

\$1.5M for Wrongful Death

Estate of Rabatin v. Barrter: A Camden County judge approved a \$1.5 million settlement on Jan. 7 for a patient who died after being given the wrong medication by a doctor and a nurse at an unnamed southern New Jersey hospital.

The estate of Carmelo Rabatin, 43, of Atco, will receive \$1.5 million from Thadeus Barrter, Rabatin's pulmonologist, and Patricia Lewis, the nurse who administered the medication. The settlement was approved by Superior Court Judge **Charles Little**.

On Jan. 23, 1999, Rabatin, who was taking down Christmas lights, slipped off a ladder and fell 15 feet to the ground. He fractured his spine and was bleeding internally. He was taken to a southern New Jersey hospital where he was treated for the bleeding, intubated and stabilized.

According to his attorney, **Louis DeVoto**, a partner with Cherry Hill's **Ferrara Rossetti & DeVoto**, Rabatin remained intubated for three days and was given repeated doses of morphine for pain. Barrter decided to remove Rabatin from the ventilator, but Rabatin still had difficulty breathing. According to DeVoto, Barrter then considered whether to re-intubate Rabatin.

Lewis, thinking that the doctor was going to re-intubate, filled a syringe with succinylcholine, a medication used during intubation that paralyzes a patient's respiratory function to allow intubation to take place easily, DeVoto says.

Rabatin was not re-intubated and Barrter ordered morphine administered for the pain. Lewis mistakenly administered the succinylcholine and Rabatin went into cardiac arrest and died.

The defendants' attorney, **William Wachenfeld**, a partner with Newark's **Mendes & Mount**, confirmed the settlement.

— **By Matt Ackermann**