

More names to be added to Dupont civil suit

Damages -- now pegged around \$12 million -- could also rise

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The Windsor Star

Wednesday, December 12, 2007

The list of targets in the Dupont family's multimillion-dollar wrongful death civil suit is expected to grow in the wake of the coroner's inquest into the deaths of Lori Dupont and Dr. Marc Daniel.

"We will likely be adding additional defendants into the mix," Dupont family lawyer Greg Monforton told The Star Wednesday.

While not willing to divulge names, he said it was a "safe assumption" that they will be culled from the list of more than 50 witnesses heard during the 11-week inquest which concluded with the jury's verdict Tuesday.

And with more parties to be held accountable for the murder of the nurse by Daniel, Monforton said it's "certainly possible" that the more than \$12 million in damages being claimed by Dupont's parents and sister could also rise.

The current defendants include Hotel-Dieu Grace Hospital, where both Dupont and Daniel worked and where the murder took place; 10 of its most senior administrators including CEO Neil McEvoy; Daniel's treating psychiatrist in 2005, Dr. Brian Burke; and Daniel's widow Susan as the trustee of his estate.

The inquest revealed that the problems in dealing with a disruptive Hotel-Dieu doctor were "even more pervasive than initially believed," said Monforton. "Our intention was, and remains, to include all responsible parties," he said of the lawsuit.

Testimony heard in a coroner's inquest cannot be used against a witness in any civil or criminal proceedings, but Monforton said the new evidence heard represented a "constructive and productive byproduct" and those same witnesses can be made to provide depositions for the Dupont family's suit. He said his own office has also been continuing its investigation into the matter and gathering further information.

The civil suit was put on hold for the leadup and duration of the inquest, and Monforton said the focus for the Duponts in the coming weeks will be to "fight for the implementation of the jury's recommendations."

He said a number of those 26 recommendations -- the call to create separate domestic violence courts being one of them -- stemmed from suggestions put



CREDIT: Tyler Brownbridge, The Windsor Star

Lawyers Greg Monforton (left) and Elizabeth McIntyre (right) speak to Barbara Dupont (centre) following the final day of the Dupont/Daniel coroner's inquest at the Ciociaro Club in Windsor on Tuesday, Dec. 11, 2007.

forward by Dupont's family.

No timetable has been established for the civil court action, but Monforton said he hopes to have the discovery phase -- which includes questioning defendants under oath -- completed by September 2008, followed by mandatory mediation and then a settlement conference. A subsequent trial, he added, "I'd expect sometime in 2009."

The outcome of the inquest might also mean changes -- these ones more favourable to Hotel-Dieu -- to a grievance filed by the Ontario Nurses' Association against the hospital in the days following Dupont's stabbing.

Arbitration dates originally set for this past fall had been rescheduled for the coming spring, but ONA labour relations officer Colin Johnston said many of the union's issues are addressed by the inquest jury's recommendations. Depending on how the hospital embraces the recommended changes, "it could be a basis of resolution," he said.

The grievance, filed on behalf of Hotel-Dieu's 700 nurses represented by the ONA, accuses the hospital of not providing an adequately safe working environment for its workers.

"We need an expedited process in terms of dealing with harassment-type complaints," said Johnston.

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