

Wrongful death suit filed over Port St. Lucie dog attack » TCPalm.com

<http://www.tcpalm.com/news/2010/oct/11/wrongful-death-suit-filed-over-port-st-lucie-dog/>

October 18th, 2010

FORT PIERCE — Survivors of an 83-year-old Port St. Lucie man who died more than two months after being attacked by a pit bull in February 2009 have filed a wrongful death lawsuit against the dog's owners.

The civil suit filed Thursday in the 19th Circuit Court of St. Lucie County claims Robert J. Klatch was riding in a golf cart Feb. 11, 2009, in the Cascades at St. Lucie West neighborhood when his shih tzu, Shayna, who was running alongside, was attacked by a pit bull owned by Harvey and Jane Cutler.

The lawsuit states the Cutlers' dog, named Buddy, was "unleashed and running loose."

Klatch was thrown from the cart and bitten as he tried unsuccessfully to save his dog, according to the lawsuit. He died April 21, 2009, as a result of the injuries, said his attorney, Craig Goldenfarb of West Palm Beach.

"Mr. Klatch's health went steadily down as a result of complications from the fall," Goldenfarb said Monday.

The suit also names Cascade at St. Lucie West Residents' Association and Castle Management as defendants for allegedly failing to enforce dog weight limits and leash laws in the subdivision's covenants. It also names insurance companies representing the Cutlers, the homeowners association and the management company as defendants for allegedly failing to pay Klatch's medical bills.

Plaintiffs are the deceased's widow, Suzanne Klatch, and his son, Avery Stephen Klatch.

Harvey Cutler said Monday afternoon he had not seen the lawsuit, but he called the allegations "ridiculous."

"Three negligence attorneys have taken the case before, and they've all dropped it," Harvey Cutler. "One of these days I'm going to countersue for harassment. Other than that, I'm not going to say anything about it."