.

In order to do so, Banks had to perform an internal podalic version to rotate Hannah as her head was face down, but not engaged with the pelvis.

In the process of rotating



Matthew L. Williams

Hannah, Housen showed signs of significant pain, according to documents.

Goodall took over the delivery and after doing a cervical exam, discovered that Banks was pulling on Hannah's hand and not her foot, documents stated.

Goodall then attempted to complete the delivery, but caused a fracture to Hannah's arm bone.

Hannah was born 13 minutes after her brother in a state of respiratory depression with a low heart rate, requiring extensive resuscitation and intubation.

Hannah was transferred to the newborn intensive care unit with hypoxia.

According to court documents, she had extensive bleeding in her brain and had to have emergency surgery to remove part of her brain, resulting in permanent brain injury. Hannah also sustained severe injuries to her arm and shoulder, including fractures and nerve damage.

Hannah's left arm is non-functioning, she needs braces



Patrick A. Salvi II

to walk and she has low functioning academic and cognitive skills and will require life-long care, the plaintiffs' attorney said.

Housen and her husband Jamel brought negligence claims, on behalf of themselves and Hannah, against the hospital and the obstetricians, Goodall and Banks, in Cook County Circuit Court.

The complaint alleged they negligently sought to turn Hannah when there was no indication to do so, Banks was not properly supervised and excessive force was applied.

The case went to trial Feb. 6 before Cook County Circuit Court Judge Brendan A. O'Brien.

The jury returned a verdict in favor of Housen and against the obstetricians and hospital on Monday.

The award covers past and future loss of a normal life, pain and suffering, emotional distress, medical expenses, future loss of earnings and disfigurement.

Housen is represented by Matthew L. Williams, Patrick A.



Heidi L. Wickstrom

Salvi II and Heidi L. Wickstrom of Salvi, Schostok & Pritchard P.C.

"We're very pleased with the result," Williams said. "The damages reflected the real harm that was done to this girl. She walks with an abnormal gait because of her mild cerebral palsy and she doesn't have the ability to live independently. She needs help with all activities of daily living and she's going to need somebody with her 24 hours a day for the rest of her life. I think one of the things that the jurors really wanted to give her are the resources to make her life as fulfilling as it possibly could be under really, really difficult circumstances."

The University of Chicago Medical Center and its agents Goodall and Banks were represented by Marilee W. Clausen, Katherine L. Dzik and Matthew J. Kaminski of Hall Prangle & Schoonveld LLC. They could not be immediately reached for comment.

The case is *Housen v. The University of Chicago Hospitals, et al.*, No. 2019 L 1132.