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Student's death from choking brings suit

The teen, a special-needs pupil, was supposed to be monitored while he ate, his mother's lawyer say

By AIMEE GREEN
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The mother of an 18-year-old special-needs student who died after choking on a hamburger at school is suing the Multnomah Education Service District for $734,000.

Christopher L. Tyler Jr. died on Dec. 10 – two days after he ate his lunch unattended, then went without air for minutes as bits of the burger blocked his airway.

He was a student at the Pathways Community School in Gresham. The school is attended by more than 40 students with severe or profound cognitive disabilities and is operated by the service district.

The teen's individualized education plan required that he be monitored while he ate, said Portland attorneys Greg and Jason Kafoury. The father and son attorneys are representing Tyler's mother, Temekia Eason, in the suit filed Tuesday in Multnomah County Circuit Court.

"The only way he could eat safely was to eat pureed foods or eat very small bites," said Greg Kafoury.

Mark Skolnick, a spokesman for the service district, declined to comment because of the pending suit. A big part of the service district's mission is providing teachers, educational aides, therapists and other staff to educate special-needs students from eight school districts in Multnomah County.

Tyler
Had chromosomal disorder from birth

Tyler was born with a chromosomal disorder that affected him physically and mentally. He weighed 55 pounds and couldn't speak.

"He was very affectionate but completely incapable of taking care of himself," Greg Kafoury said. "To his mother, it was like having a baby who never grew up. ...He was loved by all who knew him."

The suit seeks $20,000 for medical costs in the two days before Tyler's death, $14,000 for memorial and burial expenses, $50,000 for his suffering and $650,000 for his parents' loss of companionship.

Tyler also is survived by three siblings.

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Aimee Green: 503-294-5119; agreen@oregonian.com