

NEWS

# Summit County settles with estate of Hartville woman who died at jail

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**AKRON** Summit County has agreed to settle a claim by the estate of a Hartville woman who died at the jail for \$625,000.

Brittany Rae Berry, also known as Brittany Rae Schlarb, who previously lived in Hartville, was a 35-year-old mother of three who died from dehydration complications while detoxifying at the jail in June 2018.

The case was closed after Summit County Medical Examiner Dr. Lisa Kohler's investigation, and there was no separate or outside investigation, the Summit County Sheriff's Office previously said.

If a settlement hadn't been reached, the attorneys representing Berry's estate had planned to sue the county and Advanced Correctional Healthcare, a Peoria, Illinois-based firm that provided inmate medical services at the jail for years. The county has since switched medical providers for the jail.

County Council last month authorized the county executive to execute a settlement and release not more than \$125,000 its share of the agreement. The remainder will be paid for by insurance.

Stark County Probate Court records show the full settlement amount in the wrongful death claim is \$625,000, with \$2,447.93 in reimbursement to the attorney for case expenses and a \$208,333.33 attorney fee, per the terms of a contract Deborah Schlarb, Berry's mother and the administrator of her estate, signed saying her attorneys would receive 33% of the gross amount collected by settlement prior to litigation.

The remaining \$414,218.74 will be divided among Berry's mother, her children and potentially her father. Deborah Schlarb's attorneys argue Brittany's father, Jerome Berry, should not receive a part of the settlement, as they say he was not active in her life. A

teleconference hearing on the apportionment of the wrongful death proceeds is scheduled for Sept. 30.

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