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Kane County jury award is record in brain-damage case

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Kane County jurors have awarded a record \$3.7 million to a Maryland woman who suffered brain damage in 1994 after being exposed to carbon monoxide at an Aurora motel.

Jurors reached a verdict in favor of Joanne M. Meister Wednesday evening after a 3 / 4 – week trial before Kane County Circuit Judge Pamela K. Jensen, awarding \$3,723, 248.59, said plaintiff attorney Michael W. Clancy of the St. Charles law firm of Higgins & Clancy Ltd. Clancy tried the case with his father, Wendell W. Clancy.

This award is the largest reported verdict by a Kane County jury to a person with brain damage in 10 years, according to Illinois Jury Verdict Reporter Manager John Kirkton.

Meister suffered brain damage after being exposed to carbon monoxide at the Super 8 Motel in Aurora on Oct. 20, 1994, while she was in town on a business trip, said the younger Clancy. The incident occurred after maintenance workers closed ventilation doors around a boiler used to heat water in the hotel's swimming pool.

The boiler, which was located near Meister's room, began to produce carbon monoxide when it was starved for air, said Clancy. When the carbon monoxide was discovered, the Aurora fire department evacuated all of those who were staying in the motel by using a list of names and room numbers provided by the motel, said Clancy.

Meister was the last person to be removed from the hotel after fire fighters accidentally discovered her presence, said Clancy. Fire fighters testified at trial that Meister's name and room number were not on the list provided to them, and that they discovered Meister only by making a sweep of the hotel to make sure everyone was out, Clancy said.

At trial, the hotel's manager testified that Meister's name was on the list, said Clancy.

Meister was flown to Lutheran General Hospital in Park Ridge for oxygen treatment in a hyperbaric chamber, said Clancy. She was released from the hospital weeks later, he said.

Medical experts presented contradictory testimony on Meister's injuries, said Clancy.

While the experts for the plaintiff argued that lesions on Meister's brain, produced by the carbon monoxide poisoning, had left her with a progressive condition called Parkinsonism, which has symptoms similar to those of Parkinson's disease, defense experts testified otherwise.

Jurors awarded Meister \$146,000 for past pain and suffering; \$1 million for future pain and suffering; \$48,748.59 for past medical expenses; \$375,000 for future care; \$19,500 for past earnings lost; \$234,000 for future earnings lost; and \$1.9 million for loss of a normal life.

“Most of the testimony was to the effect that she was a changed person,” said Clancy.

Jurors were also asked at trial to decide a third-party issue: whether the manufacturer of the boiler, A. O. Smith, could be held liable for the incident by the motel, said Clancy. Jurors found in favor of A. O. Smith and awarded no money to the motel, he said.

Maryland attorney Christopher K. Mangold represented Meister in addition to attorneys from Clancy, Higgins & Clancy Ltd. The case was Joanne M. Meister v. North Aurora Motel d/b/a Super 8 Motel, No. 96 0506.