

NEWS RELEASE

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***ECONOMIST QUANTIFIES HIGH SCHOOL STUDENT'S LIFE-TIME
DAMAGES FROM REFLEX SYMPATHETIC DYSTROPHY
JURY VERDICT: \$20,000,000***

Santa Maria, California: Robert W. Johnson & Associates was retained to: (a) present economic testimony that would help the jury quantify the plaintiff's impaired earnings capacity and (b) calculate the cost of future medical expenses.

Citation: *Pratte v. Central California Church of God Association, et al., Santa Barbara County California Superior Court, No. SM90197; Attorney Richard C. Brenneman, Chern & Brenneman, Santa Maria, California.*

Case Synopsis: Ms. Rebekka Pratte, a 14 year old high school track athlete, was a teen volunteer at a spring cleanup of a church-owned campground. After arrival at the campground, the camp staff instructed an adult supervisor to transport the teens to their sleeping quarters at the camp dining hall. It was during this transportation that an adult supervisor slammed the door on church van's door on Rebekka's hand. The nerve damage spread from her hand to her whole body. Rebekka developed Reflex Sympathetic Dystrophy (RSD) in all her extremities including osteoporosis, contractures, extreme sensitivity to pain, including any touch, change in temperature, etc. Unfortunately, physical therapy aggravated her condition causing uncontrollable involuntary muscle spasms. Multiple stellate ganglion blocks were unsuccessful in either stopping the pain or preventing the spread of the RSD. She never competed in track after the accident. Future treatments may include the implantation of a morphine pump into her spinal canal for pain control and multiple sympathectomies. Rebekka finished high school, but has been unable to finish college. She's dependent upon a wheelchair due to her disabling condition.

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Trial Presentation: Robert W. Johnson, testified that: (1) assuming that Rebekka had completed college, the present cash value of her lifetime earnings capacity would have been \$2,200,000 (including the value of lost household services); (2) based on the life care plan of Edward Bennett, the present cash value of her future medical expenses would be \$14,400,000; and (3) the defense economist's analysis had several fatal incorrect assumptions including a work-life expectancy so short that Rebekka would not be eligible for any social security payments, an overly aggressive discount rate and a fringe benefit rate that was less than the national average.

Attorney Comments: "Our jurisdiction is very conservative when it comes to awarding damages. Your testimony on both the wages and the future medical expenses, gave the jury a clear, logical and understandable way to feel comfortable with these very large numbers. The analysis conveyed the full-value of the loss, without giving the appearance of being over reaching. During cross examination your use of polite but penetrating anecdotes, that clearly illustrated credibility destroying flaws in the defense economist's analysis, had the jury nodding their heads in agreement. Cross became re-direct."

Results: The defense offered \$30,000 pretrial and asked for a defense verdict. Defendants offered to settle for \$500,000 during jury deliberations. The verdict was for a total of \$20,000,000, which consisted of \$15,769,296 in economic damages and \$4,230,704 in non-economic damages. There was 0% comparative liability assessed to the plaintiff.

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 1-800-541-7435

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