

Products Liability Law Reporter 2004 Annual Index and Table of Cases for Volume 23

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How to Use This Index

The *Products Liability Law Reporter* Annual Index is designed to make your 2004 issues of the *Products Liability 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 PL-3). The major subject headings in the General Index correspond to the areas covered in each issue of the *Products Liability Law Reporter*.

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

Table of Cases (page PL-7). This table includes the most complete citations available as of November 2004.

News (page PL-14). This index lists products and issues that have been discussed in news stories appearing in the *Reporter*.

Federal Agency Actions (page PL-14). This index lists products involved in administrative actions taken by federal agencies.

Injury Awards (page PL-15). Entries in this section will direct you to cases in the *Products Liability 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; S for settlement; SS for structured settlement; PVS for postverdict settlement; AA for arbitration award; PAS for postarbitration settlement; M for mediation. An asterisk beside an entry indicates plaintiff suffered injuries in addition to the one(s) listed.

Wrongful Death Awards (page PL-16). This table lists the wrongful death awards reported in Volume 23 of the *Products Liability Law Reporter*. The following abbreviations are used in this section of the index: V for verdict; S for settlement; SS for structured settlement; PVS for postverdict settlement; AA for arbitration award; PAS for postarbitration settlement; M for mediation.

To Obtain Further Information About a Case. The *Products Liability 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 appearing in the *Reporter* from 1993 to the present. You can also order Ultimate Document Sets, which include documents from at least seven different cases on the topic, an Abstract Set, and a bylined article. The best source for additional information about a case is plaintiff's counsel. The name and location of plaintiff's counsel is provided, where possible, at the end of our report of the case. Your ATLA membership directory will provide you with the complete address and telephone number of any ATLA member. The directory is available online at www.atla.org.

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Injury Awards

- arm injuries**
 amputation,
 \$7.4 million V: 87
 \$1.55 million S*: 147
 crush injuries,
 \$51.46 million V*: 31
 \$16 million V: 7
 \$15.5 million V: 74
 degloving injuries,
 \$15.5 million V: 74
 finger,
 amputations,
 \$2 million S*: 10
 \$1.55 million S*: 147
 \$750,000 S: 171
 \$350,000 S: 150
 \$95,000 PVS*: 173
 fracture,
 \$9.45 million S*: 32
 \$6.75 million S*: 9
 wrist,
 \$5.1 million V*: 52
 hand,
 \$5.1 million V*: 52
 \$2.6 million V: 65
 degloving injury,
 \$300,000 S: 152
 shoulder,
 brachio plexus injury,
 \$2.6 million V*: 109
 impingement,
 \$2.16 million V
 and \$600,000 S*:
 135
 rotator cuff tear,
 \$380,000 AA: 150
 tear,
 \$1.5 million S*: 292
- back injuries**
 annular tear,
 L3-4,
 \$1.01 million V*: 148
 anterior subluxation,
 L4-5,
 \$600,000 S*: 149
 bulging disks,
 \$1.5 million S*: 192
 herniated disks,
 \$712,000 S: 64
 C4-6,
 \$2.16 million V
 and \$600,000 S*:
 135
 C5-7,
 \$1.5 million S*: 192
 L4-5,
 \$1.01 million V*: 148
 L5-S1,
 \$850,000 S and \$8.1
 million V: 174
 \$1.5 million S*: 192
*see also fractures, paralyzing
 injuries, below*
- brain injuries**
 \$2.16 million V
 and \$600,000 S*: 135
 \$2.25 million S*: 67
 \$2.2 million S: 45
 concussion,
 \$8.6 million V: 168
 \$2.6 million V*: 109
 diffuse axonal brain injury,
 \$9.45 million S*: 32
 frontal lobe injury,
 \$9.45 million S*: 32
 hypoxic brain damage,
 \$104 million V: 49
 neurocognitive problems,
 \$187,500 S*: 167
 post-concussion syndrome,
 \$2.16 million V
 and \$600,000 S*: 135
 seizures,
 \$8.6 million V: 168
 stroke,
 \$3 million S*: 69
 subdural hematoma,
 \$2.25 million S*: 67
*see also head/skull injuries,
 below*
- burns**
 second-, third-, and fourth-
 degree,
 \$25 million S and \$10
 million S*: 92
 75 percent body,
 \$58.14 million V: 111
 \$2 million S: 10
 55 percent body,
 \$1.75 million PVS: 24
 47 percent body,
 \$5.5 million S: 46
 facial,
 \$900,000 V*: 171
 \$400,000 S: 188
- companionship and society,
 loss of**
 \$10 million V*: 31
- consortium, loss of**
 \$3 million V: 133
 \$2.5 million V: 73
 \$1 million V: 90
 \$1 million V: 132
 \$900,000 S: 69
 \$750,000 V: 67
 \$500,000 V: 27
 \$333,800 V: 27
 \$300,000 V: 71
 \$100,000 V: 109
- diseases**
 diabetes,
 \$11 million S*: 131
 erosive esophagitis,
 \$77,500 AA*: 25
 irritable bowel syndrome,
 \$77,500 AA*: 25
 lung disease,
 \$20 million V: 190
 lung sensitivity,
 \$534,000 S*: 27
 mesothelioma,
 \$6 million V*: 132
 \$6 million V*: 133
 \$2.6 million V: 26
 Parkinson's disease,
 \$1 million V: 7
 reflux disease,
 \$77,500 AA*: 25
- ear injuries**
 partial hearing loss,
 \$95,000 PVS*: 173
- economic injuries**
 decreased milk
 quality/production,
 \$350,000 V and
 \$37,500 S*: 45
 veterinary expenses,
 \$350,000 V and \$37,500
 S*: 45
- eye injuries**
 central retinal vein occlusion,
 \$95,000 PVS*: 173
 cornea,
 cut,
 \$58,000 S: 113
 melted,
 \$900,000 V*: 171
 tear layer damage,
 \$534,000 S*: 27
- fractures**
 ankle,
 \$2.6 million V*: 109
 arm,
 \$9.45 million S*: 32
 \$6.75 million S*: 9
 facial/skull,
 \$45.5 million V
 and \$11.48 million S*: 71
 \$9.45 million S*: 32
 \$3 million S*: 69
 \$750,000 S: 70
 foot/heel,
 \$675,000 S*: 115
 hip,
 \$9.45 million S*: 32
 leg,
 \$122.03 million comp.
 and \$246 million pun.
 V*: 175
 \$34 million PVS: 176
 \$24.32 million V*: 27
 \$9.45 million S*: 32
 \$5.1 million V*: 52
 \$2.6 million V*: 109
 multiple,
 \$122.03 million comp.
 and \$246 million pun.
 V*: 175
 \$53.57 million V: 71
 rib,
 \$16 million V*: 7
 spinal,
 C2-3,
 \$45.5 million V and
 \$11.48 million S*: 71
 C5-6,
 \$100,000 V
 and \$50,000 S*: 195
 L1-2,
 \$45.5 million V
 and \$11.48 million
 S*: 71
 \$675,000 S*: 115
 L3-5,
 \$1 million V
 and \$850,000 S: 195
 L-4,
 \$2.25 million S*: 67
 L5-S1,
 \$12.24 million V
 and \$650,000 S*: 66
 T2-3,
 \$47.82 million V: 97
 T2-5,
 \$2.6 million V*: 109
- head/skull injuries**
 closed-head injury,
 \$51.46 million V*: 31
 \$3 million S: 69
 \$2.16 million V
 and \$600,000 S*:
 135
 \$2.25 million S*: 67
 temporomandibular joint
 dysfunction,
 \$2.16 million V
 and \$600,000 S*: 135
*see also brain injuries,
 fractures, above*
- heart injuries**
 valve damage,
 \$1.3 million V: 43
- immune system
 injuries/problems**
 allergies,
 \$187,500 S*: 167
 inflammation,
 adenoids,
 \$187,500 S*: 167
 tonsils,
 \$187,500 S*: 167
 respiratory tract infections,
 \$187,500 S*: 167
 \$20,000 S*: 167
see also diseases, above
- internal injuries**
 \$3.76 million V*: 93
 gastrointestinal distress,
 \$20,000 S*: 167
 intestines, perforated,
 \$45.5 million V
 and \$11.48 million S*:
 71
 kidney, loss of,
 \$45.5 million V
 and \$11.48 million S*:
 71
 lung, punctured,
 \$16 million V*: 7
 pancreas, partial loss of,
 \$45.5 million V
 and \$11.48 million S*:
 71
 spleen, loss of,
 \$45.5 million V
 and \$11.48 million S*:
 71
 \$2.6 million V*: 109
- leg injuries**
 amputation,
 \$5.1 million V*: 52
 \$1.75 million S*: 28
 crush injuries,
 \$24.32 million V*: 27
 \$5.1 million V*: 52
 ankle,
 \$2.25 million S*: 67
 L5-S1,
 \$12.24 million V
 and \$650,000 S*: 66
 T2-3,
 \$47.82 million V: 97
 T2-5,
 \$2.6 million V*: 109

\$3.65 million V*: 132
 degloving injuries,
 \$3.65 million V*: 132
 foot,
 partial amputation,
 \$24.32 million V*: 27
 fracture,
 \$24.32 million V*: 27
 \$9.45 million S*: 32
 \$5.1 million V*: 52
 \$2.6 million V*: 109
 \$2.25 millions S*: 67
 hip,
 \$9.45 million S*: 32
 knee,
 replacement,
 \$600,000 S*: 149
nerve injuries

spinal cord impingement,
 \$16 million V*: 7
paralyzing injuries
 paraplegia,
 \$122.03 million comp.
 and \$246 million pun.
 V*: 175
 \$45.5 million V
 and \$11.48 million S*:
 71
 \$47.82 million V: 97
 \$12.24 million V
 and \$650,000 S*: 66
 \$1.75 million S*: 28
 quadriplegia,
 \$3.75 million comp. and
 \$50 million pun. V: 73
 \$7.5 million V: 73

\$6.75 million S*: 9
 \$4 million S*: 197
 incomplete,
 \$19.56 million V: 50
psychological injuries
 emotional distress,
 \$12 million V*: 46
 \$4 million S*: 197
 \$77,500 AA*: 25
 \$25,000 V: 195
 mental anguish,
 \$14 million V: 31
 \$10 million V*: 31
 \$500,000 V: 44
 posttraumatic stress disorder,
 \$24.32 million V*: 27
rectal injuries
 \$3.76 million V*: 93

scarring
 \$51.46 million V*: 31
 lip laceration,
 \$50,000 V
 and \$50,000 S*: 195
see also burns, above
services, loss of
 \$12 million V*: 46
sexual injuries
 \$1.5 million V: 90
skin damage
 \$534,000 S*: 27
stroke
 \$3 million S: 69
throat injuries
 \$300,000 V: 26
vein/artery damage
 \$1.5 million V: 90

Wrongful Death Awards

Men

\$20.35 million V, 58-year-old airline terminal manager, survived by his wife and one adult son: 71
 \$18.5 million V, 41-year-old night crew leader, survived by his father: 89
 \$18 million V, 58-year-old laborer, survived by three adult children: 46
 \$6.4 million V, 75-year-old retiree, survived by his wife, six children, 23 grandchildren, and several great-grandchildren: 26
 \$4.14 million S, 21-year-old first-round draft pick baseball player, survived by his parents and two sisters: 115
 \$4.4 million V, 52-year-old trucker earning about \$32,000 annually, survived by his wife and minor son: 176
 \$3 million V and \$800,000 S, 66-year-old sitting Missouri governor, survived by his wife and three adult children: 49
 \$2.37 million S, 71-year-old retiree, survived by his wife and two adult children: 111
 \$2.3 million S, 36-year-old tire serviceman earning \$25,000 annually, survived by his parents, wife, adult daughter, and minor son: 12
 \$2.05 million S, 45-year-old electrician earning about \$60,000 to \$70,000 annually, survived by his wife and two minor children: 110
 \$750,000 S plus waiver of a \$1.4 million workers' compensation lien, 45-year-old millwright earning about \$40,000 annually, survived by his wife and two adult children: 110
 \$1.8 million S, 37-year-old naval pilot, survived by his sister and two minor children: 72
 \$1.66 million S, 18-year-old draft pick baseball player, survived by his parents and brother: 115
 \$1.5 million S, 27-year-old coal hauler earning about \$30,000 annually, survived by his wife and minor daughter: 9
 \$1 million V and \$400,000 S, 44-year-old lawyer, survived by his mother: 49
 \$1.25 million S, 75-year-old retiree, survived by his wife and four adult children: 45
 \$1 million S, 51-year-old maintenance technician earning about \$37,000

annually, survived by his wife, four adult daughters, and one adult son: 66

Women

\$3.32 million V, 29-year-old administrative assistant earning \$18,000, survived by her mother and one minor son: 73
 \$1.5 million S, 22-year-old account assistant earning about \$22,000 annually, survived by her husband and minor son: 50
 \$191,400 V, 40-year-old woman, survived by her minor daughter and other family members: 64

Children

\$50 million V, 20-month-old boy, survived by his parents: 6
 \$45 million V, 7-year-old girl, survived by her parents: 30
 \$16.7 million V and \$8 million S, 11-year-old girl, survived by her parents and two minor sisters: 6
 \$10.5 million S, 5-year-old boy, survived by his mother and two siblings: 63
 \$2.6 million S, 8-month-old boy, survived by his parents and teenage brother: 24
 \$850,000 S, 7-year-old boy, survived by his parents, 190
 \$400,000 S, 6-year-old boy, survived by his parents and three siblings: 70

Multiple Victims

\$25 million S, three foundry workers, ages 31, 31, and 22, and serious burns to nine of their coworkers: 92
 \$12.5 million V and \$1.1 million S, 64-year-old man and his 58-year-old wife, survived by two adult children and the wife's parents; and an 8-year-old boy, survived by his parents and three sisters: 95