

NEWS RELEASE

Robert W. Johnson & Associates

FORENSIC ECONOMIST

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ECONOMIST TESTIMONY ASSISTS JURY IN WRONGFUL DEATH CASE OF YOUNG PHYSICIAN

JURY VERDICT \$11,475,000

San Francisco, California: Robert W. Johnson & Associates were retained to provide economic testimony quantifying both the present cash value of the household services and a framework for determining punitive damages.

Citation: Daniel Dean, et al., vs. Oppenheim Davidson Enterprises, (dba America's Best Carpet Care) et. al.; Alameda County, California Superior Court, No.809231-1; Attorneys Thomas Di Franco and Paul Scott, San Francisco, California.

Case Synopsis: Dr. Kerry Dean, a 30-year-old married physician, called America's Best Carpet Care to have her carpets cleaned. The carpets did not stay clean as long as guaranteed and Dr. Dean contacted the carpet cleaning person directly (as was the company policy) and requested that he return and properly complete the job. Unbeknownst to Dr. Dean, the carpet cleaning person had a violent criminal history and had been terminated by America's Best Carpet Care for additional criminal acts. America's Best Carpet Care, however, never notified Dr. Dean. The carpet cleaner returned and murdered Dr. Dean.

Dr. Dean had finished her residency and was seeking to specialize in pediatrics, in the San Francisco Bay area. Her husband was a successful management consultant.

Expert Consultation: Mr. Johnson testified that Dr. Dean, based on the latest local wage survey data, could expect an annual earnings profile that started at \$153,000 and after 20 years would be at the \$250,000 level. In addition, Mr. Johnson stated that, based on data from the American Medical Association, the work life of a physician is typically beyond age 65. In fact the average age of retirement is over age 70. Dr. Dean's husband earned over \$120,000 per year. Although busy as a physician, Dr. Dean did perform household services. Mr. Johnson calculated that the range of economic support that Dr. Dean would have provided to her family was from \$3,500,000 to \$4,800,000.

Results: The trial was bifurcated and Mr. Johnson testified in the damages phase. The jury awarded \$11,475,000 total damages, which included \$3,950,000 in economic damages

Attorney Comments: “Once we were successful in the liability phase, this was a damages case. Your testimony was pivotal in establishing the value to the jury. Your ability to explain and make the jury comfortable with economic concepts and plaintiff’s substantial claim was exemplary. In fact, the defense was so shaken, that your cross-examination was almost as effective for the plaintiff’s case, as was your direct.

Additionally, your critique of the flaws in the opposing experts' analysis assisted us in destroying his credibility within the first half-hour of cross-examination.”



About Robert W. Johnson & Associates: A nationally recognized full service consulting firm that specializes in the analysis and placement of structured settlements and quantifying economic and 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 the loss of quality of life with the LIFE ACTIVITY CALENDAR; analyzing structured settlements; and generating wage loss reports that include the present value of future medical expenses.

- *VISIT* our website at www.rwja.com for general information about the firm and its services.

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