

TEEN AWARDED \$41.7 MILLION

Jury finds for student incapacitated on school trip

BY BRIGITTE RUTHMAN
 REPUBLICAN-AMERICAN

BRIDGEPORT — A jury in U.S. District Court in Bridgeport on Wednesday found a prestigious Salisbury private school negligent and awarded \$41.7 million to a former student who fell ill with encephalitis while on a school-sponsored trip to China in 2007.

Cara Munn was a 14-year-old aspiring writer and eighth-grade student at Hotchkiss School in 2007. That summer, she joined other students in a five-week tour of China that included a hike through a forest where she is believed to have contracted the illness through a tick bite.

Still undergoing therapy, Munn is a college sophomore able to walk but unable to speak as a result of damage caused by a swollen brain.

Jurors heard evidence for eight days and deliberated for eight hours. The verdict included compensation for past and anticipated medical costs, 66 years of anticipated lost income and noneconomic damages.

Before taking the case to trial, Munn's attorney, Antonio Ponvert III of Koskoff, Koskoff and Bieder, said his client rejected the school's \$700,000 settlement offer.

In a statement, the school defended its policy of protecting students on and off campus and said it plans to appeal the verdict to the U.S. Appellate Court in New York City.

"We care deeply about all our students. We make every effort to protect them, whether they are here or participating in a school-sponsored activity off-campus. We put great care and thought into planning and

administering off-campus programs, and we extend the same care to students on these trips as to students on campus.

"We remain very saddened by this student's illness. We continue to hope for improvements to her health."

Munn, of New York City, was hospitalized July 4, 2007, with a severe headache and high temperature, several days after hiking through a wooded area. A trip leader had left insect repellent behind in a bus, according to testimony. Munn was transferred to a hospital in Beijing before being flown back to the U.S. where she was hospitalized for nine days.

"A travelers health advisory had been issued by the CDC about the risk of tick born disease," Ponvert said.

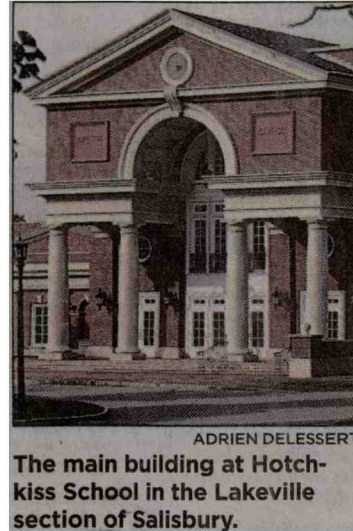
Ponvert said Munn is unable to organize things chronologically. "She can't type quickly and can only communicate by texting and typing."

Ponvert argued the school had total care and custody of Munn, and that it didn't take all necessary precautions in keeping with its mission of protecting its students.

The school's attorney, Penny Seaman of the firm Wigin and Dana, argued there was no way to foresee the risk, or to protect against it. Seaman was unavailable for comment.

Jurors found the school was negligent in failing to warn students before or during the trip to China about the risks of insect born illness and that it failed to take protective measure to prevent insect born diseases. "This is a validation that the jury understood her anguish," Ponvert said.

online to rep-am.com.



ADRIEN DELESSERT
 The main building at Hotchkiss School in the Lakeville section of Salisbury.

