

NEWS RELEASE

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SEXUAL MOLESTATION CASE JURY VERDICT - \$9,400,000

Economist quantifies minor's loss of enjoyment of life due to sexual molestation by Los Angeles policeman; loss of enjoyment of life testimony admitted; LIFE ACTIVITY CALENDAR created for summation.

Los Angeles, California -- Robert W. Johnson & Associates was retained to present testimony that would assist the jury in quantifying (a) the loss of enjoyment of life suffered by the 13 year old plaintiff; (b) the economic impact of this trauma on the young female's earning capacity. In addition, prepare a LIFE ACTIVITY CALENDAR, based on lay trial testimony, that would graphically illustrate how the injury has changed her life.

Citation: *Diaz, et al., v. City of Los Angeles, Los Angeles County, California Superior Court, No. C750680, Attorneys Cochran and Ferrer, Law Offices of Johnnie L. Cochran, Jr., Los Angeles, California.*

Case Synopsis: Ms. Patricia Diaz, a 13 year old, was sexually molested by a Los Angeles City policeman in January, 1989. The policeman was arrested and convicted shortly thereafter. As a result of her trauma, Ms. Diaz suffered severe psychological deterioration which included Post Traumatic Stress Syndrome. In addition, she attempted suicide on three occasions. Her psychologist, (assuming maximum recovery) rated her permanent loss of enjoyment of life, using the Global Assessment Functioning Scale (GAF), in the range of 33% to 44%.

Expert Testimony: Robert W. Johnson testified that, (a) combining Ms. Diaz's medical loss of enjoyment of life rating of 33% to 44%, coupled with the federal government studies and accepted economic analysis (that the dollar value of the 100% loss of enjoyment of life ranges between \$1.6 and \$8.5 million), the range for Ms. Diaz's loss of enjoyment of

life was \$530,000 to \$3,700,000; and (b) assuming that Ms. Diaz's earnings capacity was reduced by a percentage identical to her GAF deficit of 33% to 44%, her earnings capacity was reduced by \$509,000 (if a high school graduate) and \$919,000 (if a college graduate).

For closing argument, a color-coded LIFE ACTIVITY CALENDAR, illustrating the before and after effects of her injury, was prepared based on the actual testimony of Ms. Diaz and her parents.

Attorney Comments: "Damages were the core of this case. Your highly credible testimony on Ms. Diaz's loss of enjoyment of life and lost earnings capacity gave the jury a logical, rational, and understandable way to quantify this difficult area of damages. During cross examination, it was especially delightful when you engaged defense counsel in a discussion on where Ms. Diaz belonged in the loss of enjoyment of life calculation chart. The two defense economists credibility was irreparably damaged by your answers during cross examination.

The quick production of the color-coded LIFE ACTIVITY CALENDAR, based on actual trial testimony, enabled us to visually and powerfully summarize how this tragedy has drained the color out of Ms. Diaz's life."

Results: The defense offered less than \$150,000 pre-trial and asked for a defense verdict. The jury returned a verdict of \$9,400,000 (almost identical to the plaintiff's summation presentation) which consisted of \$3,100,000 in punitive damages; and \$6,300,000 in compensatory damages (pain and suffering/loss of enjoyment of life/lost earnings capacity).

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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