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Parents file lawsuit in pool death case

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NEW HAVEN, Conn. - The parents of a boy who drowned after his arm got trapped in a powerful suction drain in their swimming pool sued Monday, alleging that the pool violated safety requirements designed in response to a rash of similar tragedies.

The lawsuit was filed in Stamford Superior Court by Brian and Karen Cohn of Greenwich against the town of Greenwich, Shoreline Pools and others.

Police said the Conn's 6-year-old son, Zachary, was trapped when his arm became stuck in an intake valve on the wall in the deep end. Water entering an intake valve is pumped through the filtering system under suction before being pumped back into the pool.

When he got trapped under water on July 26 in the pool, his father and another adult jumped into the in-ground pool to try to free him but the pool's suction was too powerful, according to the lawsuit.

The boy's parents could not find a mechanism to turn off the suction pump, so Karen Cohn ran and shut off power to the house, including the pool's drain pump. Brian Cohn was then able to free his son and perform CPR, but it was too late.

"Nothing will ever bring our son back, but we hope that through these legal proceedings other families will be spared the horrible tragedy we have suffered," the Cohns said in a statement.

Since 1985, there have been more than 150 reported cases of swimming pool drain entrapments, leading to at least 48 deaths and many serious injuries, including disembowelment, of children and adults, according to the lawsuit.

Because of the safety issues, Connecticut in 2004 implemented new safety requirements for pool circulation systems, according to the lawsuit.

The lawsuit contends the swimming pool "fell well short" of minimum state safety standards, containing seven serious code violations that each had the potential to cause fatal entrapment.

The lawsuit, which seeks damages of more than \$15,000, alleges Shoreline had a history of violating building code requirements and accuses the town of failing to conduct a proper inspection before issuing a permit.

John Wayne Fox, attorney for the town of Greenwich, said he had not seen the lawsuit yet so he could not comment. Telephone messages left with the other defendants were not returned.

Any proceeds from the lawsuit will go to the family's Zac Foundation for Children's Safety, said Paul Slager and Ernie Teitell, the family's attorneys. Brian Cohn recently resigned as president of SAC Capital Advisors, one of the world's largest hedge funds.