

Hart estate gets nearly \$1.5 million for lawsuit

By CAROL CARTER
Union Leader Correspondent

MEREDITH — The estate of well-known restaurateur, Glenn Hart — a former co-owner of Hart's Turkey Farm Restaurant in Meredith — was awarded nearly \$1.5 million this week in a medical negligence case triggered by Hart's death nearly four years ago.

A jury in Belknap County Superior Court in Laconia awarded \$1.497 million to Hart's estate on Wednesday afternoon, saying Dr. A Frederick Hartman Jr. and Lakes Region General Hospital of Laconia deprived Hart of a "lost opportunity for a substantially better result."

This is the first case in which a verdict for damages for "lost opportunity" has ever been awarded in New Hampshire, according to Attorney B.J.

Branch of Manchester, who represented Hart's estate.

Although jurors didn't find the defendants liable for Hart's death, they determined that medical actions deprived Hart of a better chance of survival, Branch said.

The jury delivered its verdict about five hours after the seven-day trial concluded on Wednesday.

Hart, 44, died in February 1998 from endocarditis, an infection of the heart valve. His family argued that doctors discharged Hart prematurely from LRGH then prescribed flu medication after repeated calls for help were placed to Hartman by Hart's wife, Linda.

Linda Hart ultimately rushed her husband to Dartmouth-Hitchcock Medical Center in Lebanon where doctors determined he needed emergency

heart surgery. He was taken to Boston Medical Center where he died following surgery.

Yesterday, Branch said he anticipates an appeal will be filed. Attorney Ronald Lajoie, who represented the defendants, was unavailable for comment.

Although Branch believes Hart would have survived with better care, he expressed satisfaction with the verdict. Hart was an active 44-year-old man, who didn't smoke or drink, Branch pointed out. "The guy was in great shape. I truly believe in my heart he would have survived if appropriate care had been taken," said Branch.

Branch said an abscess destroyed crucial structures of the heart known as the "conduction system" — a serious development that Branch said

was masked by high doses of Motrin to reduce Hart's fever.

Hartman also failed to repeat blood cultures to monitor Hart's progress and waited hours before responding to phone calls from Hart's panicked wife after his discharge from LRGH, Branch added.

Linda Hart testified she phoned Hartman three or four times that day beginning at 8:30 a.m. but the doctor didn't return her calls until about 6 o'clock that evening.

During that conversation, Hartman only prescribed a flu medication, she testified.

"The delay in getting back to her and blindly diagnosing flu over the phone added more than 24 hours in addressing the situation. With this particular disease you can be dead in eight hours," Branch said.

Vermont Yankee emergency alert a false alarm

MONTPELIER, Vt. (AP) — A phone glitch yesterday inadvertently triggered the emergency alert system that warns of an accident at the Vermont Yankee nuclear power plant.

There was no emergency. But the tone was heard in Vermont, New Hampshire and Massachusetts, prompting calls from already-apprehensive residents to the nuclear plant, schools and emergency management officials.

Lew Stowell, the nuclear emergency response planner for Vermont Emergency Management, said he received a call late yesterday morning from a woman in Guilford, the town adjacent to Vermont Yankee.

"She was not quite hysterical but close," Stowell said. "She cited the Sept. 11 twin towers attacks. She cited anthrax, smallpox, all the d... scares we

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