

# **Bond Case Briefs**

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## **IMMUNITY - MARYLAND**

### **Coit v. Nappi**

**Court of Special Appeals of Maryland - October 1, 2020 - 2020 WL 5824217**

Parents of patient, who died as result of cardiac arrest following an acute asthma attack, and patient's estate filed suit against paramedic, emergency medical technician (EMT) and county, who was their employer, asserting wrongful death and related claims.

The Circuit Court entered summary judgment for defendants. Parents and estate appealed.

The Court of Special Appeals adopting motions court's findings, held that:

- Record did not show that paramedic's and EMT's pre-arrival conduct was willful or grossly negligent, so as to defeat paramedic's and EMT's claims of immunity under Good Samaritan Act and Fire and Rescue Companies Act;
- Record did not show that paramedic's and EMT's post-arrival conduct was willful or grossly negligent, so as to defeat paramedic's and EMT's claims of immunity under Good Samaritan Act and Fire and Rescue Companies Act;
- Estate of patient did not establish causation, as required for estate's wrongful death claims against paramedic and EMT;
- Any summary judgment testimony from patient's friend, suggesting that patient would have survived if paramedic and EMT had arrived at friend's house sooner and had assessed and treated patient more aggressively, was not admissible as expert testimony; and
- County was entitled to governmental immunity under Local Government Tort Claims Act (LGTCa) with respect to § 1983 claim brought against county by estate of patient.