
Hughes Hubbard & Reed

Hughes Hubbard Wins Summary Judgment in Wrongful Death Suit Against NYBC

News & Events | Deals & Matters

Hughes Hubbard & Reed LLP • A New York Limited Liability Partnership
One Battery Park Plaza • New York, New York 10004-1482 • +1 (212) 837-6000

Attorney advertising. Readers are advised that prior results do not guarantee a similar outcome. No aspect of this advertisement has been approved by the Supreme Court of New Jersey. For information regarding the selection process of awards, please visit <https://www.hugheshubbard.com/legal-notice-methodologies>.

Hughes Hubbard & Reed scored a major victory for the New York Blood Center (NYBC) when a New Jersey judge granted summary judgment in a suit accusing NYBC, one of the nation's largest non-profit, community-based blood centers, of contributing to the death of a patient.

On March 6, 2015, Essex County Superior Court Judge Thomas Vena granted Hughes Hubbard's motion for summary judgment, stating that the plaintiff, Henry Boamah, failed to show that NYBC deviated from the applicable standard of care.

In January 2013, Boamah, in his capacity as the administrator of his deceased wife's estate, filed suit against more than a dozen individual doctors, nurses and hospitals, alleging that their medical malpractice caused her untimely death.

Essie Boamah was admitted to East Orange General Hospital, where she was found to have a rare blood disorder called TTP, which causes low platelet count, anemia, fever, kidney failure and death. If treated promptly with plasma exchange (where the patient's blood plasma is replaced with donor plasma), there is a 90 percent survival rate for TTP.

Henry Boamah alleged malpractice both at East Orange General Hospital and at Newark Beth Israel Medical Center, where his wife was transferred four days later. Newark Beth Israel called NYBC to perform the plasma exchange.

NYBC's contract with Newark Beth Israel provided for NYBC to arrive within four hours. NYBC's nurse arrived well within that time but Essie Boamah had already died.

In July 2013, after learning that NYBC had a contract with one of the hospitals to provide plasma exchange and

other services, Boamah filed a second suit against NYBC alleging that it caused Essie Boamah's death by failing to provide these services. These suits were joined in October 2013.

In January, Hughes Hubbard moved for summary judgment on several grounds. Judge Vena read his six-page opinion dismissing the claim from the bench. Because he found the plaintiff failed to show deviation from the applicable standard of care, he did not reach Hughes Hubbard's other arguments.

Charlie Cohen argued the motion. Bill Beausoleil, Will Coronato and Taylor Reynolds also represented NYBC in this matter.

Related People



Charles W. Cohen



William J. Beausoleil

Related Areas of Focus

[Product Liability](#)

[Life Sciences](#)

[Not-for-Profit](#)