

# Southern Standard



Vol. 131 - No. 2

McMinnville, Tennessee

5 sections - 40 pages

75¢

## Mule alerts woman to raging house fire



Photo courtesy Wes Carter/ Saturday Independent

The home of Jolene Solomon on Manchester Highway is engulfed by flames on Thursday after a fire started in the attic. Solomon didn't realize her home was on fire until her mule, Lou, began making a commotion outside.

## Solomon, 63, escapes without injury

By JAMES CLARK  
Editor for the Southern Standard  
(McMinnville, Tenn.)

Jolene Solomon had just finished her supper on New Year's Day and was watching the 5 p.m. news when she noticed her mule making a commotion by the gate. "I figured he was trying to tell me a car was pulling up," said Solomon, 63. "When I got up to look out the door, I saw black smoke coming from my house. I called 911 and they told me to get out of the house right away and not go back in so that's what I did. I'd say it was the mule that saved me. He saved my life."

Solomon escaped injury, but her home at 8785 Manchester Highway is a complete loss. It was a home built by her grandfather and a home where she had lived her entire life. "I lost everything," said Solomon. "I lost a new purse I just got for Christmas and a new freezer I just paid for. I lost all my medication and the insulin I need. I had surgery on both ankles and been in awful bad shape. I guess this isn't going to make it any better." Solomon is not married and was living there alone. She says the fire started in the attic and she has no idea what caused it. She is now living with her cousin and is thankful she still has her life, if not her possessions.

Local Red Cross director Kathy Nesmith responded to the Thursday night fire and has already provided some initial assistance to Solomon. "We help with their immediate needs," said Nesmith, who indicated the Red Cross provides assistance cards that can be used to buy food and clothing. "With a fire, it all happens so quickly. You're not able to get anything out, if you're even home at all. What she is experiencing is the same thing tornado victims experience. Just like that and it's all gone. It's a traumatic experience and it's devastating."

Continued on page 8-A



RIVER PARK HOSPITAL

## Appeals court overturns \$7.2M lawsuit against River Park

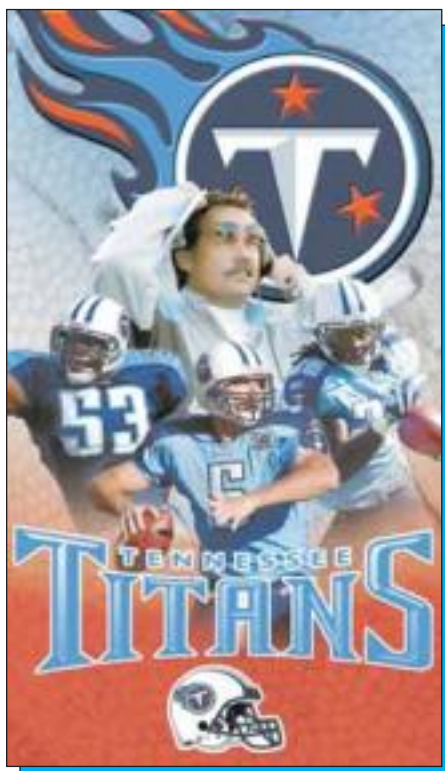
By DUANE SHERRILL  
Staff Reporter for the Southern Standard  
(McMinnville, Tenn.)

A \$7.2 million wrongful death judgment against River Park Hospital has been struck down by the appellate court, which ruled the hospital could not be held responsible under Tennessee law. The record-setting judgment for the family of the late Jewell Wayne Barkses was awarded by Warren County jurors following a civil trial in 2006 and was overturned as one of the last official acts of the Tennessee Court of Appeals in 2008. The court has decreed the judgment and award vacated and directed the case for a new trial. The appeals court ruling comes nearly three years after a jury, following a lengthy trial in January 2006, found River Park liable for the death of Barkses, who had left the emergency room there about half an hour prior to having a fatal heart attack. He complained of arm pain during the visit, something the plaintiffs said health care providers should have taken as an indication of a cardiac problem given his medical history. He was diagnosed with overuse syndrome on his arm and sent home where he suffered the heart attack. The jury awarded the maximum amount applicable, with the award becoming the largest civil judgment in Warren County history. The former owner of River Park, HCA, would have been liable for the payment.

The defense for River Park maintained the plaintiffs had made prejudicial statements before the jury to inflame them against the hospital, and that the plaintiffs had failed to prove due care was not administered in handling Mr. Barkses' health issues. However, it was not evidence or prejudice, but the law itself which led to overturning the judgment. Specifically, the appellate court pointed out the jury returned a verdict exonerating the other parties named in the lawsuit, including the individual health care providers, and left River Park as the sole entity responsible. "The jury found that the hospital was 100 percent at fault for his death," wrote Frank G. Clement Jr. in his summary of the court's decision. "Because the jury found that none of the health care providers are at fault, the only basis for upholding the jury's verdict against the hospital is upon the doctrine of corporate liability." Judge Clement said the state of Tennessee has no provisions for corporate liability in such cases where another person or entity is not also held responsible. "Tennessee has not adopted the doctrine of corporate liability; therefore, the verdict, exonerating all individual health care providers of fault and finding the hospital 100 percent at fault, constitutes an inconsistent and irreconcilable verdict," Judge Clement wrote. "Therefore, we reverse and remand the case for new trial."

## COMING FRIDAY

GET FIRED UP FOR THE PLAYOFFS WITH OUR SPECIAL TITANS POSTER



## Makayla Faith Holt first local birth of new year

By CHARLES W. JOHNSON  
News Editor for the Southern Standard  
(McMinnville, Tenn.)

River Park Hospital welcomed the first baby born in Warren County in 2009 at 9:43 a.m. on Friday, Jan. 2. Makayla Faith Holt was born to parents Angela Walden and Joseph Holt III of Manchester. Dr. Rene del Valle delivered the baby girl, who weighed 7 pounds, 4 ounces. Both parents say they are pleased, but a bit surprised, to have the first child born in 2009. "It's exciting," said proud dad Joe. "I didn't know she was the first one until we got her back to the nursery. It's pretty cool. This is my first and she's absolutely beautiful." Mom Angela agreed. "It is exciting," she said. "I'm just glad she's OK and healthy." River Park Hospital and various Warren County merchants honored baby Makayla by presenting her and her parents with a gift basket containing a variety of baby items. The basket included commemorative items like the baby's first teddy bear, baby's first piggy bank, baby's first pair of shoes, and other useful items including a baby bath tub. Baby

Makayla also received a shirt embroidered with "New Year Baby 2009" from the hospital. Jenny Grady, director of the Family Birthing Unit, said, "Since 12:01 a.m. on Jan. 1, we've all been on the edge of our seats waiting for this baby to be born. They say that the first baby born in the new year brings promise and good fortune for the year to come and that is definitely something to celebrate." Another special birth occurred at 11:22 a.m. on Dec. 31. The last baby of 2008 was Kayden Fitts, born to proud parents Jessica Fitts and Vondale Solomon. Dr. del Valle delivered the baby boy, who weighed 7 pounds, 7 ounces. Kayden and his parents were also presented with a gift basket. "We like to celebrate every single birth here in the FBU," says Grady, "We have especially enjoyed the opportunity to give both of these families a little additional recognition and gifts for their extra-special deliveries." With each new delivery at River Park, Braham's Lullaby is played over the speaker system throughout the hospital. The music is a little reminder of the miracles, like Makayla and Kayden, that happen throughout the year at River Park Hospital.



Charles W. Johnson photo

Warren County's first baby of the new year is MaKayla Faith Holt, born at 9:43 a.m. on Jan. 2 to Angela Walden and Joseph Era Holt III. MaKayla weighed 7 pounds, 4 ounces, and was 19 inches long.

EDD ROGERS AUTOMOTIVE  
Customer Satisfaction Is Our #1 Priority

1600 SPARTA ST.  
McMINNVILLE, TN  
931-473-1535 • 1-888-393-1535

