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## **JURY FINDS NEGLIGENCE AT PRESCHOOL IN TODDLER'S DEATH**

### *Family Awarded \$1.5 Million After Week-long Trial in Jackson, Tennessee*

MEMPHIS, Tenn. -- A Madison County, Tennessee jury has awarded \$1.5 million to the family of a 22-month-old toddler who choked to death during mealtime at a church-run preschool in West Tennessee.

The jury verdict and award Tuesday afternoon followed a week-long trial in the wrongful death lawsuit brought by LaFonda Bond following the death in December 2008 of her son, Ford, as a result of the incident at Lambuth Memorial Preschool in Jackson.

R. Sadler Bailey and Wilton H. McNeely of the Memphis law firm Bailey & Greer represented the Bond family in the lawsuit against the preschool, its food service provider, Nutrition Services Unlimited, and the Memphis Annual Conference of the United Methodist Church, which settled with the family prior to trial. Attorney Stephen C. Brooks of Jackson served as co-counsel.

The suit alleged that the defendants were negligent in failing to properly supervise the toddler as he ate his lunch, failing to provide the toddler with age appropriate food, failing to properly follow state regulations, and failing to properly train and supervise the preschool staff.

The claims asserted in this lawsuit were well known to the preschool, which had received numerous prior warnings from the Department of Human Services regarding mealtime supervision, yet had not changed procedures. These facts, however, were excluded by Judge Roger A. Page, before whom this case was tried in Division III of the Madison County Circuit Court.

“Even without the benefit of some key information,” Bailey said, “the jury was still able to arrive at a verdict that provides some compensation to LaFonda Bond for the tragic loss of her only child.”

The real impact of this verdict may reach far beyond the Bond family. “This verdict shows the importance of day care safety and the devastating loss that can result when a day care operator chooses to ignore generally accepted and state-mandated safety rules,” Bailey said. “I hope this verdict will improve day care safety across the state and ensure that no other parent suffers the loss of a child.”

Bailey & Greer, founded in 1986, is a law firm where attorneys work to make a difference in the lives of their clients by representing them in wrongful death, birth and personal injury and medical malpractice actions, among other cases.