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**IN THE THIRD JUDICIAL DISTRICT COURT
SALT LAKE COUNTY, STATE OF UTAH**

WILLAM K. REAGAN, individually and as
personal representative of the estate and
heirs of JULIA L. REAGAN, deceased,

Plaintiff,

vs.

UNIVERSITY OF UTAH HOSPITALS AND
CLINICS, and Does I-V,

Defendant.

COMPLAINT

Judge: Hon.

Case No:

TIER 3

Plaintiff, William K. Reagan, by and through his counsel of record, hereby
complains of Defendants as follows:

PARTIES

1. Plaintiff, William K. Reagan (hereafter “Bill”), is the personal representative
of the estate and heirs of Julia K. Reagan, deceased.

2. Bill is the husband of Julia K. Reagan, deceased, (hereafter “Julia”) and at
all times relevant to this lawsuit was a resident of Salt Lake County, State of Utah.

3. At all material times, Defendant University of Utah Hospitals and Clinics
(hereafter “the U”), through its employees, agents, and representatives, provided health

care and related services to Julia, had a health care provider/patient relationship with her, and owed her a duty of reasonable care. The U is liable for the acts and omissions of its employees, agents and representatives, including but not limited to nurses responsible for Julia's care after she was admitted to the hospital.

JURISDICTION AND VENUE

4. This Court has jurisdiction over this matter pursuant to § 78A-5-102, Utah Code Ann.

5. Venue is proper in this County pursuant to Utah Code § 78B-3-307(1) and (2).

6. Plaintiff obtained a certificate of compliance pursuant to Utah Code § 78B-3-418 issued by the Division of Occupational and Professional Licensing on February 10, 2025. Therefore, all statutory conditions precedent to the commencement of this action have been met.

7. Pursuant to Rule 26(c)(3), Utah Rules of Civil Procedure, the amount in controversy exceeds \$300,000, qualifying this claim for a Tier 3 standard category.

GENERAL ALLEGATIONS

8. On June 8, 2024, Julia and her husband Bill Reagan returned home to Salt Lake City from Julia's annual checkup at Mayo Clinic in Rochester, MN.

9. On Sunday, June 9, 2024, Julia and Bill were at home in Salt Lake City.

10. The next day, Monday, June 10, 2024, Julia felt unwell and took one 7.5 mg hydrocodone. She was dehydrated and very drowsy. That evening Bill called for an EMT visit to their home. The EMT noted Julia was dehydrated and fatigued but was stable and had no need for transport to an ER.

11. On June 11 Julia vomited early in the morning. She vomited again about

14:30 that afternoon. Bill called for an ambulance and the EMTs took her to University Hospital ER, arriving about 15:51.

12. The ER records show that Julia had some signs of altered mental status but knew her name and where she was. She was hemodynamically stable and had regular heart rate and rhythm.

13. Chest x-ray showed mild bibasilar subsegmental opacities, atelectasis vs infection/aspiration.

14. Head CT showed no hemorrhage or other concerning acute findings. Limited brain MRI showed no acute infarct.

15. Abdominal non-contrast CT showed a large fluid-filled, distended hiatal hernia and stomach, redemonstrated small right sciatic foramen hernia containing a nondilated short segment of small bowel. She was listed to be watched for “aspiration risk.”

16. Contrary to this CT report, the Medical Examiner’s Final Pathologic Diagnoses found “dense diffuse abdominal adhesions, severely affecting the small bowel” and listed the immediate cause of death as “...Diffuse abdominal adhesions with small bowel obstruction.”

17. Julia had elevated troponin levels, suspicious for myocardial injury, but EKG showed no acute ischemic changes.

18. Urine toxicology was negative for stimulant drugs of abuse and alcohol, positive for opiates.

19. Julia remained in the ER until about 0035 on June 12, when she was transferred to the acute med/surg floor, room B50.

20. The med/surg floor admitting [REDACTED] in collaboration with

████████████████████, noted Julia was drowsy.

21. Julia's doctors, despite the findings and history described above, did not remove the fluid from her distended stomach and hiatal hernia.

22. At 0125 ██████████ wrote in her orders that Julia was at risk for aspiration, and that aspiration precautions were to be followed, including: "Sit patient fully upright (90 degrees) when drinking or eating; retain patient in an upright position for 30 minutes after meals. When in bed and not eating or drinking, maintain HOB at between 35 and 45 degrees."

23. Despite Julia's documented history of decreased mental alertness, repeated vomiting, distended and fluid-filled hiatal hernia and stomach, and the specific orders of aspiration precautions, Julia was not checked on sufficiently and was not kept in an elevated head position thereafter.

24. Julia experienced one or more severe episodes of emesis sometime between 0422 and 0539, causing catastrophic injury to her lungs and brain, leading to cardiac arrest and death.

25. Defendants' own records documented that Julia Reagan's "immediate cause of death was "Hematemesis, aspiration." They also state: "Other significant conditions contributing to death and related to the terminal disease condition: Fluid-filled distended hernia and stomach with concern for ischemia of the gut."

26. Autopsy by the Utah Medical Examiner's office documents "this 81-year-old female, Julia Reagan, experienced sudden cardiorespiratory arrest after aspirating bilious emesis (vomit) due to small bowel obstruction from extensive abdominal adhesions."

FIRST CAUSE OF ACTION

(Negligence University of Utah Hospital and Clinics)

27. Plaintiff incorporates the preceding allegations as if fully set forth herein.
28. The U breached the applicable standards of care in several ways, including but not limited to the following:
 - a. Failure to determine the most likely cause of Julia's symptoms;
 - b. Failure to adequately address and decrease the risks of aspiration during the evening of June 11 and early morning of June 12, 2024 by drainage of the fluid-filled and distended stomach, and redemonstrated small right sciatic foramen hernia containing a nondilated short segment of small bowel;
 - c. Failure to provide adequate close supervision and care in the hours prior to the code blue at about 0539;
 - d. Failure to follow the med/surg floor admission orders to keep Julia elevated between 35-45 degrees, and instead allowed her to be supine w/o elevated head; and
 - e. Acting and failing to act in other ways as may be shown by discovery.
29. Defendants' negligent conduct directly led to multiple episodes of violent emesis and aspiration between 0422 and 0539, directly leading to hypoperfusion, cardiac arrest, and death.

DAMAGES

30. As a direct and proximate result of the breaches described above by Defendants, Julia developed catastrophic sequelae and consequences, including but not limited to severe prolonged pain, fear, suffering, and death.

31. Had Defendants acted appropriately and within the standards of care, Julia would have received appropriate medical intervention and would have been spared from all injuries, impairments, and damages described herein.

32. As a direct and proximate result of the breaches set forth above, Plaintiff is entitled to recover for:

- a. General damages for the conscious pain and suffering of Julia from the time of being admitted to the hospital until the time of her death on June 12, 2024, in a reasonable sum to be determined by the fact finder;
- b. General damages sustained by Plaintiff arising from Julia's wrongful death, including, but not limited to loss of consortium;
- c. General damages sustained by the heirs of Julia arising from her wrongful death, including but not limited to, the loss of love, society, and companionship of Julia;
- d. Special damages for all medical, funeral, burial, and related expenses incurred in a reasonable sum;
- e. Special and general damages for all lost income, benefits, household services, care, support, and chance of inheritance by the heirs of Julia, in a reasonable sum;
- f. Pre- and post-judgment interest, to the extent allowed by law;
- g. Costs, expenses, and attorneys' fees to the extent allowed by law; and
- h. Such other and further relief as may be deemed just and proper under the circumstances.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for the relief as follows:

1. Damages for the conscious physical, mental and emotional pain, suffering, fear, and impairments of decedent Julia L. Reagan, prior to her death, from the negligent conduct and decisions of the Defendants;
2. Damages suffered by Plaintiff, including, but not limited to the loss of consortium;
3. Damages suffered by Julia's heirs, including but not limited to the lost love, society, and companionship of Julia;
4. Past and future special damages for compensated and gratuitous care and services;
5. Past and future special damages for loss of household services;
6. For pre- and post-judgment interest, costs, expenses, and attorneys' fees to the extent allowed by law; and
7. For such relief as this Court may deem just and proper under the circumstances.

DATED this 21st day of February, 2025.

DEWSNUP KING OLSEN WOREL HAVAS

/s/Colin King

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