



The Voice

And The Defense Wins

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DRI member [Keith W. McDaniel](#), a partner with **McCranie, Sistrunk, Anzelmo, Hardy, McDaniel & Welch LLC** in New Orleans, successfully teamed with a colleague to secure a verdict for the Union Parish School Board following a jury trial in Union Parish, Louisiana in March 2014. The plaintiffs brought suit as a result of the death of their son. The decedent, a sophomore at Farmerville High School, complained of pain and cramping during football practice in September 2010. After he was pulled from the practice field and his concerns were addressed, an athletic trainer called an ambulance. En route to the hospital, he lost consciousness, and he later died at the hospital. Following his death, an autopsy revealed a cardiomyopathy (an enlarged heart). His heart weighed nearly two times that of an average heart for a 15-year-old.

The plaintiffs filed suit, naming the Union Parish School Board, the head football coach and the high school's principal. In advance of trial, the trial court dismissed the coach and principal in their individual capacities, and the trial moved forward against only the Union Parish School Board. At trial, the plaintiffs alleged that their son died as a result of a heat related injury. The plaintiffs retained an expert who opined that the coaching staff and athletic trainer were negligent because they failed to remove the decedent from the heat and into an ice bath when he first reported complaints. Plaintiffs also retained a cardiologist who opined that the decedent's heart was not enlarged, given his height and weight.

The school board defended the plaintiffs' allegations with evidence demonstrating that the decedent had undergone a heat conditioning program during the summer and that the team had a heat related emergency plan and hydration program in place. On the day of the decedent's death, coaching staff immediately removed the decedent from the practice field, provided him water and used an athletic trainer to assess his complaints and symptoms. During the assessment, the trainer properly alerted 911 when she obtained a concerning blood pressure reading.

Defense counsel called the examining forensic pathologist who testified that his autopsy showed that the decedent died of an arrhythmia more likely than not associated with his enlarged heart condition. Moreover, he explained that the decedent showed no signs of dehydration, which would have been expected in a death caused from heat exposure. Defendants also retained a cardiologist, who testified that the decedent suffered from a pre-existing enlarged heart, which caused him to suffer an arrhythmia that went undetected by the emergency responders because they failed to put him on heart monitor.

The plaintiffs asked the jury to award general damages of \$500,000. The jury found that the defendants had not caused the death of the plaintiffs' son.

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