# Malpractice from page 1A

drug to induce labor, Fieger said.
That produced contractions,
which caused the baby's head to
"pound" against Irene Martinez's pelvis, causing permanent brain damage to her son, Fieger said.

"The hospital tried to after the records and we caught them." Fieger said.

Figer said the doctor should have performed a Caesarean section, but chose not to.

But according to a hospital spokeswoman, not only did frenc Martinez ask that her baby be born veginally, there was no reason not to do so.

"If there would have been a

son not to do so.
""If there would have been a
problem, it would have shown up
in the fetal heart tones; there
would have been busising and the
Abgar rating would have shown
problems," said Margo Gorchow,
administrator for community relations at Bosford. "Frankly, we
were surprised at the verdict."
Dr. Tucker said she argued with

Dr. Tucker said she agreed with the hospital's position.

"We had some genetic evidence at was not admissible. I feel

strongly that I did nothing wrong, and we are going to appeal."
Gorchow said the case was complicated and the difficult situation the Martinez family faced generated strong emotions.
"This case is an excellent

generated strong emotions.
"This case is an excellent
snapshot of the medical malpractice problem in Michigan," said. "It's an OB case, it's a lottery-size award, and it's eight
years old. It speaks to the need for
legal reform."

### Reform questioned

Reform questioned

But Fieger said the calls for legal reform are a dodge hospitals and doctors are using to protect themselves. The reform they're seeking would leave taxpayers holding the bag, and the large award is not excessive.

"It will cost more than \$20 million to care for this child for the rest of his life," Fieger said. "The verdiet won't even cover that. They are looking for immunity from their own incompetence. But that child would need 24-hour care for the rest of his life anyway.

The taxpayers would end up paying the bill."

Gorchow said a lot of evidence to support the hospital's contention that the baby suffered from a rare genetic condition called Angelman's Syndrome, or "Happy Puppet Syndrome," was not allowed into the trial.

"We are definitely going to appeal," she said. "We had a lot of experts and evidence that we couldn't use."

Fieger said the "genetic defense" the hospital tried to present "offended the sensibilities of the jury."

"They claimed that he had a genetic condition that only 50 to 100 people in the world have," Fieger said. "But that "Happy Puppet Syndrome" is so named because of the way its victims walk. He is confined to a wheel-hair. He can't oven walk. Yet that was their defense."

Fieger said the hospital had rejected a mediated award of \$500,000 there years ago as too high, while his clients had rejected it as too low.

# Tea from page 1A

Other circumstances make an

Other circumstances make an exemption possible, but Lovill said she's not sure she could install the ramp and elevator.
Lovill said the place she previously operated, Mrs. Lovill's Tea Cozy, was a historical site. She said wheelchair access was not a republic.

said wheelchair access was not a problem.

"We simply went out and picked up the wheelchair and brought them in," she said.

"I don't want to exclude them (peeple who are handleapped). There are other ways to bring them without tearing up the historical nature of the house."

The ten-room idea was well-received by the planning commission.

Lowling presented a 10-minute wideo, depicting her tea room in Franklin Village. She relayed the results of a survey she took of 100 residents to find out whether they would walk to such a place.

would walk to such a place.

Also, letters of support from some downtown merchants were

presented.
"I thought she did an excellent job," said James Pogue, chairman of the planning commission. "She did annexh."

did superb."
Added commission member Jo

Anne McShane: "It will be very lovely. Between that and the coffee house (Grand Cafe in the Cook Building), these are some fun and exciting places to eat."

Lovill sees the tea room keeping within the city's historical niche, providing a chance for shoppers to unwind. Women in long dresses would serve domestic and imported teas, scenes and crumpets on bone China with doilles.

Mrs. Lovill's Tea Cozy in Franklin Village was a popular spot. She closed the business in 1986 because of personal health reasons. She's recovered.

A person realled and asked ber if she would be interested in opening another tea room. She was heattant until seeing the brown and cream colored house on Grand River.

Lovill has already written a peem about the house she hopes to turn into tea room.

"I think (a tea room) is a special place," she said. "It reminds me of a slower time in our lives when you could take five minutes of your time to relax instead of going into McDonaid's and grabbing a cup of coffee."

# **Sidewalk**

from page 1A

the \$40,000 project because I think we have to be judicious with the budget."

think we have to be judicious with the budge!. Counciliman Terry Sever said he was concerned that specifying Go percent of the sidewalk budget for closing gaps might handculf the planning commission. Grant said the recommendation is only that, a "guideline for emphasis." Councilwoman Joanne Smits. This will serve as a when hist. Yes good the council was a support of the council work of the council was a support of the council was a support of the council support of the council o

ing.

Awarded the architectural firm Awares in enthectural many Snyder Szantner and Peters of Farmington Hills a contract for an architectural plan for expanding the DPW facility on Helsted Road. The cost of the plan, including oversight by the firm throughout the proposed project, is \$110,000.

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