

Dentist settles suit in death

Patient choked on gauze piece

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AKRON — An out-of-court settlement has been reached in a wrongful death suit against a dentist whose patient died after choking on a piece of gauze during surgery.

A lawyer for the victim's family said yesterday that the settlement ended the lawsuit, but not the mourning for the family of Steven Kawczk, 41, who died in May 1994, after paramedics took him from the Green office of Dr. John Santin to Akron City Hospital.

"The family is very emotionally wounded over Steven Kawczk's death," said lawyer Timothy Scanlon. "The settlement is only an end of the lawsuit. It doesn't end the pain. But I think it's a step on the road, having the case over with."

Terms of the settlement were not disclosed. The lawsuit had asked for damages in excess of \$8 million. Scanlon said malpractice insurance that covered Santin and his surgical assistant Lori McCauley, also named in the lawsuit, would pay for the settlement. He said the insurance had a \$3 million ceiling.

Scanlon said the Akron City Hospital and paramedics from Green would not pay the settlement, though they were defendants in the civil lawsuit.

Family members of Kawczk could not be reached yesterday.

A trial in the case began Dec. 10, but was cut short Monday when the settlement was reached.

Scanlon told jurors that Santin had extracted Kawczk's upper teeth, after putting him under a general anesthetic. The dentist put a gauze pad into Kawczk's mouth after surgery. The pad became soaked with blood and lodged in the patient's windpipe, he said.

Scanlon's lawyer, Richard Raymond said: "He accepts responsibility for what happened in his office. And he feels terrible for Mrs. Kawczk and her loss."

Kawczk was the head custodian at Voris Elementary School in Akron. He was the father of three children.