

NEWS RELEASE

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Contact: Robert W. Johnson
President
Robert W. Johnson & Associates
(800) 541-7435

\$1,000,000 JURY VERDICT FOR SHORTENED LIFE-EXPECTANCY OF 80 YR OLD

LIFE ACTIVITY CALENDAR impacts \$1,000,000 jury verdict for 80 year old retired shipyard worker whose asbestosis is a result of asbestos exposure.

San Francisco, California -- Robert W. Johnson & Associates was retained to prepare a LIFE ACTIVITY CALENDAR that, admitted through lay testimony, would graphically illustrate how the asbestosis cancer was literally strangling the "color" out of the plaintiff's life-style.

Citation: *Phillips v. Abex, San Francisco, California, Superior Court No. 927408, Brayton, Gisvold & Harley, by Attorney Philip A. Harley, Novato, California..*

Case Synopsis: Mr. Edward Phillips, an 80 year old married and retired shipyard worker, suffered from end stage asbestosis as a result of asbestos exposure. In the year prior to his cancer's manifestations, according to the testimony of his wife, Mr. Phillips was a very active husband and grandfather. He would take long walks every day, dine out at least twice a week, go fishing almost once a month, and never missed a San Francisco 49'ers home football game. His biggest joy was the time spent with his grandchildren and great-grandchildren, which was at least once a month. As a result of the asbestosis, however, he is totally bed-ridden and on oxygen.

Through the use of the LIFE ACTIVITY CALENDAR Checklist, Mrs. Phillips was able to clearly catalog the activities of Mr. Phillips. At the trial the LIFE ACTIVITY CALENDAR was admitted into evidence, and became an integral part of Mrs. Phillips' testimony. There was no cross-examination of Mrs. Phillips' testimony.

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Attorney Comments: "The LIFE ACTIVITY CALENDAR made a critical difference and had a significant impact on the jury. It held the jury's attention and dispelled the myth that 80-year old retirees only watch television, take "geritol" and can barely generate enough energy to change the channel. The jury could literally see how the asbestosis was strangling the life out of Mr. Phillips."

Results: The defense offered less than \$10,000 pre-trial and asked the jury for a defense verdict. The jury reached a verdict of \$1,000,000. This is the largest verdict for the shortened life expectancy of a plaintiff over 70 in San Francisco.

About Robert W. Johnson & Associates: A nationally recognized full service consulting firm that specializes in illustrating and quantifying non-economic damages. The presentations are accurate, understandable, and occupy the primary position of credibility in the mind of the trier of fact. 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, 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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