



Jonathan Rosenfeld's Nursing Homes Abuse Blog

Judge Denies Assisted Living Facilities Request For Arbitration In Wrongful Death Lawsuit

*Posted by **Jonathan Rosenfeld** on February 11, 2011*

Like all families placing a loved one in a nursing home, Erik and Ronald Kuentzel wanted the best for their mother after selecting Sunshine Villa Assisted Living Facility (Santa Cruz, California) for their mother's residence.

With a known desire to walk, combined with the fact their their mother had dementia, the brothers knew of the importance of keeping close tabs on their mothers whereabouts. In fact, the brothers purchased a device, known as a **WanderGuard**, from Sunshine Villa to help the facility keep tabs on their mother's whereabouts.

Just hours after her admission to the facility, the elderly woman wandered from the facility. She was found dead, three days later due to hypothermia.

Jonathan Rosenfeld represents victims of nursing home abuse and neglect throughout the country. For more information please visit Nursing Homes Abuse Blog (www.nursinghomesabuseblog.com), Bed Sore FAQ (www.bedsorefaq.com) or call Jonathan directly at (888) 424-5757 (www.rosenfeldinjurylawyers.com).

After initiated a wrongful death lawsuit against the facility for their outstandingly neglectful care, the assisted living facility filed a request to have the matter resolved via binding arbitration.

Recently, Santa Cruz Superior Court Judge Timothy Volkmann denied the assisted living facilities request, holding that due to the fact that the admission contract between the patients family and the facility did not require binding arbitration as claimed by lawyers for the facility.

My condolences go out to this family and I wish them the best in their lawsuit against this facility.

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[Sunshine Villa, Sued for wrongful death, thwarted in request for arbitration, The Mercury News February 8, 2011 by Jondi Gumez](#)

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