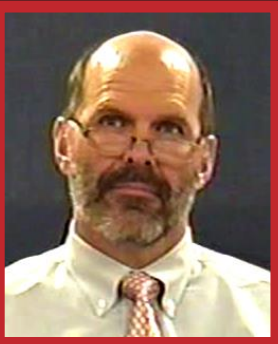


Becky Anderson



Born April 22, 1958 (Age 55)



Dr. Donald Paugh
Surgeon

Becky Anderson



Dr. Linda Schatz
Anesthesiologist



Medtronic/XOMED
Made ETT Device

Fault Analysis

Paugh



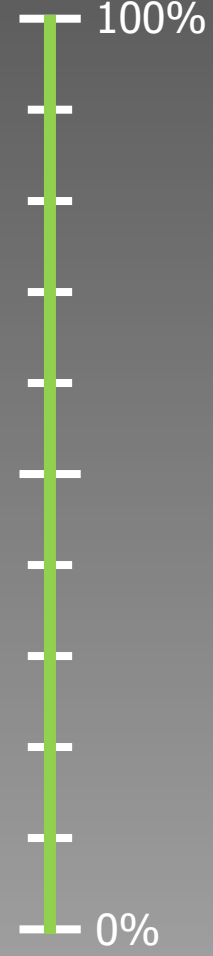
Schatz



Medtronics



Hospital



Jury Instructions

The term “proximate cause” means a cause which in a direct sequence produces the injury complained of and without which such injury would not have happened.

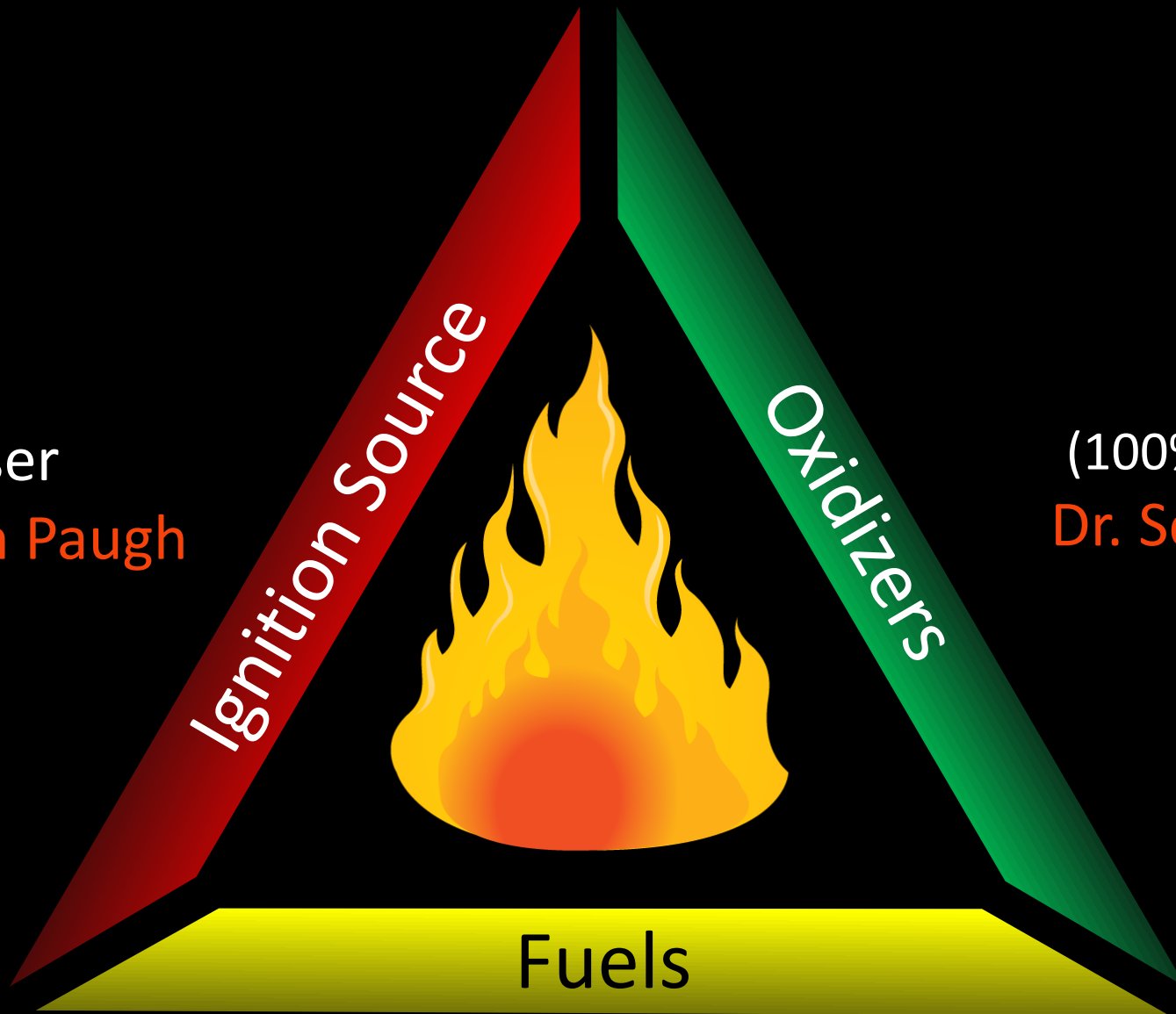
There may be more than one proximate cause of an injury.

Jury Instructions

The evidence that has been presented to you may be either direct or circumstantial.

The law does not distinguish between direct and circumstantial evidence in terms of their weight or value in finding the facts in this case. **One is not necessarily more or less valuable than the other.**

Laser
Surgeon Paugh



(100% O₂)
Dr. Schatz

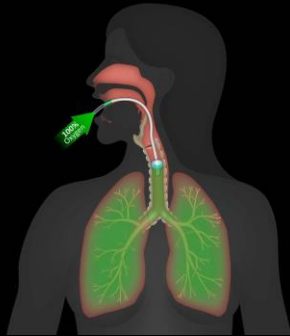
Single Cuff Endotracheal Tube
Medtronic

A + B + C = Fire

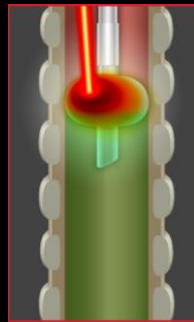
100% O₂

Laser hits
cuff

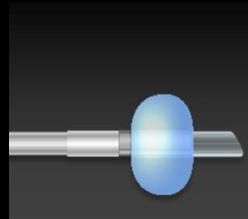
Single
Cuff ETT



+



+



=



Fault Analysis

Paugh



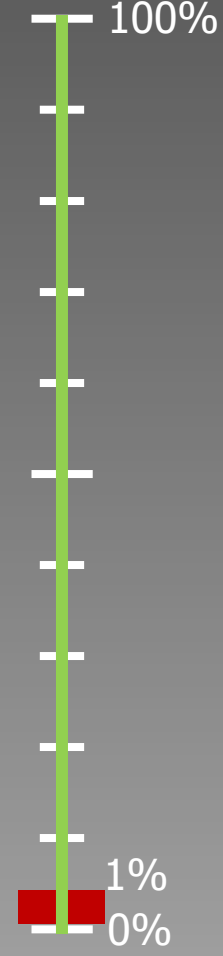
Schatz



Medtronics



Hospital





This Trial Is About Injuries and Damages



**A Reasonable and Fair
Damage Verdict**



Injury Aftermath Hospitalization and Major Procedures

Becky Anderson has been in the hospital or a nursing home ever since the injury

Approx. 60 procedures during 5.5 months at Harborview

Add'l 25+ procedures since leaving Harborview

Becky Anderson's Medical Bills

	Provider	Date Range	Amount
1	Advanced Lifeline Services, Inc.	7/16/2012-9/30/2013	\$ 104,370.00
2	Airlift Northwest	2/3/2012	19,359.00
3	American Medical Response	2/3/2012-8/2/2013	31,349.87
5	Central Washington Hospital	2/3/2012	12,887.38
6	ECardio Diagnostics	1/23/2013-2/14/2013	1,210.00
7	Emergency Physicians Billing Service	4/14/2013	1,046.00
8	Everett Care and Rehabilitation Center	7/16/2012-8/2/2012	3,545.92
9	Everett Fire EMS	7/18/2012-8/2/2012	1,031.14
10	Evergreen Pharmaceutical/Omnicare	7/16/2012-8/1/2012	308.32
11	Todd Green, M.D./Providence Pulmonary and Sleep Medicine	9/7/2012-7/30/2013	3,587.00
12	Harborview Medical Center	2/3/2012-7/16/2012	1,389,465.37
13	Lindsay Hatch/Spokane Therapists	3/23/2013-7/20/2013	1,885.00
14	Heart Clinics Northwest	11/19/2012	138.00
15	Hospital Specialists PLLC	4/14/2013-5/15/2013	7,639.00
16	InCyte Pathology	11/24/2012-7/18/2013	480.00
17	Inland Imaging LLC	9/15/2012-8/1/2013	2,645.00
19	Payless Long Term Care Pharmacy	8/14/2012-8/20/2013	28,048.13
20	Platinum Nine Holdings	8/14/2012	7,818.00
21	Providence Adult Gastroenterology	4/23/2013	171.00
22	Providence Anesthesia Services	8/1/2013	1,890.00
23	Providence Everett Medical Center	7/18/2012-8/14/2012	151,794.47
24	Providence Holy Family Hospital	9/7/2012-9/27/2013	329,220.56
25	Providence Medical Group	8/6/2012-8/13/2012	805.00
26	Providence Sacred Heart Medical Center	11/18/2012-8/2/2013	240,180.04
27	Providence Spokane Cardiology	11/1/2012-9/4/2013	8,416.00
28	Radia Medical Imaging	2/3/2012-8/12/2012	943.20
29	Regency at Northpointe Rehabilitation Center	8/14/2012-9/30/2013	230,890.57
31	Schryver Medical, Inc.	8/31/2012-7/29/2013	4,317.60
32	Eric Sohn, M.D./Indian Trail Family Medicine	8/16/2012-9/12/2013	3,715.00
33	Spokane Critical Care Associates	11/24/2012-4/24/2013	2,550.00
34	Spokane Digestive Disease Center	11/23/2012	215.00
35	Surgical Specialists of Spokane	4/14/2013-8/23/2013	5,561.00
36	University of Washington Physicians	2/3/2012-7/16/2012	57,978.62
		TOTAL	\$2,655,461.19

Future Costs of Care

YEAR		CHOPPA	FRICKS (1)	(2)	(3)	(4)
1	2012					
5	2016	\$2,656,751	\$707,000 - \$814,000	\$745,000 - \$1,200,000	\$234,000 - \$275,000	\$249,000 - \$976,000
10	2021	\$5,100,586				
14.5	2025	\$7,148,913	\$2,000,000 - \$2,200,000	\$2,000,000 - \$3,400,000	\$587,000 - \$630,000	\$841,000 - \$894,000
19.9	2030	\$9,584,114	\$2,700,000 - \$3,000,000	\$2,800,000 - \$4,700,000	\$785,000 - \$838,000	\$885,000 - \$939,000
27	2038	\$12,611,844				
PAST BILLS		\$2,655,461	\$2,655,461	\$2,655,461	\$2,655,461	\$2,655,461

Aftermath of Injury

- ▶ Months in **hospital**
- ▶ Numerous **surgeries**
- ▶ Numerous daily **medications**
- ▶ Months of living in **nursing home**
- ▶ Dependent upon **breathing device**
- ▶ Multiple **suctions of throat**
- ▶ Breathing & **alarm signals**
- ▶ Fear of **choking**
- ▶ Apprehension about **future**
- ▶ Reduced **life expectancy**
- ▶ Worry about **infections & disease**
- ▶ Altered **health**
- ▶ Dependence on **family & friends**
- ▶ Loss of **enjoyment of life**



2012 - 2013

10 Days Before Laser Surgery



Today



Becky Anderson Economic Loss

PAST ECONOMIC LOSS [1 Year, 9 Months]

1. Past Cost of Medical & Services	\$2,655,461
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TOTAL PAST ECONOMIC LOSS	\$2,655,461
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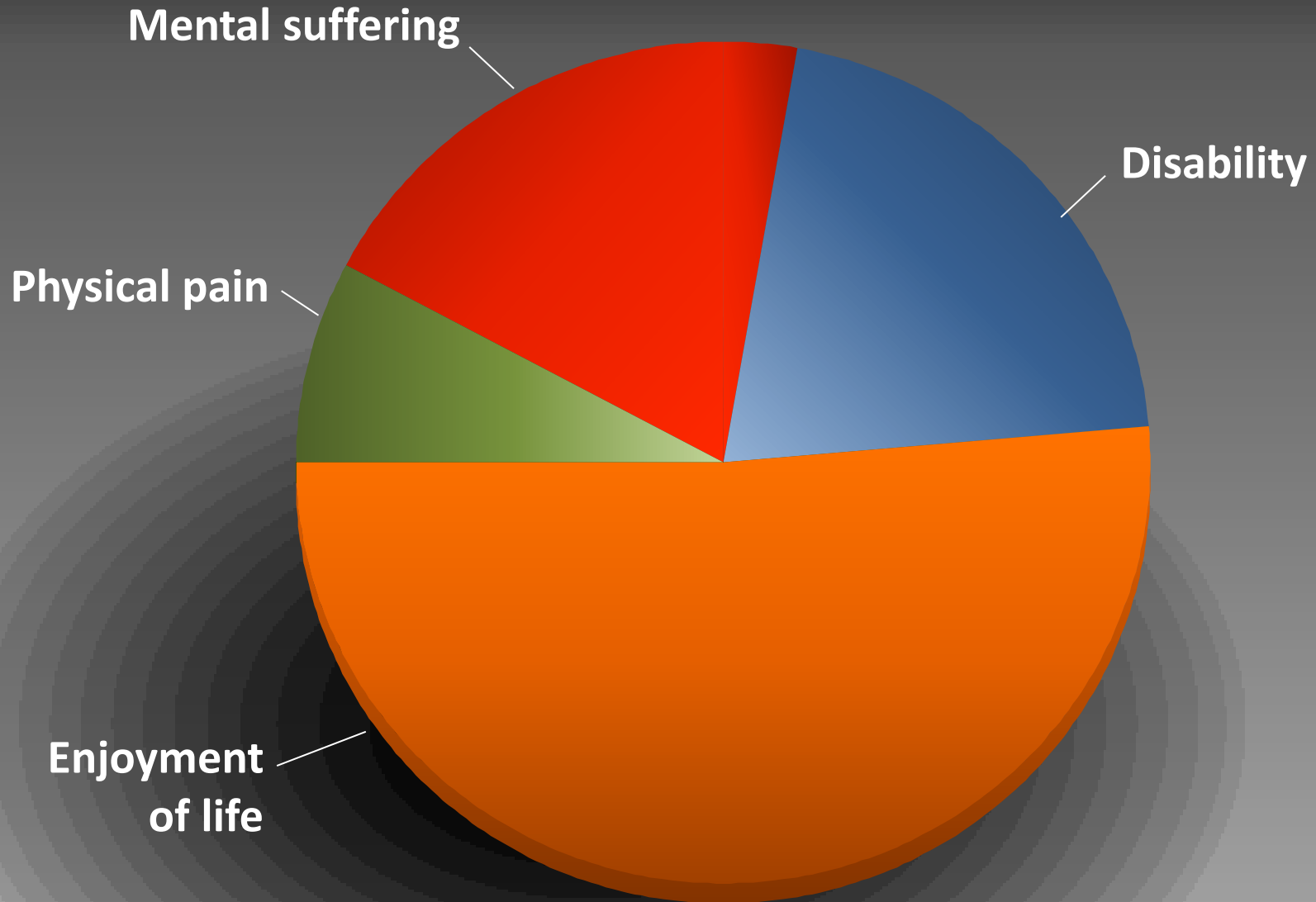
FUTURE ECONOMIC LOSS [14.5 Years Life Expectancy]

1. Future Cost of Medical & Services	\$7,148,913
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TOTAL FUTURE ECONOMIC LOSS	\$7,148,913
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TOTAL ECONOMIC LOSS	\$9,804,374
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EVIDENCE ABOUT ELEMENTS OF DAMAGES



JUSTICE

NON-ECONOMIC DAMAGES

(Nature & Extent of injuries)

1. Loss of enjoyment of life
2. Disfigurement
3. Disability
4. Physical pain
5. Mental pain
6. Loss of consortium

ECONOMIC DAMAGES

1. Past & future income loss
2. Past & future medical bills
3. Past & future services

=

JURY VERDICT
IN DOLLARS

FAIR VERDICT: Objective, right and proper verdict

REASONABLE VERDICT: Logical, rational and justifiable verdict

Only 10 Jurors Need Agree



Ferrari GTO Becomes Most Expensive Car at \$52 Million

Becky Anderson Non-Economic Loss

PAST NON-ECONOMIC LOSS [1 Year, 9 Months]

1.	LOSS OF ENJOYMENT OF LIFE.....	\$
2.	DISABILITY.....	\$
3.	PHYSICAL PAIN.....	\$
4.	MENTAL PAIN.....	\$
5.	DISFIGUREMENT.....	\$
6.	TOTAL PAST NON-ECONOMIC LOSS.....	\$

Becky Anderson Non-Economic Loss

FUTURE NON-ECONOMIC LOSS [14.5 Years]

1.	LOSS OF ENJOYMENT OF LIFE.....	\$
	<i>(LOSS OF LIFE EXPECTANCY 12.5 YEARS).....</i>	\$
2.	DISABILITY.....	\$
3.	PHYSICAL PAIN.....	\$
4.	MENTAL PAIN.....	\$
5.	DISFIGUREMENT.....	\$
6.	TOTAL FUTURE NON-ECONOMIC LOSS.....	\$

Becky Anderson Verdict

1. PAST ECONOMIC LOSS	\$ 2,655,461
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2. FUTURE ECONOMIC LOSS	\$ 7,148,913
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TOTAL ECONOMIC LOSS	\$ 9,804,374
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3. PAST NON-ECONOMIC LOSS	\$
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4. FUTURE NON-ECONOMIC LOSS	\$
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TOTAL FUTURE NON-ECONOMIC LOSS	\$
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TOTAL BECKY'S VERDICT - \$

Last Decade Events

MEDICINE:

- Robotic Surgery
- New Drugs
- New Vaccinations

PRODUCTS:

- Wi-Fi
- Hand Held Phones
- Computer Devices

LIFE:

- Holidays
- Birthdays
- Personal Activities

THE JURY'S JOB



- 1. To fix what can be fixed**
- 2. To help what can be helped**
- 3. To make up in dollars what cannot be fixed or helped**