April 16, 2021

Day Pitney Secures Summary Judgment for St. Vincent's Medical Center

Day Pitney secured a significant victory for firm client St. Vincent's Medical Center in a litigation matter pending in the U.S. District Court for the District of Connecticut. After nearly four years of litigation, the court granted Day Pitney's motion for summary judgment.

The plaintiff alleged that, while he was under the care of St. Vincent's, he was sedated without his consent. The plaintiff asserted several common law tort claims against St. Vincent's that typically might elude summary judgment. However, Day Pitney successfully argued that the plaintiff was barred from challenging the absence of informed consent, and therefore, could not establish an essential element of his claims, because Bridgeport police executed a written request. The court's ruling, which adopted Day Pitney's reasoning, is the first decision granting summary judgment for a hospital on the basis of an "emergency exception" to the doctrine of informed consent under Connecticut law, and, going forward, should be reliable authority for similarly situated defendants.

Paul Williams led the Day Pitney team, and Andrew Ammirati drafted the summary judgment briefs and the winning arguments.

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