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Posted on Thu, Mar. 24, 2005

## City of San Jose sued over youth hockey player's death

By Chuck Carroll  
Mercury News

The family of a promising young hockey player who suddenly collapsed and died while playing an exhibition game at Logitech Ice have filed a wrongful death lawsuit against the city of San Jose and the parent company of the San Jose Sharks.

The 17-year-old player did not play for the Sharks, but the Sharks' parent company runs the city-owned facility.

The lawsuit, filed in Santa Clara County Superior Court on March 18, claims Berkeley resident Nicholas Rotolo would have lived if there had been anyone readily available at the ice rink who knew how to use an available device to restart Rotolo's heart.

Nor did anyone tell arriving emergency medical responders that the device, known as an automatic external defibrillator, was nearby, according to the suit.

"Nobody seemed to know it was there," said Peter Hinton, the Walnut Creek lawyer representing Rotolo's family, said of onlookers. "People just walked around scratching their heads, not knowing what to do. We think it's a shame the way things happened; this was an extremely avoidable death."

The only people in the Logitech building that night who knew how to use the device were nowhere near the incident when it happened, the suit claims.

Only a few months before, the life of another player in the same league was saved with the use of a defibrillator at a different facility, yet the coaches at Logitech Ice didn't know one was available, the lawsuit alleges.

Lawyers for the city of San Jose and the Sharks' parent company were not available Thursday comment.

The lawsuit also claims there was no accessible public pay phone available at Logitech Ice at San Jose, formerly known as the Ice Centre of San Jose. Cell phone calls to 911 take longer to respond to, and when someone's heart has stopped, seconds are precious.

These alleged failures add up to negligence on the part of the defendants, the suit says. Also named as defendants, in addition to the city and the parent of the San Jose Sharks (Silicon Valley Sports & Entertainment) are San Jose Sports & Entertainment Enterprises Inc. and San Jose Arena Management LLP.

The plaintiffs are Christine Rotolo Stevenson and Greg Dale, the mother and father of Nicholas Rotolo, as well as all his grandparents. All of them were present when Rotolo fell to the ice and never recovered. They are seeking "fair and reasonable compensation" of an unspecified amount, Hinton said.

Last April, the Santa Clara County Medical Examiner's Office concluded that Nicholas had an enlarged heart, an abnormality that contributed to his death shortly after he took a blow in the chest from an opposing player's shoulder during an exhibition game on Feb. 5, 2004.

The coroner's autopsy report concluded that the Berkeley High School youth died of natural causes from an irregular heart rhythm that suddenly developed. The boy's liver and spleen also were enlarged, the coroner said.

A videotape of the game showed Rotolo falling backward onto the ice and begin convulsing a few seconds after he skated away after a body check that occurred about 17 minutes into the second period of the game.

Efforts to revive him were unsuccessful and he was pronounced dead at San Jose Medical Center less than an hour later.

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