

## **The Million Dollar Verdicts, Continued**

### **The 2009 Million Dollar Verdicts at a Glance**

*These results are sorted in order from largest to smallest*

<b><u>County</u></b>	<b><u>Case#</u></b>	<b><u>Verdict</u></b>	<b><u>Description</u></b>
Fayette Plaintiff:	4099 Harry Rankin and Andre Busald	\$55,900,000	A woman was shot and killed by her boyfriend's former business associate – one month before the present trial, the boyfriend (who was wounded but not mortally) prevailed against the shooter in a separate trial and took \$11,000,000
<b>Ed. Note</b> - The largest verdict of 2008 was also a shooting verdict from Lexington against an absent defendant, Case No. 3875, the infamous Trent DiGuio sniper-style murder committed by Shane Ragland. [No relation - SR]			
Franklin Plaintiff:	4253 Robert Libman and Benjamin Blustein	\$16,000,000	The Commonwealth of Kentucky sued a pharmaceutical manufacturer of generic drugs, alleging it set artificially high reimbursement prices for its drug, thereby increasing payments to local pharmacies, the pharmaceutical firm purportedly benefitting by gaining market share
Fayette Plaintiff:	4105 Bruce Simpson	\$11,000,000	After a deal involving the sale of an optometry practice went sour, the seller shot the buyer's girlfriend (fatally) and the buyer too – the buyer suffered just a wound to his arm – in this empty chair lawsuit against the now-imprisoned shooter, the buyer took eleven million dollars in damages
<b>Ed. Note</b> - This is the companion case to the first verdict on this list. The \$55,900,000 verdict was for the girlfriend who was killed – this result was for the wounded but surviving boyfriend.			
Jefferson Plaintiff:	4082 Laurence Zielke and Nancy Schook	\$10,667,582	Borrowers (investors in multiple parcels of real estate) alleged their lender solicited their business under false pretenses and then having consolidated mortgages on some 30 separate properties, the lender would not release individual properties from the mortgage as they were sold, this pattern of behavior essentially destroying the business model of the borrowers
Fed-Lex Plaintiff:	4098 David Rapoport and Andrew Teich	\$7,100,000	The only estate (there were 49 killed) in a 2006 plane crash at Blue Grass Airport advanced a claim on damages – the jury awarded the estate \$750,000 for the decedent's conscious suffering in the moments after the crash, there being evidence of soot in his airway
Jefferson Plaintiff:	4028 Robert Mattingly and Amanda Hartley	\$5,161,163	The plaintiff (a Good Samaritan) stood on the Watterson Expressway on a dark and rainy night (wearing dark clothes and after a night of drinking) and waved traffic around the crash of another drunk driver – a taxi cab driver approached and never saw the plaintiff – the plaintiff was badly hurt in the resulting crash – then at the civil jury trial, the plaintiff took all his damages as claimed, the jury apportioning fault by a quotient method, the trial judge discovering this via a <i>sua sponte</i> interrogation of the jurors from the bench
Pike Plaintiff:	4228 Letitia Chafin and Truman Chafin	\$4,617,612	The plaintiff sustained an infection to his penis following a penile implant – a Pikeville jury valued the plaintiff's pain and suffering at \$3.75 million

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Jefferson Plaintiff:	4053 William Garmer and Jerome Prather	\$4,264,969	The plaintiff suffered multiple fractures and was left crippled when he rear-ended a tractor-trailer that was parked (without lights or warnings) in an industrial park on the side of the roadway but still protruding onto it
Knott Plaintiff:	4216 Adam Collins	\$4,121,371	An elderly passenger was killed when her driver crashed into an overturned (and formerly overloaded) coal truck that blocked Hwy 80
Jefferson Plaintiff:	4079 Kenyon Meyer and Michael Merrick	\$4,028,324	An anesthesiology group that had a long-term relationship with a local hospital alleged its relationship was undercut, the hospital aiding and abetting one of the group's former partners who had branched out to secure the anesthesiology contract for his newly formed group
Jefferson Plaintiff	4069 Hans Poppe and Kenneth Friedman	\$3,829,277	After a badly botched tummy tuck surgery, the plaintiff was left with a disabling abdominal injury – the plaintiff settled with the doctor on the eve of trial – then in this lawsuit, she sued the doctor's insurer and alleged it improperly delayed paying the claim
Franklin Plaintiff:	4235 Albert Grash and Brian Gudalis	\$3,774,072	The plaintiff suffered a paralyzing L-1 burst fracture in a roll-over crash
Whitley Plaintiff:	4208 Joe Savage and Escum Moore	\$3,308,105	The plaintiff died of a sudden heart attack in October of 2005 – in this lawsuit, she blamed her internist (and other since settled internists) for failing to diagnose and treat underlying coronary artery disease
Pike Plaintiff:	4223 William Johnson and Tennille Newsome	\$2,789,646	An intoxicated driver crossed the centerline and crashed into a vehicle, injuring the driver (seriously), the passenger suffering only minor injuries – while the defendant filed a motion for interpleader regarding his policy limits of \$100,000, the plaintiffs still wanted (and got) their day in court
Kenton Plaintiff:	4129 Austin Mehr and Philip Fairbanks	\$2,550,000	A medical malpractice insurer was blamed for delaying payment of a tort claim there being evidence the adjustor in the case was motivated to meet his indemnity budget as opposed to evaluating the claim
Lawrence Plaintiff:	4197 Truman Chafin and Letitia Chafin	\$2,500,000	At a first trial in the summer of 2008, the plaintiff took \$861,178 – the trial court reversed itself and concluded it had erred in admitting certain evidence – a new trial was ordered (the evidence came in again by a different method) and this time, a second jury awarded the plaintiff \$2.5 million
Fed-Lou Plaintiff:	4063 Joseph Satterley and John Shelton	\$2,064,375	A pipefitter died of mesothelioma – his estate blamed his death on the exposure to asbestos insulation in gaskets manufactured by the defendant

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Boyd Plaintiff:	4198 William Mundy and Debra Nelson	\$1,881,240	Two doctors at a clinic were blamed for missing signs of an impending fatal heart attack – each had linked the plaintiff’s radiating pain to a disc injury – nine days after a second doctor saw him, the plaintiff died of a sudden cardiac event
Fed-Lex Plaintiff:	4083 Christopher Keith	\$1,666,238	A trucker ran a red light and crashed into the plaintiff – the impact left the plaintiff with multiple fractures and other injuries
Woodford Plaintiff:	4242 David Helmers and David Ewing	\$1,359,259	The plaintiff blamed her family doctor for missing an appendicitis diagnosis – the case was complicated, the doctor ordering a CT scan that the plaintiff’s HMO would not approve – weeks passed and there was no test, in the interim, the appendix rupturing and leading to infection complications
Fed-Ash Plaintiff:	4199 William Wilhoit and John McGinnis among others	\$1,354,494	A partial class of six plaintiffs, injured by a toxic chemical spill of sulfuric acid mist sued for damages – besides finding fault and awarding compensatory damages to these six plaintiffs, the jury also made a finding that a multiplier of ten shall apply to the punitive damage award of the remainder of the class (there being another 170 or so plaintiffs)
Daviess Plaintiff:	4151 Charles Wible	\$1,120,248	A trucker was rear-ended by another trucker – the crash left the plaintiff with multiple disabling injuries

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