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Medical Malpractice

## Romanucci & Blandin Settle Wrongful Death Case for \$4 Million

December 1, 2007

The family of a man who died after developing a post-surgical complication related to a routine gastric bypass surgery was awarded \$4 million in a wrongful death case, his attorneys said. Antonio M. Romanucci and Stephan D. Blandin, of Romanucci & Blandin, LLC, represented Joy Cabay, the wife of deceased, in the suit against Loyola University Medical Center in Chicago.

The case was settled today in the Circuit Court of Cook County, Joy Cabay, as Special Administrator of the estate of Michael Cabay, v. Loyola University Medical Center, No. 03 L 3511.

Cabay underwent successful bariatric surgery at Loyola in March 2001. Two days later he began experiencing severe abdominal pain. The surgeon was aware of his condition and ordered at CT scan STAT which showed a partial bowel obstruction. His physician left Cabay in the hands of a first-year resident who was responsible for monitoring the results of the CT scan and his condition overnight. However, the CT scan was never reviewed by the resident or a radiologist. Subsequently, Cabay leaked, became septic and died.

Cabay and his wife Joy, a nurse, had three children, now ages 17 and 13 and 11. He worked as a truck driver and owned his own rig. The family continues to live in rural Will County and by all accounts were close-knit. Joy Cabay has since remarried.

"We are extremely pleased that this result was obtained and that Michael's children will be taken care of the rest of their lives, despite the fact that he will not be with them," said Blandin.