

# NEWS RELEASE

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## ***LIFE ACTIVITY CALENDAR IMPACTS JURY IN LOW SPEED REAR-ENDER \$2,243,667- VERDI CT***

*Jury awards \$2,343,667 in low speed (3 to 12 m.p.h.) multi-car rear-ender; pre-existing back; injuries; Life ACTIVITY CALENDAR used in closing arguments with no rebuttal by defendant.*

**Los Angeles, California:** Robert W. Johnson & Associates was retained to prepare a LIFE ACTIVITY CALENDAR that reflected actual testimony that would be used in closing arguments. The LIFE ACTIVITY CALENDAR'S high-impact colors convincingly illustrated how the multi-faceted life of a Hollywood T.V. location manager was reduced to a mere shadow by the accident.

**Citation:** *Kruse v. Matsumoto, et al., Los Angeles, California, Superior Court No. BCOO8975, Attorney David W. Berglund, Berglund & Johnson, Granada Hills, California.*

**Case Synopsis:** Douglas Kruse, a 46 year old Hollywood T.V. location manager was rear-ended by the defendant in a low-speed, multi-vehicle, chain reaction freeway accident. Mr. Kruse had a pre-existing narrowing of the spinal cord in his neck and pars interarticularis at L-5, S-1. Within 24 months, he underwent neck and lower back surgery. Past medical expenses totaled \$83,000.

As well as being a respected T.V. location manager, Mr. Kruse was a very active family man. He often spent four out of every seven days working in his garden or repairing items around the home. He also found time to read daily to his children, horseplay with them and, at least once a week, take them to the park.

**Trial Presentation:** Through the use of the LIFE ACTIVITY CALENDAR CHECKLIST, Mr. Kruse was able to catalog all of the varied non-work activities that he  
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enjoyed with his children and relatives, his occasional hunting and fishing trips, and his intensive gardening and home maintenance pastimes. During trial, the LIFE ACTIVITY CALENDAR CHECKLIST was an integral part of the framework of Mr. Kruse's direct testimony questions that told the story of what the accident had taken from his life. The LIFE ACTIVITY CALENDAR was shown to the jury during closing arguments, to powerfully and graphically illustrate the total loss suffered by Mr. Kruse.

**Attorney Comments:** The defense objected to the LIFE ACTIVITY CALENDAR, but the judge noted that he had just returned from a conference where he saw the LIFE ACTIVITY CALENDAR and where the general consensus was that the calendar should be admitted. We decided to be conservative and use the LIFE ACTIVITY CALENDAR only during closing arguments, rather than during direct testimony and closing arguments. The defense was totally at a loss for words to rebut the LIFE ACTIVITY CALENDAR".

**Results:** The defense offered' \$100,000 pre-trial, withdrew the offer and still asked for a defense verdict. The jury was out two days and returned a verdict of \$2,243,677.99.

**About Robert W. Johnson & Associates:** A nationally recognized full service consulting firm that specializes in illustrating and quantifying non-economic damages. Consulting services include quantifying the loss of enjoyment of life (pain and suffering) in a personal injury case; quantifying the loss of love, care, comfort, society, consortium, etc. to the survivors in a wrongful death case; illustrating, with the LIFE ACTIVITY CALENDAR, the loss of enjoyment/quality of life; analyzing structured settlements; and generating wage loss reports that include the present value of future medical expenses.

For more information, telephone Robert W. Johnson & Associates at 1-800-5417435.

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