

# Guest Column

## \$5,000,000 award in mental health negligence case

By Robert M. Boatman

Jennifer Johe found herself in a situation confronting so many families today – how to help her teenage son, Steven, who was battling mental health and drug abuse issues.

A widow for ten years, Jennifer invested thousands of dollars and hours attempting to help her son.

In 2014, after a relapse by her son, she did a nation-wide search and found Sierra Tucson, a rehab facility that promised her they could help her son with his underlying OCD/anxiety and drug issues. She put over \$41,000 on her credit cards and flew from her small New Jersey town across the country with her son to Tucson after being reassured Steven would get the finest care available. Four days later, Steven was found dead in his bed at Sierra Tucson.

Jennifer began a 5-year quest to understand what happened, why her son died, and later to hold Sierra Tucson accountable for his death.

Jennifer was originally told that Steven had overdosed. Only years later in her lawsuit did she discover the aid hired to watch over Steven had fallen asleep while Steven suffered a seizure that cut off the oxygen to his brain. Sierra Tucson hid this fact from the state regulators investigating Steven's death.

Jennifer's quest for justice and accountability led her to Bob Boatman, an attorney at Gallagher & Kennedy in Phoenix who had previously sued Sierra Tucson. Over four long years in litigation, Sierra Tucson never apologized to

Jennifer, never told her what really happened, and never accepted responsibility for Steven's death. As trial approached, Sierra Tucson offered Jennifer a small settlement, but only on the condition that she keep her claims against Sierra Tucson a secret. Jennifer refused these offers, and the case went to trial in May of 2019. Jennifer was finally able to tell the story of her love for her son, of the mental health issues that he faced, and of Sierra Tucson's failure to care for her son. After a lengthy, hard-fought trial in which Sierra Tucson continued to argue it was not responsible for Steven's death, Jennifer was awarded \$5,000,000, one of the largest awards in the history of Arizona for a case of this type.

Jennifer and her daughter Meredith are using the money she recovers to establish a foundation in Steven's name. The foundation will help families like hers find proper help and investigate the treatment facilities that provide care to their children.

Anyone seeking assistance with neglect or abuse of a loved one in a rehab facility is welcome to contact Bob Boatman at 602-530-8340.

**Robert W. Boatman**, is a partner at Gallagher & Kennedy with a legal career in personal injury and wrongful death that spans over 30 years. Bob is tireless in his dedication and resolve to seek justice for each and every one of his clients. For Bob, client relationships don't often end as a case concludes, especially when an outcome presents an opportunity to affect social change.

Most recently, Bob successfully compelled two major automotive manufacturers to admit their vehicles were defective, yielding a recall to fix the defect in over 500,000 vehicles, which was a significant win for his client and the consumer at large. Bob has been recognized as a Best Lawyer by the Best Lawyers of America since 2006. He has received the Martindale-Hubbell AV Preeminent Peer Review Rating, and continues as a Southwest Super Lawyer from 2007 to the present. Bob was invited to join the International Society of Barristers in 2017.



**BOB BOATMAN**  
Attorney, Gallagher & Kennedy