

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
DUPAGE COUNTY, WHEATON, ILLINOIS**

Candice Adams
e-filed in the 18th Judicial Circuit Court
DuPage County
ENVELOPE: 25053999
2023LA001163
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EM

CHRISTOPHER J. LANCASTER as Special
Administrator of the ESTATE OF ERNEST C.
LANCASTER, deceased

Plaintiffs,

v.

No. 2023LA001163

EDWARD HOSPITAL, an Illinois Corporation,
JOHN MCANELLY MD individually and as agent
of Edward Hospital, OANA OLARU MD
individually and as agent of Edward Hospital,
NATHAN SVINGEN MD individually and as agent
of Edward Hospital, JACQUELINE GUZMAN RN
individually and as agent of Edward Hospital,
FRANCESCO COLELLA RN individually and as
agent of Edward Hospital, SABRINA O'KEEFE, RT
individually and as agent of Edward Hospital,
CARLOS T. RN individually and as agent of
Edward Hospital, JACY G. RN individually and as
agent of Edward Hospital, LUIS A. RN individually
and as agent of Edward Hospital, AND SARAH
MAZZONE RN individually and as agent of Edward
Hospital,

Defendants.

**PLAINTIFF DEMANDS
TRIAL BY JURY OF 12**

COMPLAINT AT LAW

NOW COMES the Plaintiff, CHRIS ANDERSON as Special Administrator of the ESTATE OF ERNEST LANCASTER, deceased, (See Order Appointing Administration attached hereto as **Exhibit A** and Letters of Office attached hereto as **Exhibit B**) by and through his Attorneys, MARKER & CRANNELL, P.C., and for their Complaint against the above-named Defendants, states as follows:

FACTS COMMON TO ALL COUNTS

1. On August 21, 2021, ERNEST C. LANCASTER, by and through his Power of Attorney, CHRISTOPHER J. LANCASTER, executed an IDPH Uniform Practitioner Order for Life

Sustaining Treatment (POLST) Form, also commonly referred to as a DNR, DNAR, Advanced Directive, (hereinafter referred to as “DNR”), which is attached to this Complaint as **Exhibit C**.

2. The aforesaid DNR was executed following multiple family discussions regarding ERNEST LANCASTER’s end-of-life wishes, his religious beliefs, and his desire to die with dignity.

3. The aforesaid DNR was developed by the Illinois Department of Health to identify people who do not wish to be resuscitated.

4. The aforesaid DNR is legally authorized by 755 ILCS 40/65, so that individuals can make the decision to die without unwanted medical intervention and interference, and to avoid being subjected to additional financial burden and unwanted medical treatment during the final moments of their life.

5. The aforesaid DNR was properly executed and in effect at all relevant times to this cause of action.

6. The aforesaid DNR specifically ordered, “Do Not Attempt Resuscitation/DNR.”

7. As stated on the DNR attached hereto as **Exhibit C**, a copy of the DNR must be sent with the patient whenever transferred or discharged.

8. On November 22, 2021, ERNEST LANCASTER was transferred from his assisted living facility, Harbor Chase, to EDWARD HOSPITAL by ambulance after falling three times in one day.

9. On November 22, 2021, ERNEST LANCASTER had a history of prior stroke, kidney disease, diabetes, hypertension, cerebral vascular accident, abdominal aortic aneurysm, among other diagnoses and ailments.

10. On November 22, 2021, ERNEST LANCASTER was admitted to EDWARD HOSPITAL for testing and observation.

11. On November 22, 2021, when ERNEST LANCASTER was transferred from Harbor Chase to EDWARD HOSPITAL by ambulance, the aforesaid DNR accompanied him and was provided to EDWARD HOSPITAL.

12. On November 22, 2021, during the admission process, Defendant, JOHN MCANELLY MD, entered an order that read, "CODE status: full."

13. On November 23, 2021, in the early morning hours, ERNEST LANCASTER went into cardiac arrest.

14. On November 23, 2021, at approximately 4:50am, Defendants, SABRINA O'KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and JACQUELINE GUZMAN RN, performed the following resuscitation measures:

- a. Chest compressions
- b. Airway assistance using a bag/valve mask
- c. Airway assistance by suctioning airway
- d. Defibrillator shock
- e. Administration of Amiodarone

15. On November 23, 2021, at approximately 5:10am, after 20 minutes of CPR and other resuscitation measures, ERNEST LANCASTER had been resuscitated.

16. ERNEST LANCASTER lived for an additional 593 days following said resuscitation, and passed away on July 9, 2023.

COUNT I
MEDICAL NEGLIGENCE – SURVIVAL ACT
ESTATE OF ERNEST LANCASTER

v.
EDWARD HOSPITAL

(1-16) Plaintiff adopts and realleges paragraphs 1-16 of “Facts Common to All Counts” as and for paragraphs 1-16 of this Count I as if each were fully stated herein.

17. On November 22, 2021, and for a long time prior thereto, Defendant, EDWARD HOSPITAL was an Illinois Corporation operating medical facilities, including at or near 801 S. Washington St., in Naperville, DuPage County, Illinois.

18. At all times relevant hereto, Defendants JOHN MCANELLY MD, OANA OLARU MD, and NATHAN SVINGEN MD, were physicians licensed in Illinois to practice medicine and were providing medical care to ERNEST LANCASTER, as duly authorized agents, apparent agents, servants, and/or employees of Defendant, EDWARD HOSPITAL.

19. JACQUELINE GUZMAN RN, FRANCESCO COLELLA RN, CARLOS T. RN, JACY G. RN, LUIS A. RN, and SARAH MAZZONE RN, were registered nurses licensed in Illinois to practice nursing and were providing medical care to ERNEST LANCASTER, as duly authorized agents, apparent agents, servants, and/or employees of Defendant, EDWARD HOSPITAL.

20. SABRINA O'KEEFE, RT was a respiratory therapist licensed in Illinois to practice respiratory therapy and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

21. At all times relevant hereto, Defendant, EDWARD HOSPITAL, held itself out, and otherwise informed the public and ERNEST LANCASTER, that it, through its physicians, physician assistants, nurses, therapists, and other healthcare providers, including those named

herein as Defendants, who were acting as duly authorized agents, apparent agents, servants, and/or employees, had and possessed the requisite skill, competence, knowledge, and personnel to properly care for and treat ERNEST LANCASTER.

22. On and subsequent to November 22, 2021, ERNEST LANCASTER was a patient under the care of Defendant, EDWARD HOSPITAL, by and through its physicians, physician assistants, nurses, therapists, and other healthcare providers who were acting as its duly authorized agents, apparent agents, servants and/or employees, including, but not limited to, those named herein as Defendants.

23. On or November 22, 2021 and thereafter, ERNEST LANCASTER, was evaluated and under the care of Defendant, EDWARD HOSPITAL, by and through its physicians, physician assistants, nurses, therapists, and other healthcare providers who were acting as its duly authorized agents, apparent agents, servants and/or employees, including, but not limited to, those named herein as Defendants, for falls, dizziness, a fever, possible stroke, and other medical ailments.

24. On November 22, 2021, November 23, 2021, and at all times relevant hereto, there was in effect a statute pertaining to the aforesaid DNR (a/k/a Department of Public Health Uniform POLST Form) which reads, in relevant part:

Except as otherwise provided by law, emergency medical service personnel, a health care provider, or a health care facility, shall comply with a Department of Public Health Uniform POLST form...that: (i) has been executed by an adult; and (ii) is apparent and immediately available.” 755 ILCS 40/65(c)

25. At all times relevant hereto, ERNEST LANCASTER’s DNR was properly executed by an adult and was apparent and immediately available to Defendant, EDWARD HOSPITAL, by and through its physicians, physician assistants, nurses, therapists, and other healthcare providers

who were acting as its duly authorized agents, apparent agents, servants and/or employees, including, but not limited to, those named herein as Defendants.

26. On November 22, 2021, November 23, 2021, and at all times relevant hereto, it was the duty of Defendant, EDWARD HOSPITAL, by and through its physicians, physician assistants, nurses, therapists, and other healthcare providers who were acting as its duly authorized agents, apparent agents, servants and/or employees, including, but not limited to, those named herein as Defendants, to honor their patients' advanced healthcare directives, including DNR's, in accordance with the standard of care for healthcare facilities, medical practitioners, the aforesaid statute and Illinois common law.

27. On November 22, 2021, November 23, 2021, and at all times relevant hereto, it was the duty of Defendant, EDWARD HOSPITAL, by and through its physicians, physician assistants, nurses, therapists, and other healthcare providers who were acting as its duly authorized agents, apparent agents, servants and/or employees, including, but not limited to, those named herein as Defendants, to act as reasonably careful healthcare providers with respect to the care and treatment of their patients, including ERNEST LANCASTER.

28. Notwithstanding those duties, Defendant, EDWARD HOSPITAL, by and through its physicians, physician assistants, nurses, therapists, and other healthcare providers who were acting as its duly authorized agents, apparent agents, servants and/or employees, including, but not limited to, those named herein as Defendants, did commit one or more of the following negligent acts or omissions in that they:

- a. Failed to establish, enforce, and/or follow policies and procedures to timely identify and ensure compliance with advanced healthcare directives, including ERNEST LANCASTER'S DNR;

- b. Failed to develop and adhere to a uniform system, practice, or protocol to ensure the right of the patient to direct all aspects of his personal care and medical treatment, including the right to decline medical treatment and/or direct that medical treatment be withdrawn;
- c. Failed to develop and adhere to a uniform system, practice, or protocol to ensure that a patient's decisions regarding healthcare as expressed in an advanced directive (or otherwise) are known, promptly communicated to doctors and nurses, honored and respect;
- d. Failed to timely and properly document and/or communicate ERNEST LANCASTER'S DNR in his medical chart;
- e. Failed to timely and properly enter ERNEST LANCASTER'S DNR as a Physician's Order in the electronic medical chart;
- f. Improperly ordered ERNEST LANCASTER'S "Code Status" as "FULL CODE" when in fact ERNEST LANCASTER had a valid DNR in place that was apparent and immediately available;
- g. Failed to timely recognize a discrepancy between ERNEST LANCASTER'S DNR and the physician's orders in the electronic medical chart;
- h. Violated ERNEST LANCASTER'S Patient Rights when they disregarded his decisions about his plan of care prior to and during the course of his care, treatment, and services;
- i. Violated ERNEST LANCASTER'S Patient Rights when they disregarded his refusal of medical treatment;

- j. Violated ERNEST LANCASTER'S Patient Rights when they failed to formulate advance directives for the purpose of guiding decisions concerning his healthcare;
- k. Performed chest compressions on ERNEST LANCASTER in order to resuscitate him in violation of his duly executed DNR;
- l. Provided airway assistance using a bag/valve mask on ERNEST LANCASTER to resuscitate him in violation of his duly executed DNR;
- m. Provided airway assistance by suctioning ERNEST LANCASTER's airway to resuscitate him in violation of his duly executed DNR;
- n. Utilized a defibrillator to shock ERNEST LANCASTER's heart in order to resuscitate him in violation of his duly executed DNR;
- o. Administered Amiodarone to ERNEST LANCASTER to resuscitate him in violation of his duly executed DNR; and/or
- p. Failed to apply a purple wristband to ERNEST LANCASTER identifying him as a DNR patient upon admission in accordance with the FDA's August 16, 2021 Letter to Industry and the American Hospital Association's September 4, 2008 Quality Advisory.

29. In committing one or more of the aforesaid acts and/or omissions, Defendant, EDWARD HOSPITAL, by and through its physicians, physician assistants, nurses, therapists, and other healthcare providers who were acting as its duly authorized agents, apparent agents, servants and/or employees, including, but not limited to, those named herein as Defendants, violated the standard of care in that they failed to act with the same degree of knowledge, skill, and ability as an ordinarily careful professional would exercise under similar circumstances.

30. As a direct and proximate result of the commission of one or more of the aforesaid acts and/or omissions on the part of Defendant, EDWARD HOSPITAL, by and through its physicians, physician assistants, nurses, therapists, and other healthcare providers who were acting as its duly authorized agents, apparent agents, servants and/or employees, including, but not limited to, those named herein as Defendants, ERNEST LANCASTER was resuscitated against his wishes which extended his life by 593 days wherein ERNEST LANCASTER sustained additional and unnecessary pain, suffering, diminished quality of life, emotional distress, and expenses (both living expenses and medical expenses).

WHEREFORE, Plaintiff, the ESTATE OF ERNEST LANCASTER, requests judgment against Defendant, EDWARD HOSPITAL, for a sum of money in excess of \$50,000.00 plus the costs of this suit.

COUNT II
MEDICAL NEGLIGENCE – SURVIVAL ACT
ESTATE OF ERNEST LANCASTER

v.

JOHN MCANELLY MD individually and as agent of EDWARD HOSPITAL and
EDWARD HOSPITAL

(1-16) Plaintiff adopts and realleges paragraphs 1-16 of “Facts Common to All Counts” as and for paragraphs 1-16 of this Count II as if each were fully stated herein.

17. On November 22, 2021, and for a long time prior thereto, Defendant, EDWARD HOSPITAL was an Illinois Corporation operating medical facilities, including at or near 801 S. Washington St., in Naperville, DuPage County, Illinois.

18. At all times relevant hereto, Defendant, JOHN MCANELLY MD, was a physician licensed in Illinois to practice medicine and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

19. At all times relevant hereto, Defendant, JOHN MCANELLY MD, held himself out, and otherwise informed the public and ERNEST LANCASTER, that he had and possessed the requisite skill, competence, knowledge, and personnel to properly care for and treat ERNEST LANCASTER.

20. On and subsequent to November 22, 2021, ERNEST LANCASTER was a patient under the care of Defendant, JOHN MCANELLY MD.

21. On or November 22, 2021, and thereafter, ERNEST LANCASTER, was evaluated and under the care of Defendant, JOHN MCANELLY MD, including, but not limited to, those named herein as Defendants who were acting at the direction of Defendant, JOHN MCANELLY MD, for falls, dizziness, a fever, possible stroke, and other medical ailments.

22. On November 22, 2021, November 23, 2021, and at all times relevant hereto, there was in effect a statute pertaining to the aforesaid DNR (a/k/a Department of Public Health Uniform POLST Form) which reads, in relevant part:

Except as otherwise provided by law, emergency medical service personnel, a health care provider, or a health care facility, shall comply with a Department of Public Health Uniform POLST form...that: (i) has been executed by an adult; and (ii) is apparent and immediately available.” 755 ILCS 40/65(c)

23. At all times relevant hereto, ERNEST LANCASTER’s DNR was properly executed by an adult and was apparent and immediately available to Defendant, JOHN MCANELLY MD, and those individuals who were acting at the direction of Defendant, JOHN MCANELLY MD.

24. On November 22, 2021, November 23, 2021, and at all times relevant hereto, it was the duty of Defendant, JOHN MCANELLY MD, and those individuals who were acting at his direction, to honor their patients’ advanced healthcare directives, including DNR’s, in accordance with the standard of care for healthcare facilities, medical practitioners, the aforesaid statute and Illinois common law.

25. On November 22, 2021, November 23, 2021, and at all times relevant hereto, it was the duty of Defendant, JOHN MCANELLY MD, to act as a reasonably careful physician with respect to the care and treatment of his patients, including ERNEST LANCASTER.

26. Notwithstanding those duties, Defendant, JOHN MCANELLY MD, did commit one or more of the following negligent acts or omissions in that he:

- a. Failed to establish, enforce, and/or follow policies and procedures to timely identify and ensure compliance with advanced healthcare directives, including ERNEST LANCASTER'S DNR;
- b. Failed to develop and adhere to a uniform system, practice, or protocol to ensure the right of the patient to direct all aspects of his personal care and medical treatment, including the right to decline medical treatment and/or direct that medical treatment be withdrawn;
- c. Failed to develop and adhere to a uniform system, practice, or protocol to ensure that a patient's decisions regarding healthcare as expressed in an advanced directive (or otherwise) are known, promptly communicated to doctors and nurses, honored and respect;
- d. Failed to timely and properly document and/or communicate ERNEST LANCASTER'S DNR in his medical chart;
- e. Failed to timely and properly enter ERNEST LANCASTER'S DNR as a Physician's Order in the electronic medical chart;
- f. Improperly ordered ERNEST LANCASTER'S "Code Status" as "FULL CODE" when in fact ERNEST LANCASTER had a valid DNR in place that was apparent and immediately available;

- g. Failed to timely recognize a discrepancy between ERNEST LANCASTER'S DNR and the physician's orders in the electronic medical chart;
- h. Violated ERNEST LANCASTER'S Patient Rights when they disregarded his decisions about his plan of care prior to and during the course of his care, treatment, and services;
- i. Violated ERNEST LANCASTER'S Patient Rights when they disregarded his refusal of medical treatment;
- j. Violated ERNEST LANCASTER'S Patient Rights when they failed to formulate advance directives for the purpose of guiding decisions concerning his healthcare;
- k. Ordered or performed chest compressions on ERNEST LANCASTER in order to resuscitate him in violation of his duly executed DNR;
- l. Ordered or provided airway assistance using a bag/valve mask on ERNEST LANCASTER to resuscitate him in violation of his duly executed DNR;
- m. Ordered or provided airway assistance by suctioning ERNEST LANCASTER's airway to resuscitate him in violation of his duly executed DNR;
- n. Ordered or utilized a defibrillator to shock ERNEST LANCASTER's heart in order to resuscitate him in violation of his duly executed DNR;
- o. Ordered or administered Amiodarone to ERNEST LANCASTER to resuscitate him in violation of his duly executed DNR; and/or
- p. Failed to apply a purple wristband to ERNEST LANCASTER identifying him as a DNR patient upon admission when the standard of care required such identification.

27. In committing one or more of the aforesaid acts and/or omissions, Defendant, JOHN MCANELLY MD, violated the standard of care in that he failed to act with the same degree of knowledge, skill, and ability as an ordinarily careful professional would exercise under similar circumstances.

28. As a direct and proximate result of the commission of one or more of the aforesaid acts and/or omissions on the part of Defendant, JOHN MCANELLY MD, ERNEST LANCASTER was resuscitated against his wishes which extended his life by 593 days wherein ERNEST LANCASTER sustained additional and unnecessary pain, suffering, diminished quality of life ,emotional distress, and expenses (both living expenses and medical expenses).

WHEREFORE, Plaintiff, the ESTATE OF ERNEST LANCASTER, requests judgment against Defendant, EDWARD HOSPITAL, for a sum of money in excess of \$50,000.00 plus the costs of this suit.

COUNT III
MEDICAL NEGLIGENCE – SURVIVAL ACT
ESTATE OF ERNEST LANCASTER

v.

OANA OLARU MD individually and as agent of EDWARD HOSPITAL and EDWARD HOSPITAL

(1-16) Plaintiff adopts and realleges paragraphs 1-16 of “Facts Common to All Counts” as and for paragraphs 1-16 of this Count III as if each were fully stated herein.

17. On November 22, 2021, and for a long time prior thereto, Defendant, EDWARD HOSPITAL was an Illinois Corporation operating medical facilities, including at or near 801 S. Washington St., in Naperville, DuPage County, Illinois.

18. At all times relevant hereto, Defendant, OANA OLARU MD, was a physician licensed in Illinois to practice medicine and was providing medical care to ERNEST LANCASTER, as a

duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

19. At all times relevant hereto, Defendant, OANA OLARU MD, held herself out, and otherwise informed the public and ERNEST LANCASTER, that she had and possessed the requisite skill, competence, knowledge, and personnel to properly care for and treat ERNEST LANCASTER.

20. On and subsequent to November 22, 2021, ERNEST LANCASTER was a patient under the care of Defendant, OANA OLARU MD.

21. On or November 22, 2021, and thereafter, ERNEST LANCASTER, was evaluated and under the care of Defendant, OANA OLARU MD, including, but not limited to, those named herein as Defendants who were acting at the direction of Defendant, JOHN MCANELLY MD, for falls, dizziness, a fever, possible stroke, and other medical ailments.

22. On November 22, 2021, November 23, 2021, and at all times relevant hereto, there was in effect a statute pertaining to the aforesaid DNR (a/k/a Department of Public Health Uniform POLST Form) which reads, in relevant part:

Except as otherwise provided by law, emergency medical service personnel, a health care provider, or a health care facility, shall comply with a Department of Public Health Uniform POLST form...that: (i) has been executed by an adult; and (ii) is apparent and immediately available.” 755 ILCS 40/65(c)

23. At all times relevant hereto, ERNEST LANCASTER’s DNR was properly executed by an adult and was apparent and immediately available to Defendant, OANA OLARU MD, and those individuals who were acting at the direction of Defendant, OANA OLARU MD.

24. On November 22, 2021, November 23, 2021, and at all times relevant hereto, it was the duty of Defendant, OANA OLARU MD, and those individuals who were acting at his direction, to honor their patients’ advanced healthcare directives, including DNR’s, in accordance with the

standard of care for healthcare facilities, medical practitioners, the aforesaid statute and Illinois common law.

25. On November 22, 2021, November 23, 2021, and at all times relevant hereto, it was the duty of Defendant, OANA OLARU MD, to act as a reasonably careful physician with respect to the care and treatment of her patients, including ERNEST LANCASTER.

26. Notwithstanding those duties, Defendant, OANA OLARU MD, did commit one or more of the following negligent acts or omissions in that she:

- a. Failed to establish, enforce, and/or follow policies and procedures to timely identify and ensure compliance with advanced healthcare directives, including ERNEST LANCASTER'S DNR;
- b. Failed to develop and adhere to a uniform system, practice, or protocol to ensure the right of the patient to direct all aspects of his personal care and medical treatment, including the right to decline medical treatment and/or direct that medical treatment be withdrawn;
- c. Failed to develop and adhere to a uniform system, practice, or protocol to ensure that a patient's decisions regarding healthcare as expressed in an advanced directive (or otherwise) are known, promptly communicated to doctors and nurses, honored and respect;
- d. Failed to timely and properly document and/or communicate ERNEST LANCASTER'S DNR in his medical chart;
- e. Failed to timely and properly enter ERNEST LANCASTER'S DNR as a Physician's Order in the electronic medical chart;

- f. Improperly ordered ERNEST LANCASTER'S "Code Status" as "FULL CODE" when in fact ERNEST LANCASTER had a valid DNR in place that was apparent and immediately available;
- g. Failed to timely recognize a discrepancy between ERNEST LANCASTER'S DNR and the physician's orders in the electronic medical chart;
- h. Violated ERNEST LANCASTER'S Patient Rights when they disregarded his decisions about his plan of care prior to and during the course of his care, treatment, and services;
- i. Violated ERNEST LANCASTER'S Patient Rights when they disregarded his refusal of medical treatment;
- j. Violated ERNEST LANCASTER'S Patient Rights when they failed to formulate advance directives for the purpose of guiding decisions concerning his healthcare;
- k. Ordered or performed chest compressions on ERNEST LANCASTER in order to resuscitate him in violation of his duly executed DNR;
- l. Ordered or provided airway assistance using a bag/valve mask on ERNEST LANCASTER to resuscitate him in violation of his duly executed DNR;
- m. Ordered or provided airway assistance by suctioning ERNEST LANCASTER's airway to resuscitate him in violation of his duly executed DNR;
- n. Ordered or utilized a defibrillator to shock ERNEST LANCASTER's heart in order to resuscitate him in violation of his duly executed DNR;
- o. Ordered or administered Amiodarone to ERNEST LANCASTER to resuscitate him in violation of his duly executed DNR; and/or

- p. Failed to apply a purple wristband to ERNEST LANCASTER identifying him as a DNR patient upon admission when the standard of care required such identification.

27. In committing one or more of the aforesaid acts and/or omissions, Defendant, OANA OLARU MD, violated the standard of care in that she failed to act with the same degree of knowledge, skill, and ability as an ordinarily careful professional would exercise under similar circumstances.

28. As a direct and proximate result of the commission of one or more of the aforesaid acts and/or omissions on the part of Defendant, OANA OLARU MD, ERNEST LANCASTER was resuscitated against his wishes which extended his life by 593 days wherein ERNEST LANCASTER sustained additional and unnecessary pain, suffering, diminished quality of life, emotional distress, and expenses (both living expenses and medical expenses).

WHEREFORE, Plaintiff, the ESTATE OF ERNEST LANCASTER, requests judgment against Defendant, OANA OLARU MD, for a sum of money in excess of \$50,000.00 plus the costs of this suit.

COUNT IV
MEDICAL NEGLIGENCE – SURVIVAL ACT
ESTATE OF ERNEST LANCASTER

v.

NATHAN SVINGEN MD individually and as agent of EDWARD HOSPITAL and
EDWARD HOSPITAL

(1-16) Plaintiff adopts and realleges paragraphs 1-16 of “Facts Common to All Counts” as and for paragraphs 1-16 of this Count IV as if each were fully stated herein.

17. On November 22, 2021, and for a long time prior thereto, Defendant, EDWARD HOSPITAL was an Illinois Corporation operating medical facilities, including at or near 801 S. Washington St., in Naperville, DuPage County, Illinois.

18. At all times relevant hereto, Defendant, NATHAN SVINGEN MD, was a physician licensed in Illinois to practice medicine and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

19. At all times relevant hereto, Defendant, NATHAN SVINGEN MD, held himself out, and otherwise informed the public and ERNEST LANCASTER, that he had and possessed the requisite skill, competence, knowledge, and personnel to properly care for and treat ERNEST LANCASTER.

20. On and subsequent to November 22, 2021, ERNEST LANCASTER was a patient under the care of Defendant, NATHAN SVINGEN MD.

21. On or November 22, 2021, and thereafter, ERNEST LANCASTER, was evaluated and under the care of Defendant, NATHAN SVINGEN MD, including, but not limited to, those named herein as Defendants who were acting at the direction of Defendant, NATHAN SVINGEN MD, for falls, dizziness, a fever, possible stroke, and other medical ailments.

22. On November 22, 2021, November 23, 2021, and at all times relevant hereto, there was in effect a statute pertaining to the aforesaid DNR (a/k/a Department of Public Health Uniform POLST Form) which reads, in relevant part:

Except as otherwise provided by law, emergency medical service personnel, a health care provider, or a health care facility, shall comply with a Department of Public Health Uniform POLST form...that: (i) has been executed by an adult; and (ii) is apparent and immediately available.” 755 ILCS 40/65(c)

23. At all times relevant hereto, ERNEST LANCASTER’s DNR was properly executed by an adult and was apparent and immediately available to Defendant, NATHAN SVINGEN MD, and those individuals who were acting at the direction of Defendant, NATHAN SVINGEN MD.

24. On November 22, 2021, November 23, 2021, and at all times relevant hereto, it was the duty of Defendant, NATHAN SVINGEN MD, and those individuals who were acting at his direction, to honor their patients' advanced healthcare directives, including DNR's, in accordance with the standard of care for healthcare facilities, medical practitioners, the aforesaid statute and Illinois common law.

25. On November 22, 2021, November 23, 2021, and at all times relevant hereto, it was the duty of Defendant, NATHAN SVINGEN MD, to act as a reasonably careful physician with respect to the care and treatment of his patients, including ERNEST LANCASTER.

26. Notwithstanding those duties, Defendant, NATHAN SVINGEN MD, did commit one or more of the following negligent acts or omissions in that he:

- a. Failed to establish, enforce, and/or follow policies and procedures to timely identify and ensure compliance with advanced healthcare directives, including ERNEST LANCASTER'S DNR;
- b. Failed to develop and adhere to a uniform system, practice, or protocol to ensure the right of the patient to direct all aspects of his personal care and medical treatment, including the right to decline medical treatment and/or direct that medical treatment be withdrawn;
- c. Failed to develop and adhere to a uniform system, practice, or protocol to ensure that a patient's decisions regarding healthcare as expressed in an advanced directive (or otherwise) are known, promptly communicated to doctors and nurses, honored and respect;
- d. Failed to timely and properly document and/or communicate ERNEST LANCASTER'S DNR in his medical chart;

- e. Failed to timely and properly enter ERNEST LANCASTER'S DNR as a Physician's Order in the electronic medical chart;
- f. Improperly ordered ERNEST LANCASTER'S "Code Status" as "FULL CODE" when in fact ERNEST LANCASTER had a valid DNR in place that was apparent and immediately available;
- g. Failed to timely recognize a discrepancy between ERNEST LANCASTER'S DNR and the physician's orders in the electronic medical chart;
- h. Violated ERNEST LANCASTER'S Patient Rights when they disregarded his decisions about his plan of care prior to and during the course of his care, treatment, and services;
- i. Violated ERNEST LANCASTER'S Patient Rights when they disregarded his refusal of medical treatment;
- j. Violated ERNEST LANCASTER'S Patient Rights when they failed to formulate advance directives for the purpose of guiding decisions concerning his healthcare;
- k. Ordered or performed chest compressions on ERNEST LANCASTER in order to resuscitate him in violation of his duly executed DNR;
- l. Ordered or provided airway assistance using a bag/valve mask on ERNEST LANCASTER to resuscitate him in violation of his duly executed DNR;
- m. Ordered or provided airway assistance by suctioning ERNEST LANCASTER's airway to resuscitate him in violation of his duly executed DNR;
- n. Ordered or utilized a defibrillator to shock ERNEST LANCASTER's heart in order to resuscitate him in violation of his duly executed DNR;

- o. Ordered or administered Amiodarone to ERNEST LANCASTER to resuscitate him in violation of his duly executed DNR; and/or
- p. Failed to apply a purple wristband to ERNEST LANCASTER identifying him as a DNR patient upon admission when the standard of care required such identification.

27. In committing one or more of the aforesaid acts and/or omissions, Defendant, NATHAN SVINGEN MD, violated the standard of care in that he failed to act with the same degree of knowledge, skill, and ability as an ordinarily careful professional would exercise under similar circumstances.

28. As a direct and proximate result of the commission of one or more of the aforesaid acts and/or omissions on the part of Defendant, NATHAN SVINGEN MD, ERNEST LANCASTER was resuscitated against his wishes which extended his life by 593 days wherein ERNEST LANCASTER sustained additional and unnecessary pain, suffering, diminished quality of life ,emotional distress, and expenses (both living expenses and medical expenses).

WHEREFORE, Plaintiff, the ESTATE OF ERNEST LANCASTER, requests judgment against Defendant, NATHAN SVINGEN MD, for a sum of money in excess of \$50,000.00 plus the costs of this suit.

COUNT V
MEDICAL NEGLIGENCE – SURVIVAL ACT
ESTATE OF ERNEST LANCASTER

v.

JACQUELINE GUZMAN RN individually and as agent of Edward Hospital,
FRANCESCO COLELLA RN individually and as agent of Edward Hospital, SABRINA
O'KEEFE, RT individually and as agent of Edward Hospital, CARLOS T. RN individually
and as agent of Edward Hospital, JACY G. RN individually and as agent of Edward
Hospital, LUIS A. RN individually and as agent of Edward Hospital, AND SARAH
MAZZONE RN individually and as agent of Edward Hospital, and EDWARD HOSPITAL

(1-16) Plaintiff adopts and realleges paragraphs 1-16 of “Facts Common to All Counts” as and for paragraphs 1-16 of this Count V as if each were fully stated herein.

17. On November 22, 2021, and for a long time prior thereto, Defendant, EDWARD HOSPITAL was an Illinois Corporation operating medical facilities, including at or near 801 S. Washington St., in Naperville, DuPage County, Illinois.

18. At all times relevant hereto, Defendant, JACQUELINE GUZMAN RN, was a registered nurse licensed in Illinois to and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

19. At all times relevant hereto, Defendant, FRANCESCO COLELLA RN, was a registered nurse licensed in Illinois to and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

20. At all times relevant hereto, Defendant, SABRINA O'KEEFE, RT, was a respiratory care practitioner licensed in Illinois to and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

21. At all times relevant hereto, Defendant, CARLOS T. RN, was a registered nurse licensed in Illinois to and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

22. At all times relevant hereto, Defendant, JACY G. RN, was a registered nurse licensed in Illinois to and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

23. At all times relevant hereto, Defendants, LUIS A. RN, was a registered nurse licensed in Illinois to and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

24. At all times relevant hereto, Defendants, SARAH MAZZONE RN, was a registered nurse licensed in Illinois to and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

25. At all times relevant hereto, Defendants JACQUELINE GUZMAN RN, FRANCESCO COLELLA RN, SABRINA O'KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and SARAH MAZZONE RN, held themselves out, and otherwise informed the public and ERNEST LANCASTER, that they had and possessed the requisite skill, competence, knowledge, and personnel to properly care for and treat ERNEST LANCASTER.

26. On and subsequent to November 22, 2021, ERNEST LANCASTER was a patient under the care of Defendants, Defendants JACQUELINE GUZMAN RN, FRANCESCO COLELLA RN, SABRINA O'KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and SARAH MAZZONE RN.

27. On or November 22, 2021, and thereafter, ERNEST LANCASTER, was evaluated and under the care of Defendants, Defendants JACQUELINE GUZMAN RN, FRANCESCO COLELLA RN, SABRINA O'KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and SARAH MAZZONE RN, for falls, dizziness, a fever, possible stroke, and other medical ailments.

28. On November 22, 2021, November 23, 2021, and at all times relevant hereto, there was in effect a statute pertaining to the aforesaid DNR (a/k/a Department of Public Health Uniform POLST Form) which reads, in relevant part:

Except as otherwise provided by law, emergency medical service personnel, a health care provider, or a health care facility, shall comply with a Department of Public Health Uniform POLST form...that: (i) has been executed by an adult; and (ii) is apparent and immediately available.” 755 ILCS 40/65(c)

29. At all times relevant hereto, ERNEST LANCASTER’s DNR was properly executed by an adult and was apparent and immediately available to Defendants, Defendants JACQUELINE GUZMAN RN, FRANCESCO COLELLA RN, SABRINA O’KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and SARAH MAZZONE RN.

30. On November 22, 2021, November 23, 2021, and at all times relevant hereto, it was the duty of Defendants, Defendants JACQUELINE GUZMAN RN, FRANCESCO COLELLA RN, SABRINA O’KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and SARAH MAZZONE RN, to honor their patients’ advanced healthcare directives, including DNR’s, in accordance with the standard of care for healthcare facilities, medical practitioners, the aforesaid statute and Illinois common law.

31. On November 22, 2021, November 23, 2021, and at all times relevant hereto, it was the duty of Defendants, Defendants JACQUELINE GUZMAN RN, FRANCESCO COLELLA RN, SABRINA O’KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and SARAH MAZZONE RN, to act as a reasonably careful professional with respect to the care and treatment of their patients, including ERNEST LANCASTER.

32. Notwithstanding those duties, Defendants, Defendants JACQUELINE GUZMAN RN, FRANCESCO COLELLA RN, SABRINA O’KEEFE, RT, CARLOS T. RN, JACY G. RN,

LUIS A. RN, and SARAH MAZZONE RN, did commit one or more of the following negligent acts or omissions in that they:

- a. Failed to establish, enforce, and/or follow policies and procedures to timely identify and ensure compliance with advanced healthcare directives, including ERNEST LANCASTER'S DNR;
- b. Failed to develop and adhere to a uniform system, practice, or protocol to ensure the right of the patient to direct all aspects of his personal care and medical treatment, including the right to decline medical treatment and/or direct that medical treatment be withdrawn;
- c. Failed to develop and adhere to a uniform system, practice, or protocol to ensure that a patient's decisions regarding healthcare as expressed in an advanced directive (or otherwise) are known, promptly communicated to doctors and nurses, honored and respect;
- d. Failed to timely and properly document and/or communicate ERNEST LANCASTER'S DNR in his medical chart;
- e. Failed to timely and properly enter ERNEST LANCASTER'S DNR as a Physician's Order in the electronic medical chart;
- f. Improperly ordered ERNEST LANCASTER'S "Code Status" as "FULL CODE" when in fact ERNEST LANCASTER had a valid DNR in place that was apparent and immediately available;
- g. Failed to timely recognize a discrepancy between ERNEST LANCASTER'S DNR and the physician's orders in the electronic medical chart;

- h. Violated ERNEST LANCASTER'S Patient Rights when they disregarded his decisions about his plan of care prior to and during the course of his care, treatment, and services;
- i. Violated ERNEST LANCASTER'S Patient Rights when they disregarded his refusal of medical treatment;
- j. Violated ERNEST LANCASTER'S Patient Rights when they failed to formulate advance directives for the purpose of guiding decisions concerning his healthcare;
- k. Ordered or performed chest compressions on ERNEST LANCASTER in order to resuscitate him in violation of his duly executed DNR;
- l. Ordered or provided airway assistance using a bag/valve mask on ERNEST LANCASTER to resuscitate him in violation of his duly executed DNR;
- m. Ordered or provided airway assistance by suctioning ERNEST LANCASTER's airway to resuscitate him in violation of his duly executed DNR;
- n. Ordered or utilized a defibrillator to shock ERNEST LANCASTER's heart in order to resuscitate him in violation of his duly executed DNR;
- o. Ordered or administered Amiodarone to ERNEST LANCASTER to resuscitate him in violation of his duly executed DNR; and/or
- p. Failed to apply a purple wristband to ERNEST LANCASTER identifying him as a DNR patient upon admission when the standard of care required such identification.

33. In committing one or more of the aforesaid acts and/or omissions, Defendants, JACQUELINE GUZMAN RN, FRANCESCO COLELLA RN, SABRINA O'KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and SARAH MAZZONE RN,, violated the

standard of care in that they failed to act with the same degree of knowledge, skill, and ability as an ordinarily careful professional would exercise under similar circumstances.

34. As a direct and proximate result of the commission of one or more of the aforesaid acts and/or omissions on the part of Defendants, JACQUELINE GUZMAN RN, FRANCESCO COLELLA RN, SABRINA O'KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and SARAH MAZZONE RN, ERNEST LANCASTER was resuscitated against his wishes which extended his life by 593 days wherein ERNEST LANCASTER sustained additional and unnecessary pain, suffering, diminished quality of life, emotional distress, and expenses (both living expenses and medical expenses).

WHEREFORE, Plaintiff, the ESTATE OF ERNEST LANCASTER, requests judgment against Defendants, JACQUELINE GUZMAN RN, FRANCESCO COLELLA RN, SABRINA O'KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and SARAH MAZZONE RN, for a sum of money in excess of \$50,000.00 plus the costs of this suit.

COUNT VI
MEDICAL BATTERY – SURVIVAL ACT
ESTATE OF ERNEST LANCASTER

v.

OLAU OLARU MD, individually and as agent of Edward Hospital, JACQUELINE GUZMAN RN individually and as agent of Edward Hospital, SABRINA O'KEEFE, RT individually and as agent of Edward Hospital, CARLOS T. RN individually and as agent of Edward Hospital, JACY G. RN individually and as agent of Edward Hospital, LUIS A. RN individually and as agent of Edward Hospital, and EDWARD HOSPITAL

(1-16) Plaintiff adopts and realleges paragraphs 1-16 of “Facts Common to All Counts” as and for paragraphs 1-16 of this Count VI as if each were fully stated herein.

17. On November 22, 2021, and for a long time prior thereto, Defendant, EDWARD HOSPITAL was an Illinois Corporation operating medical facilities, including at or near 801 S. Washington St., in Naperville, DuPage County, Illinois.

18. At all times relevant hereto, Defendant, OANA OLARU MD, was a physician licensed in Illinois to practice medicine and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

19. At all times relevant hereto, Defendant, JACQUELINE GUZMAN RN, was a registered nurse licensed in Illinois to and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

20. At all times relevant hereto, Defendant, SABRINA O'KEEFE, RT, was a respiratory care practitioner licensed in Illinois to and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

21. At all times relevant hereto, Defendant, CARLOS T. RN, was a registered nurse licensed in Illinois to and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

22. At all times relevant hereto, Defendant, JACY G. RN, was a registered nurse licensed in Illinois to and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

23. At all times relevant hereto, Defendants, LUIS A. RN, was a registered nurse licensed in Illinois to and was providing medical care to ERNEST LANCASTER, as a duly authorized agent, apparent agent, servant, and/or employee of Defendant, EDWARD HOSPITAL.

24. At all times relevant hereto, Defendants OANA OLARU MD, JACQUELINE GUZMAN RN, SABRINA O'KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and EDWARD

HOSPITAL held themselves out, and otherwise informed the public and ERNEST LANCASTER, that they had and possessed the requisite skill, competence, knowledge, and personnel to properly care for and treat ERNEST LANCASTER.

25. On and subsequent to November 22, 2021, ERNEST LANCASTER was a patient under the care of Defendants OANA OLARU MD, JACQUELINE GUZMAN RN, SABRINA O'KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and EDWARD HOSPITAL.

26. On or November 22, 2021, and thereafter, ERNEST LANCASTER, was evaluated and under the care of Defendants OANA OLARU MD, JACQUELINE GUZMAN RN, SABRINA O'KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and EDWARD HOSPITAL, for falls, dizziness, a fever, possible stroke, and other medical ailments.

27. On November 22, 2021, November 23, 2021, and at all times relevant hereto, there was in effect a statute pertaining to the aforesaid DNR (a/k/a Department of Public Health Uniform POLST Form) which reads, in relevant part:

Except as otherwise provided by law, emergency medical service personnel, a health care provider, or a health care facility, shall comply with a Department of Public Health Uniform POLST form...that: (i) has been executed by an adult; and (ii) is apparent and immediately available." 755 ILCS 40/65(c)

28. At all times relevant hereto, ERNEST LANCASTER's DNR was properly executed by an adult and was apparent and immediately available to Defendants, Defendants OANA OLARU MD, JACQUELINE GUZMAN RN, SABRINA O'KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and EDWARD HOSPITAL.

29. On November 22, 2021, November 23, 2021, and at all times relevant hereto, it was the duty of Defendants OANA OLARU MD, JACQUELINE GUZMAN RN, SABRINA O'KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and EDWARD HOSPITAL, to honor their patients' advanced healthcare directives, including DNR's, in accordance with the standard of

care for healthcare facilities, medical practitioners, the aforesaid statute and Illinois common law.

30. Against ERNEST LANCASTER's wishes as explicitly stated in his DNR, Defendants OANA OLARU MD, JACQUELINE GUZMAN RN, SABRINA O'KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and EDWARD HOSPITAL did commit Medical Battery when they:

- a. Ordered or performed chest compressions on ERNEST LANCASTER in order to resuscitate him in violation of his duly executed DNR;
- b. Ordered or provided airway assistance using a bag/valve mask on ERNEST LANCASTER to resuscitate him in violation of his duly executed DNR;
- c. Ordered or provided airway assistance by suctioning ERNEST LANCASTER's airway to resuscitate him in violation of his duly executed DNR;
- d. Ordered or utilized a defibrillator to shock ERNEST LANCASTER's heart in order to resuscitate him in violation of his duly executed DNR; and/or
- e. Ordered or administered Amiodarone to ERNEST LANCASTER to resuscitate him in violation of his duly executed DNR.

34. The aforesaid acts involved the intentional touching of ERNEST LANCASTER'S person against his will, without his consent, and in direct violation of his explicit advanced directives as contained in his DNR.

35. The aforesaid acts involved the intentional administration of medical treatment to ERNEST LANCASTER without his consent, against his will, and in direct violation of his explicit advanced directives as contained in his DNR.

35. As a direct and proximate result of the commission of one or more of the aforesaid acts and/or omissions on the part of Defendants OANA OLARU MD, JACQUELINE GUZMAN RN, SABRINA O'KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and EDWARD HOSPITAL, ERNEST LANCASTER was resuscitated against his wishes which extended his life by 593 days wherein ERNEST LANCASTER sustained additional and unnecessary pain, suffering, diminished quality of life, emotional distress, and expenses (both living expenses and medical expenses).

WHEREFORE, Plaintiff, the ESTATE OF ERNEST LANCASTER, requests judgment against Defendants OANA OLARU MD, JACQUELINE GUZMAN RN, SABRINA O'KEEFE, RT, CARLOS T. RN, JACY G. RN, LUIS A. RN, and EDWARD HOSPITAL, for a sum of money in excess of \$50,000.00 plus the costs of this suit.

Respectfully submitted,
MARKER & CRANNELL

By: 
Jon Crannell, attorney for Plaintiff

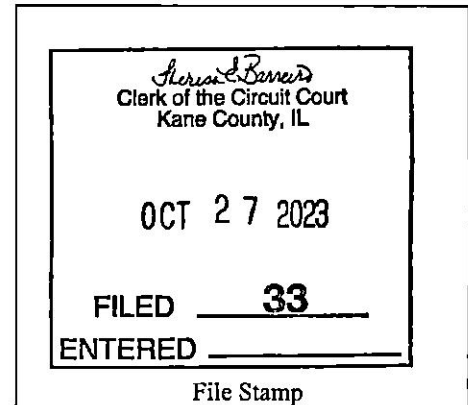
Jonathan P. Crannell
ARDC: 6299565 | DuPage: 247986 | Cook: 42173
Marker & Crannell, Attorneys at Law, P.C.
55 Shuman Blvd., Suite 525
Naperville, IL 60563
Phone: (630) 995-9005 | Fax: (630) 755-4658
Email: JCrannell@Marker-Law.com

**IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT
KANE COUNTY, ILLINOIS**

Case No. 2023 PR 429

IN THE MATTER OF THE ESTATE OF (DECEDENT):

Name: ERNEST C. LANCASTER JR.
 Address: 611 Allen Lane
 City, State, Zip: St. Charles, Illinois 60174
 Date of Death: July 9, 2023



ORDER APPOINTING ADMINISTRATION

- ☒ No Will ☐ With Will Annexed ☐ De Bonis Non ☐ De Bonis Non With Will Annexed
☒ Independent Administration ☐ Supervised Administration

The verified petition of Christopher J. Lancaster for appointment of an administrator and the admission to probate of the will (and codicils(s) if shown and attached) if requested, being presented for hearing;

THE COURT FINDS due notice has been given to all parties according to law and that it has jurisdiction of the subject matter of the petition.

After having considered said petition and having proof in accordance with the Probate Act, and the Court having determined that the petitioner's nominee is qualified to act as such Administrator;

IT IS THEREFORE ORDERED THAT:

1. ~~The will, and codicil(s) if shown and attached, is/are admitted to probate as the last Will of said decedent.~~
2. (Administrator's Name and complete address Christopher J. Lancaster, 726 Prairie Street, St. Charles, IL 60174 is hereby appointed Administrator of the estate of decedent in this cause.
3. Appropriate Letters of Administration shall issue in accordance with the provisions of this Order.
4. A ☒ Corporate Bond ☐ Individuals as Surety required of Administration is ordered in the amount of \$1,000.00.

Date Entered: October 27, 2023

Judge

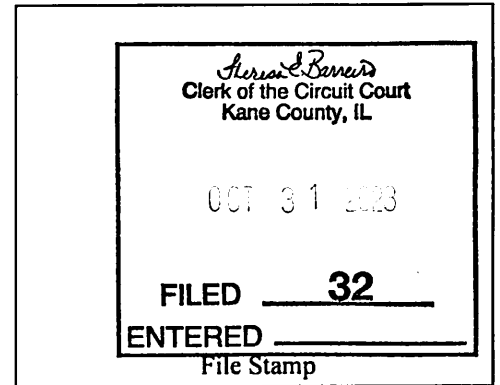
Prepared By: Nina Neuber, Kabbe Law Group, LLC
 Attorney/Pro Se: Christopher J. Lancaster
 Address: 2323 Naperville Road, Suite 210
 City, State, Zip: Naperville, Illinois 60563
 Telephone No.: (630) 219-4200
 Atty. Registration No.: 6244168
 Attorney E-mail: ninan@kabbe-law.com

**IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT
KANE COUNTY, ILLINOIS**

Case No. **2023 PR 429**

IN THE MATTER OF THE ESTATE OF:

Name: **Ernest C. Lancaster Jr.**
Deceased



**LETTERS OF OFFICE
DECEDENT'S ESTATE**

Christopher J. Lancaster has/have been appointed **Independent**
Administrator of the estate of **Ernest C. Lancaster Jr.**, deceased, who
died **07/09/23**, and is authorized to take possession of and collect the estate of the decedent, and to do all
acts required of **Independent Administrator** by law, pursuant to order of Court entered **10/27/23**
by Judge **Joseph Grady**.

Certificate

I certify that this is a copy of the
Letters of Office now in force and effect
on this date in this estate

Witness **OCT 31 2023** (date)
Theresa E. Barreiro *TS*
Theresa E. Barreiro, Clerk of the Circuit Court
(SEAL)



State of Illinois
Illinois Department of Public Health

**IDPH UNIFORM PRACTITIONER ORDER FOR
LIFE-SUSTAINING TREATMENT (POLST) FORM**

For patients, use of this form is completely voluntary. Follow these orders until changed. These medical orders are based on the patient's medical condition and preferences. Any section not completed does not invalidate the form and implies initiating all treatment for that section. With significant change of condition, new orders may need to be written.

Patient Name: LANCASTER, ERNEST
DOB: 10/13/1944 (76 yrs) M
MRN: 000953300
CSN: 200130252079
DOS: 08/21/21
ATT: Sheth, Sonia V., MD

A Check One: **CARDIOPULMONARY RESUSCITATION (CPR)** If patient has no pulse and is not breathing
☐ Attempt Resuscitation/CPR (Selecting CPR means Full Treatment in Section B is selected)
☒ Do Not Attempt Resuscitation/DNR

When not in cardiopulmonary arrest, follow orders B and C.

B Check One (optional): **MEDICAL INTERVENTIONS** If patient is found with a pulse and/or is breathing
☐ Full Treatment: Primary goal of sustaining life by medically indicated means. In addition to treatment described in Selective Treatment and Comfort-Focused Treatment, use intubation, mechanical ventilation and cardioversion as indicated. Transfer to hospital and/or intensive care unit if indicated.
☐ Selective Treatment: Primary goal of treating medical conditions with selected medical measures. In addition to treatment described in Comfort-Focused Treatment, use medical treatment, IV fluids and IV medications (may include antibiotics and vasopressors) as medically appropriate and consistent with patient preference. Do Not Intubate. May consider less invasive airway support (e.g., CPAP, BiPAP). Transfer to hospital, if indicated. Generally avoid the intensive care unit.
☐ Comfort-Focused Treatment: Primary goal of maximizing comfort. Relieve pain and suffering through the use of medication by any route as needed; use oxygen, suctioning and manual treatment of airway obstruction. Do not use treatments listed in Full and Selective Treatment unless consistent with comfort goal. Request transfer to hospital only if comfort needs cannot be met in current location.
 Optional Additional Orders _____

C Check One (optional): **MEDICALLY ADMINISTERED NUTRITION** (If medically indicated) Offered by mouth, if feasible and as desired.
☐ Long-term medically administered nutrition, including feeding tubes. Additional instructions (e.g., length of trial period) _____
☐ Trial period of medically administered nutrition, including feeding tubes.
☐ No medically administered means of nutrition, including feeding tubes.

D **DOCUMENTATION OF DISCUSSION** (Check all appropriate boxes below)
☐ Patient
☒ Agent under health care power of attorney
☐ Parent of minor
☐ Health care surrogate decision maker (See Page 2 for priority list)

Signature of Patient or Legal Representative

Signature (required): *[Signature]*

Name (print): Christopher J. Lancaster Date: 8/21/21

Signature of Witness to Consent (Witness required for a valid form)

I am 18 years of age or older and acknowledge the above person has had an opportunity to read this form and have witnessed the giving of consent by the above person or the above person has acknowledged the signature or mark on this form is my presence.

Signature (required): *M. Salvo*

Name (print): M. Salvo Date: 8/21/21

E **Signature of Authorized Practitioner** (physician, licensed resident, second year or older advanced practice nurse or physician assistant)
 My signature below indicates to the best of my knowledge and belief that these orders are consistent with the patient's medical condition and preferences.

Print Authorized Practitioner Name (required)

Ishaan Hubbar

Phone: 630-957-8700

Authorized Practitioner Signature (required)

[Signature]

Date (required): 8/21/21