

Opening Statement for Plaintiff the Estate of Barbara Jones-Davis vs. Defendants Wesley Enhanced, Living, U.S. Security Associates Inc.

This civil matter is more than just a matter – it is the reality for many Americans who choose to make the tough decision of ensuring the care, for those that cared for them, in the hands of perfect strangers. Ms. Jones-Davis was a modest woman, working thirty years as a bill collector and then working at a jewelry counter for a time. Her children Heather Davis-Stukes, a local nurse, and Pamela Davis-Edwards, a vice principal of a Massachusetts school, continued to see their mother needed more than just help. She was often being carried home by fellow neighbors, after wandering around her property, and her dementia was worsening since her 2010 diagnosis. Her vision was impaired due to her glaucoma, and although she didn't want it, her two daughters decided supervised care was in her best interest. They sought out a facility that would bring their mother out of introversion and withdrawal, keeping her physically and mentally active, whilst being in a nice environment. They decided on Wesley Enhanced Living at Stapley Hall in Germantown, PA, because out a few facility tours, this was one was by far the nicest. Plaintiff would be admitted under their care as of August 2017.

But all wasn't so nice, but Ms. Jones-Davis stayed active – her wandering would continue both inside and outside the property, even shortly after the move in. Ms. Jones-Davis was noted as someone who needed active supervision and perhaps, more secure care in their memory care section. Essentially, their suggestions were rejected, due to the Plaintiff remaining in personal care, and without proper supervision. The latter leads us to July 8, 2018. A summer evening at 5:36pm, Mrs. Jones-Davis was once again, left wandering the property, for nearly thirty minutes. This perhaps ordinary symptom would lead to an unfortunate end. Because after we see Mrs. Jones-Davis on the security footage, walk further out of view, she walks off unfenced property and plummets 15 feet below on concrete sidewalk, along West Washington Lane. Twenty-three minutes, and fifteen feet. More than enough and what was supposed to be ordinary care in what Plaintiff's children were led to believe was an extraordinary place for their mother. Mrs. Jones-Davis did not make it through, she passed away later that summer evening from her sustained injuries from that fall, from Wesley Enhanced Living property. A fractured skull, brain bleeding and several broken bones. Ladies and gentleman of the jury, my name is Ragina Lashley, and I represent the Estate of Mrs. Barbara Jones-Davis and will meet my burden of proof, showing by a preponderance of the evidence today, that the named Defendants Wesley Enhanced Living and U.S. Security Associates, are liable in the wrongful death of Barbara Jones-Davis. We will examine the elements of this malpractice claim, that Enhanced Living had a duty to exercise reasonable skill, care and expertise for the safety and well-being of the Plaintiff, that they breached that duty by failing to properly supervise her as agreed, and monitor her whereabouts and/or prevent subsequent loss from the facility. That and Defendants' breach of duty, Plaintiff's death was directly caused by such breach, and damages in the form of Mrs. Jones-Davis' wrongful death, the pain and suffering of her two children, and medical and funeral expenses they didn't allot, for from the time they moved their mother into Defendant's care. Possible defenses such as statute of limitations don't apply, as would contributory negligence because Plaintiff was suffering from at least two health issues that would incapacitate her to make decisions that would've reasonably prevented her death from occurring. By Defendant accepting Plaintiff in their

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facility, they agreed to be responsible for her, considering this. We will examine Plaintiff's medical records before and during her time with Wesley. We will also showcase witness and expert testimony in support of Plaintiff's behaviors. We will also examine documentation and testimony from that of Wesley and U.S. Security staff in regard to experiences with Plaintiff, as well as their contract agreement with one another, and with Wesley and those who place those under their care. Video evidence of Plaintiff's various wanderings, as that of her fatal wandering on July 8, will also be shown for your consideration.

Please consider the rest of what you will hear, in order to find the Defendants liable for the suffering of the Plaintiff's Estate. Thank you.