

LAWSUIT

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unsuccessful.

In interviews before the suit was filed, Rosie Cross, a registered nurse, frequently referred to the possibility of seeking staff changes at the hospital because of her daughter's death.

Cross said Katherine "died at the hands of a lot of stupid people."

In their suit, the Crosses did not make any specific allegations against individual members of the medical staff at St. Mary's.

The Crosses also stated that the settlement should not be interpreted as an admission of liability by St. Mary's in their daughter's death.

"This agreement is entered into for the sole purpose of avoiding the uncertainty and expense of litigation," the settlement stated.

Also, St. Mary's "denies any negligence on its part either causing or contributing to the alleged incidents or occurrences."

In exchange for a \$600,000 settlement with St. Mary's, the parents agreed to drop their lawsuit, release the hospital itself from liability and ask the judge to seal all records of the case.

Circuit Judge Alvin C. Randall, however, unsealed the records Thursday at the request of The Blue Springs Examiner, saying he had no legal basis for denying the newspaper's request.

Randall said the suit, filed Aug. 29, was submitted in the form of a proposed out-of-court settlement. The judge said Missouri law requires that wrongful-death disputes be resolved with the approval of a judge.

The judge described the action as "a friendly suit" but added, "That doesn't resolve the fact that it's a public record."

The out-of-court settlement with St. Mary's does not make any references to staff changes at the hospital, and Judge Randall said he did not recall hearing any such requests from the Crosses.

"They wouldn't have any right to make that demand," he added.

The judge said he heard brief testimony from both parents before approving the settlement Sept. 9.

The agreement calls for each of the parents to receive \$218,167. The Kansas City law firm of William H. Pickett and Associates, which represented the Crosses, is to receive \$162,000.

The Crosses resided in Lee's Summit at the time of their daughter's death, but they have since moved to Belton.