

Sick girl's parents sue Wal-Mart

■ A Pembroke Pines couple has sued Wal-Mart claiming their daughter was infected from eating E. coli-infected ground beef.

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The parents of a 15-year-old Pembroke Pines girl who claim she nearly died after contracting an E. coli infection last month from frozen hamburger patties purchased at a local Wal-Mart store have sued the giant retailer.

The lawsuit, filed Wednesday in Broward Circuit Court, seeks unspecified financial damages from Wal-Mart for allegedly sell-



SUING: Anna Safranek claims her daughter, Samantha, above, was sickened by frozen beef bought at Wal-Mart. Her lawsuit alleges that Samantha sustained permanent kidney damage.

ing the beef.

Samantha Safranek, a 10th grade student at Everglades High School, returned to classes Monday after being hospitalized for three weeks. Hers is the only

known E. coli case in Florida that has been connected to frozen hamburger patties distributed by Topps Meat, of Elizabeth, N.J.,

•TURN TO WAL-MART, 6C

Scott P. Schlesinger, a Fort Lauderdale lawyer representing the Safranek family, questioned why the recall took so long. After all, he said, health officials confirmed early this month the E. coli that infected Samantha came from the Topps patties.

"The businesses and government agencies that knew these burgers were adulterated with a deadly disease and did not issue a recall in a timely fashion -- that blame falls on [them]," Schlesinger said.

Wal-Mart spokesman John Simley said it pulled frozen patties with a July 12, 2008 sell-by date -- the same as purchased by the Safraneks -- once it learned there might be a problem.

"We took our action on Aug. 30 based on a single complaint," said Simley who was unsure whether that complaint was linked to the Safranek case. "It was out of an abundance of caution." He added Wal-Mart couldn't comment on the lawsuit because it hadn't been served.

A Topps spokesman said the USDA was conducting an investigation, but had nothing further to add. The USDA had no immediate comment.

Topps issued its recall after a cluster of illnesses were reported in the Northeast, the Associated Press reported. At least six people had fallen ill but were recovering. The recalled products bear the number "Est. 9748" inside the USDA mark.

Anna Safranek on Aug. 15 bought a box of 12 Topps quarter-pound patties from the Wal-Mart at 151 SW 184th Ave. in Pembroke Pines, the six-page lawsuit said. Two days later, Samantha ate one of the burgers.

Within days, Samantha was suffering from intense pain, diarrhea, fatigue and dehydration, the suit says. She was hospitalized at Joe DiMaggio Children's Hospital in Hollywood, where doctors found she was infected with E. coli 0157:H7, a particularly virulent strain of the disease.

"She deteriorated to such a point that doctors were warning her parents that this disease could be fatal to their 15-year-old daughter, and that they should steel themselves for that eventuality," Schlesinger said.

Samantha's condition began to improve after she was placed on kidney dialysis for six days, Anna Safranek said. The lawsuit alleges, though, that Samantha has sustained permanent kidney damage. Samantha is "doing pretty good right now," her mother said.

The suit accuses Wal-Mart of negligence. "They put the burgers in the stream of commerce and they are strictly liable," Schlesinger said. Topps was not named in the suit.