

# NEWS RELEASE

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Robert W. Johnson & Associates

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## ***D.C JURY AWARDS WORKING MOTHER \$2,100,000 FOR UNDIAGNOSED CANCER***

### ***ECONOMIST'S TESTIMONY SUPPORTS VERDICT OF \$2,100,000 FOR A 43 YEAR OLD MOTHER OF TWO FOR FAILURE TO DIAGNOSE COLON CANCER.***

**Washington, D.C.:** Robert W. Johnson & Associates testified to the economic damages of a married, working mother of two minor children. The mother, Mrs. Lilia M. Reyes, is suffering from cancer of the colon, now terminal as a result of misdiagnosis.

**Citation:** *Lilia M. Reyes and Andres Hernandez-Amor v. Group Health Association, Inc. et al., Superior Court of the District of Columbia, Civil Division, Civic Action No. 93-247, Calendar,6; Attorneys Jack H. Olender and Harlow R. Case, of Jack H. Olender and Associates, Washington D.C.*

**Case Synopsis:** Mrs. Reyes, a married mother of two minor children, earned \$54,000 annually as a program manager for the U.S. Conference of Mayors. Between October 22, 1991 and the following March, Mrs. Reyes had nine visits or consultations with doctors complaining of and detailing continuing rectal problems including abdominal bloating, episodes of abdominal cramps, and distension. Mrs. Reyes conveyed to the doctor her concern about possible colon cancer. The doctor's notes state she told Mrs. Reyes "...there was nothing wrong with her; that her worrying was making her sick; and that she needed to learn to live with a chronic condition – irritable bowel syndrome...".

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In August 1992 while visiting family in Florida, Mrs. Reyes suffered a total obstruction of her large bowel (colon) and was operated on in Florida whereupon they removed a cancerous tumor. She later underwent a removal of her ovaries and fallopian tubes, and had to have extensive chemotherapy which she would not have needed had the cancer been diagnosed earlier.

Robert W. Johnson, a forensic economist, testified that over 15 years, Mrs. Reyes' annual rate of pay had risen from \$15,000 per year to over \$54,000 per year. Mr. Johnson explained that Mrs. Reyes' work life expectancy was to age 65, not to age 58 as the 1986 Bureau of Labor Statistics study would suggest. He elaborated that the study shows age 58 because the study contains data that is discriminatory toward women. Mr. Johnson summarized that Mrs. Reyes' total lost wages to age 65, including fringe benefits, were over \$1,480,000 (\$1,332,000 after-taxes).

**Attorney's Comments:** "Mr. Johnson's clear, sensitive presentation and thorough documentation of Mrs. Reyes' loss of income helped the jury to understand and quantify her economic damages. His explanation of the 'shortchanging of women in the work-life expectancy tables' was embraced by the jury. The \$2,100,000 total award was gratifying and we were very pleased with Mr. Johnson's testimony."

**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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