

# NEWS RELEASE

**Date:** March 10, 1995

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Robert W. Johnson & Associates

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## ***ECONOMIST'S TESTIMONY IMPACTS VALUE OF CASES AT SETTLEMENT & TRIAL***

***Los Altos, California:*** Since joining Robert W. Johnson & Associates as an economist one year ago, George A. Booth, III has worked on more than 200 cases involving damages from personal injury and wrongful death. In addition, he has prepared detailed economic analysis on commercial litigation cases. Mr. Booth has been deposed numerous times, and has been admitted at trial as a forensic economist in the areas of economic and non-economic damages. Two typical cases handled by Mr. Booth are summarized below.

### **Case 1**

#### ***JUDGE AWARDS \$225,000 FOR WRONGFUL DEATH OF CHILD***

**Citation:** *Lummus vs. County of Imperial, et al.; Attorney Edward K. Madruga, Palm Desert, California.*

**Case Synopsis:** On August 11, 1990, 6 year old Lindsay J. Lummus attempted to turn off a water faucet situated next to an underground air conditioning unit while standing in mud. When she made contact with the air conditioning unit, she received an electrical shock which caused her death.

**Expert Testimony:** Mr. Booth was retained to prepare an economic loss report and testify at trial. Mr. Booth testified that had Ms. Lummus not been killed, she would have had the earnings capacity of an average high school graduate and could have contributed \$117,000 to the future support of her family. He then testified that, based on Willingness-To-Pay studies used by both academics and federal government agencies, the acceptable range for the loss of the "non-economic" value of life to the decedent's survivors is from \$1,800,000 to a mid-point of \$6,200,000. Mr. Booth stated at trial that economists have concluded that Willingness-To-Pay dollar values are useful in wrongful death cases involving non-economic losses to survivors. Non-economic losses, according to Mr. Booth, include such elements as love, care, comfort, society, etc

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**Case Results:** The judge awarded \$225,000 for the child's death.

**Attorney Comments:** "I am ecstatic. In this area you are lucky if you get \$10,000 for the death of a child. Your report and testimony were the key factors."

**Case2**  
**INJURED LETTUCE CUTTER CASE IS SETTLED FOR \$175,000**

**Citation:** *Jose Rios vs. Glenn L. Henry; Co-Counsels Dennis R. Powell, Salinas, California and Steven Pingel, Seal Beach California.*

**Case Synopsis:** The plaintiff, Mr. Rios, was injured when he was standing between a parked car and a brick wall. The driver of the parked car shifted into drive instead of reverse pinning Mr. Rios's legs to the wall. The resulting injuries to Mr. Rios were severe and permanent. Mr. Rios's injuries will prevent him from returning to his former job as a field worker or from doing any other hard physical labor. Since Mr. Rios was not totally disabled, a mitigating work scenario was required. A rehabilitation counselor's report indicated that post-injury, Mr. Rios could hold a job as a janitor. The present value of wage loss was \$167,000.

**Case Results:** Case settled for \$175,000.

**Attorney Comments:** "I was particularly pleased with the economic report because although Mr. Rios's mitigating income could be that of a janitor, Mr. Booth's economic report specified that the position would not be that of a Spanish speaking janitor who would earn less than a janitor who could speak English. The report was well grounded in fact and the numbers were unassailable which helped move the case to settlement."

**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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