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Boy's family rejects offer of settlement

By Elias Castillo
Staff Writer

The family of Rudy Ochoa, who died of pneumonia March 26 in the county's juvenile center, has rejected a \$50,000, out-of-court settlement offered by Santa Clara County.

The Ochoa family has filed a \$4.6 million claim as the first step in a lawsuit against the county. The county has denied the claim, a formality that now allows the family's attorneys to file a court suit for the same amount.

Jesse Sterna, an attorney representing the family, said the Ochoas rejected the settlement.

W. Robert Morgan, a San Jose private attorney hired by the county to handle the Ochoa claim, said the county has no intention of settling the case for the amount sought by the family.

"In the disposal of any legal case both parties have to be sincere and realistic in order for a case to be settled," Morgan said Thursday.

Meanwhile, Gloria and Raul Ochoa, Rudy's parents, applauded the county's decision to fire Dr. Stanley Lourdeaux, the part-time Valley Medical Center physician who treated their son at the coun-

ty's juvenile center, where he died of pneumonia.

"I can't say I'm glad and I can't say I'm sad. I just hope they'll take care of the kids that made a mistake and my kid paid a hell of a price," the boy's father said Thursday.

VMC, which administers medical services to all county jails, also has recommended dismissal of three nurses who were on duty at the juvenile center when Ochoa died.

Sterna said he believes the hospital's decision to fire Lourdeaux and the recommended dismissal of the nurses coincides with the Ochoa family's contention that VMC personnel were at fault in the death.

Robert Sillen, VMC executive director, has refused to elaborate on the firing of Lourdeaux and the physician has been unavailable for comment.

However, letters filed Monday informed the county personnel department of the firings of the three nurses and said they failed to treat the youth properly after he showed signs of being seriously ill.

The nurses are represented by the Registered Nurses Professional Association, which maintains that their actions do not warrant dismissal.