



\$1.5M for Wrongful Death

Barber v. Brauntuch: The estate of a Wayne woman who died after being injected with a radiological dye during a CT scan accepted \$1.5 million on April 13.

Rose Gioia, 77, died on June 15, 2009, the day she was admitted to Englewood Hospital and Medical Center for a scan to check into her chest pains. She had been referred to the hospital by pulmonologist Glenn Brauntuch, affiliated with Bergen Medical Alliance.

Brauntuch knew Gioia was allergic to the CAT dye and it was in her records, but wrote a prescription for a scan with contrast, says estate attorney **David Mazie**, of Roseland's **Mazie Slater Katz & Freeman**.

Gioia also noted in a hospital questionnaire that she was allergic to the dye, but radiology technician Charmaine Palmer injected her with it, Mazie says.

Several minutes later, Gioia suffered severe laryngeal edema and died from being unable to breathe.

The suit, filed in Bergen County Superior Court by Gioia's daughters, Valerie Barber and Lorraine Portelli, alleged wrongful death and medical malpractice. Mazie says that the scan could have been performed without the dye or that Gioia could have been given steroids or antihistamines beforehand.

Brauntuch, Bergen Medical Alliance, the hospital and Palmer

are insured by the same carrier that was not identified because of a confidentiality agreement. The carrier retained **Patrick Clare**, of Springfield's **Hardin, Kundla, McKeon & Poletto**, for the hospital; **Jeffrey Kromprier**, of **Kromprier & Gordon** in Parsippany, for Brauntuch and Bergen Medical Alliance; and **David Weeks**, of Millburn's **Ruprecht Hart Weeks & Ricciardulli**, for Palmer. Kromprier confirms the amount of the settlement. Clare and Weeks did not return calls.

— **By Michael Boot**