

**Professional Negligence
Law Reporter
2008
Annual Index
and
Table of Cases
for
Volume 23**

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How to Use This Index

The *Professional Negligence Law Reporter* Annual Index is designed to make your 2008 issues of the *Professional Negligence Law Reporter* a reliable and accessible research tool. Here are a few things you should know to make the best use of your index:

General Index by Subject (page PN-3). The major subject headings in the General Index correspond to the areas of law covered in each issue of the *Professional Negligence Law Reporter*.

To locate a particular kind of case, first determine into which area your inquiry falls. Entries within each subject include both factual and legal issues. The numbers after the entries are the page numbers in Volume 23 of the *Professional Negligence Law Reporter* where the cases appear.

Table of Cases (page PN-6). This table includes the most complete citations available as of December 2008.

Injury Awards (page PN-11). Entries in this section will direct you to cases in Volume 23 of the *Professional Negligence Law Reporter* that contain awards of damages for particular types of injuries. The following abbreviations are used in this section of the index: V for verdict, J for judgment, S for settlement, SS for structured settlement, PVS for postverdict settlement, AA for arbitration award, and PAS for postarbitration settlement. An asterisk beside an award indicates plaintiff suffered injuries in addition to the one listed.

News (page PN-12). This index lists issues that have been discussed in news stories appearing in *PNLR*.

Outlook (page PN-12). This index lists bylined articles that have appeared in *PNLR* by author and by subject.

Wrongful Death Awards (page PN-13). This table lists the wrongful death awards reported in Volume 23 of the *Professional Negligence Law Reporter*. The following abbreviations are used in this section of the index: V for verdict, J for judgment, S for settlement, SS for structured settlement, PVS for postverdict settlement, AA for arbitration award, and PAS for postarbitration settlement.

To Obtain Further Information About a Case. The *Professional Negligence Law Reporter* provides pleadings, depositions, briefs, and other court documents through the Court Documents section each month. That column also provides a list of Abstract Sets—each set includes a collection of case summaries on a specific topic that have appeared in *PNLR* since 1993. The best source for additional information about a case is plaintiff’s counsel. The name and city of the plaintiff’s counsel involved in a case is provided, where possible, at the end of our report of the case. Your AAJ membership directory will provide you with the complete address and telephone number of any AAJ member. The directory is available online at www.justice.org.

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Injury Awards

- artery, lacerated**
\$1.83 million V: 49
- bowel and bladder problems**
\$2.38 million S: 199
- blindness**
\$38 million V: 199
\$19.25 million V: 109
\$11.2 million V*: 195
\$10.1 million V: 173
\$650,000 S: 12
\$325,000 S: 91
- brachial plexus injury**
\$2.35 million V: 196
\$800,000 SS: 151
- brain damage**
\$2 million S and
\$23.74 million V: 71
\$9.75 million S: 197
\$6.3 million V: 108
\$3.53 million V: 47
\$2.27 million V: 7
\$2 million V: 46
\$1.07 million S: 153
\$1 million S: 72
cerebral palsy,
\$35 million V: 153
\$26.5 million V: 86
\$9.8 million V*: 195
\$3.99 million S: 88
\$1.55 million S: 87
\$1.13 million S: 44
cognitive impairment,
\$4.4 million S and
\$109.03 million V: 45
\$1.65 million V
mental retardation,
\$15.35 million S: 194
- cancer**
advancement/metastasis
\$7 million V: 133
- \$850,000 S: 11
- consortium, loss of**
\$2.5 million V: 108
\$2 million V: 150
\$1.5 million V: 27
\$1.5 million V: 174
\$1 million V: 46
\$850,000 V: 10
\$375,000 V: 47
\$158,100 V: 106
- dental injuries**
extraction, unnecessary,
\$30,000 V: 44
\$25,000 S: 43
misalignment,
\$100,000 S: 64
\$25,000 S: 43
- disfigurement**
\$12 million V*: 107
- infection**
\$2.54 million S: 153
\$928,700 V: 152
\$861,200 V: 134
- internal injuries**
\$17.5 million V: 131
\$3.1 million V: 46
- jaw damage**
\$1.8 million V: 86
- kidney, lost**
\$548,200 V: 67
- lacerations**
facial,
\$880,000 SS*: 8
- leg**
amputation,
\$500,000 comp. and
\$2.5 million pun. V: 50
\$400,000 V: 90
\$162,500 V: 111
femur/hip fracture,
\$200,000 comp. and
\$600,000 pun. V: 112
\$550,000 V: 107
lengthening,
\$500,000 V: 69
- medication side effects**
\$2.5 million V: 48
- motor impairment**
\$2 million S: 48
- nerve injuries**
\$803,100 V: 29
\$600,000 S: 48
facial numbness,
\$500,000 V: 104
\$84,700 V: 5
- neurological injuries**
\$1 million S and
\$10 million V: 133
- open-heart surgery**
\$889,100 AA: 85
- pain**
\$14.8 million V: 168
\$1 million S*: 172
\$400,000 S: 92
\$12,500 V: 84
- paralyzing injuries**
\$2.75 million V*: 47
paraplegia,
\$7.7 million S: 69
quadriplegia,
\$38.5 million V: 86
\$18 million V: 172
\$1.6 million S,
\$3 million S, and
\$12 million V: 67
- psychological harm**
addiction,
\$250,000 S: 11
emotional distress,
\$37 million S: 24
- \$12.6 million S: 167
\$11 million S: 129
\$10 million S: 192
\$8.7 million V: 128
\$5.5 million S: 168
\$3 million S: 3
\$625,000 comp. and
\$575,000 pun. V: 25
\$450,000 AA: 32
\$450,000 S: 192
\$270,000 comp. and
\$75,000 pun. V: 154
lost dignity,
\$400,000 comp. and
\$500,000 pun. V: 135
posttraumatic stress,
\$6 million V: 4
\$50,000 S and
\$1.46 million V: 51
- rectosigmoid junction,**
perforation,
\$1.63 million V: 196
- sepsis**
\$8.5 million V*: 27
- sphincter damage**
\$2.5 million V: 30
- spina bifida**
\$1.49 million V: 31
- spinal cord injury**
\$1.05 million V: 30
- stroke**
\$1.5 million comp. and
\$10 million pun. V: 155
- vegetative state**
semi,
\$3.9 million S: 7
- vision loss**
\$1 million S: 131
\$890,000 V: 198
\$750,000 S: 50

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Wrongful Death Awards

Children

\$8.1 million V, 13-month-old, survived by parents: 27
\$250,000 S, \$1.8 million S, and \$7 million V, 4-year-old, survived by parents and minor sibling: 171
\$2.27 million V, 2-year-old, survived by parents: 7
\$1.07 million S, 5-year-old, survived by parents: 153
\$900,000 S, 7-month-old, survived by parents: 28

Men

\$1 million S and \$35 million V, 33-year-old sales professional earning about \$565,800 annually, survived by wife and three minor children: 25
\$22.5 million V, 49-year-old, survived by wife and three minor children: 30
\$9 million V, 39-year-old construction worker earning \$45,000 annually, survived by wife and two minor children: 105
\$9 million V, 41-year-old attorney earning about \$100,000 annually, survived by wife and three minor children: 110
\$6 million V, 31-year-old, survived by parents and two minor children: 12
\$5.26 million V, 75-year-old, survived by wife and three adult children: 47
\$4.45 million V, 45-year-old security guard earning \$60,000 annually, survived by wife and three minor children: 130
\$4 million V, 69-year-old, survived by wife and four adult children: 85
\$3.6 million V, 75-year-old, survived by wife and two adult daughters: 174
\$3 million V, 35-year-old, survived by wife and two minor children: 9
\$2.52 million V, 93-year-old, survived by three adult children: 32
\$2.5 million V, 24-year-old accountant earning \$40,000 annually, survived by parents and two adult brothers: 133
\$2.4 million S, 54-year-old sanitation worker earning \$65,000 annually, survived by wife and five minor children: 87
\$2 million S, 44-year-old computer professional earning \$75,000 annually, survived by minor son: 46
\$2 million V, 38-year-old, survived by wife and three minor children: 89
\$2 million S, 58-year-old manager earning \$50,000 annually, survived by wife and adult child: 170
\$1.9 million S, 59-year-old, survived by his wife and three adult children: 66
\$1.83 million J, 48-year-old shipfitter earning \$14,800 annually, survived by wife and three children: 174
\$1.75 million S, 37-year-old loan officer earning \$41,000 annually, survived by wife: 128
\$1.6 million S, 62-year-old, survived by father and three brothers: 24
\$1.58 million V, 47-year-old manager, survived by two adult daughters: 10
\$1.38 million S, 78-year-old, survived by wife and two adult daughters: 107
\$1.26 million V, 35-year-old carpenter earning about \$25,000 annually,

survived by wife: 110
\$1.25 million V, 88-year-old, survived by one adult child: 90
\$1.14 million S, 73-year-old, survived by wife and five adult children: 4
\$1.1 million S, 42-year-old financial analyst earning up to \$400,000 annually, survived by wife and three children: 150
\$1 million S, 37-year-old laborer earning \$18,000 annually, survived by wife and three minor children: 171
\$1 million V, 84-year-old, survived by adult daughter: 136
\$1 million S, 19-year-old, survived by parents: 170
\$875,000 S, 52-year-old, survived by wife and two adult children: 149
\$850,500 V, 90-year-old, survived by wife and four adult children: 44
\$750,000 S, 72-year-old, survived by wife and five adult children: 197
\$700,000 S, 48-year-old car auctioneer earning \$80,000 annually, survived by wife: 71
\$634,500 V, 70-year-old, survived by wife: 86
\$550,000 S, 38-year-old cashier and casino worker earning \$42,000 annually, survived by sister: 135
\$200,000 V, 80-year-old, survived by wife and adult son: 11

Women

\$22 million V, 34-year-old beauty school manager earning \$65,000 annually, survived by husband and infant child: 68
\$20.5 million V, 18-year-old, survived by parents and two siblings: 132
\$9.1 million V, 30-year-old clerical worker earning \$32,000 annually, survived by husband: 70
\$8.8 million V, newborn and 24-year-old retail worker earning \$350 per week, survived by husband/father: 31
\$6 million V, 81-year-old, survived by three adult children: 136
\$5.85 million S, 38-year-old, survived by parents and three siblings: 106
\$3.9 million S, 46-year-old, survived by her adult son: 168
\$3.05 million PVS, 46-year-old, survived by husband and two minor children: 150
\$2.1 million S, 50-year-old, survived by husband and four adult children: 9
\$1.75 million V, woman in 40s, survived by sister: 50
\$1.26 million V, 51-year-old interior designer earning \$60,000 annually, survived by husband, minor son, and adult daughter: 10
\$1.25 million V, 34-year-old, survived by minor son: 88
\$1.1 million S, 56-year-old, survived by husband and three adult children: 105
\$1 million S, 38-year-old, survived by husband and one adult and two minor children: 7
\$950,000 S, 70-year-old, survived by two adult children: 8
\$938,800 S, 55-year-old, survived by husband: 173
\$800,000 S, 59-year-old, survived by husband and five children: 172
\$750,000 V, 65-year-old, survived by five adult children: 175
\$523,000 S, 83-year-old, survived by adult son: 32
\$300,000 V, 75-year-old, survived by two adult children: 155
\$250,000 S, 76-year-old, survived by adult son: 148
\$237,500 S, 90-year-old, survived by five adult children: 155