

**Press Release**

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**For Immediate Release**

**Wade and Jennifer Westhoff File a Lawsuit Against  
Children's Hospital and Research Center of Oakland (CHO)  
For Death of Their 21-month-old Daughter**

OAKLAND, CA – Suit against CHO and several of their doctors is being filed today for the death of 21-month-old Morgan Westhoff after a series of inexcusable errors in January of 2013. The suit claims that CHO and its doctors committed a series of fatal mistakes in events leading up to and during a heart catheterization procedure for young Morgan Westhoff to fix a common heart condition in premature babies, called Patent Ductus Arteriosus (PDA).

The suit alleges CHO and its doctors were reckless in rendering medical services to Morgan, resulting in her death. The suit also alleges that CHO intentionally misrepresented to the Westhoffs that the Alameda County Coroner was going to conduct an autopsy, in order to prevent the Westhoffs from seeking their own, independent autopsy.

After a failed attempt to close Morgan's PDA with a medical device which dislodged soon after implantation, instead of seeking immediate surgical intervention, doctors spent several hours trying to retrieve the device through the child's femoral artery during which time she suffered cardiac arrest and irreversible brain damage. Without explaining what had happened to their child, CHO began aggressively trying to get the parents to donate the child's organs while telling them she had to be taken off life support due to brain death. CHO doctors then represented that the Alameda County Coroner's Office would conduct an autopsy on the child, which was not the case.

As the parents grieved the inexplicable death of their child, CHO continually sent patient surveys and fundraising solicitations to the Westhoffs despite being asked to stop doing so.

The suit also seeks a Court Order preventing CHO from sending any further surveys or solicitations to the Westhoffs and to stop it from misrepresenting to any other surviving family that their loved one will undergo an autopsy by the County Coroner when no such autopsy will be done.

It is anticipated that CHO will deny the allegations in the complaint and argue that the 1975 Medical Injury Compensation Reform Act (MICRA) limits its liability to \$250,000, even if everything alleged in the complaint is proven.

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