

The 2009 Medical Negligence Verdict Ranges

A review of the medical negligence verdicts, not reduced by comparative fault. Please refer to the 1998 to 2008 KTCR Volumes for non-2009 cases.

(The zero verdicts are not included)

(2009 verdicts in bold)

Medical Negligence Aggregate Awards

	<u>12-Year Total</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>	<u>2006</u>	<u>2005</u>
Aggregate Award	\$287,980,066	\$15,976,978	\$26,785,227	\$24,077,306	\$35,080,557	\$24,377,896
Average P's Verdict	\$1,777,654	\$1,597,697	\$2,435,020	\$1,605,153	\$3,189,141	\$1,523,618
Average Verdict	\$408,482	\$285,303	\$478,307	\$401,288	\$556,834	\$363,849

Adjusted Totals

Removing the seven largest verdicts since 1998 that exceeded \$10,000,000, the results look different.

The adjusted results are as follows:

Aggregate Award: \$159,783,164

Average P's Verdict: \$1,030,859

Average Verdict: \$228,588

Note: Thus just seven of the medical negligence plaintiffs, representing .99% of the sample of 706, were awarded a total of \$128,196,902, equating to 44.5% of all awards. Four of the seven were catastrophic brain injuries -- another case was the infamous Humana medical bad faith verdict, and the largest verdict was the \$20,000,000 nursing home case from Frankfort. A result from 2007 involved a missed cancer diagnosis (poor prognosis) in a young college-educated woman.

The 1998-2009 Median Verdict \$610,247

<u>Rank</u>	<u>Award</u>	<u>Case#</u>	<u>Rank</u>	<u>Award</u>	<u>Case#</u>	<u>Rank</u>	<u>Award</u>	<u>Case#</u>
The Million Dollar Cases			(24)	\$2,809,255	3161	(49)	\$1,235,386	257
			(25)	\$2,599,832	1393	(50)	\$1,174,106	3864
(1)	\$27,599,000	2699	(26)	\$2,520,000	2371	(51)	\$1,128,113	355
(2)	\$24,268,251	2357	(27)	\$2,500,000	4197	(52)	\$1,146,000	1673
(3)	\$20,864,937	131	(28)	\$2,465,800	922	(53)	\$1,100,000	2269
(4)	\$20,000,000	3495	(29)	\$2,350,936	132	(54)	\$1,089,567	129
(5)	\$13,114,046	137	(30)	\$2,341,616	1863	(55)	\$1,050,000	321
(6)	\$11,754,990	3726	(31)	\$2,110,708	3380	(56)	\$1,000,000	3414
(7)	\$10,595,658	109	(32)	\$2,091,000	2960	(57)	\$1,000,000	130
(8)	\$9,864,175	3868	(33)	\$2,016,050	3938	(58)	\$1,000,000	354
(9)	\$9,187,921	1609	(34)	\$1,920,816	3684	(59)	\$1,000,000	778
(10)	\$9,047,003	3264	(35)	\$1,881,240	4198	\$999,999 to \$100,000		
(11)	\$6,000,000	3118	(36)	\$1,794,975	3600			
(12)	\$5,096,632	3805	(37)	\$1,749,289	3594			
(13)	\$4,777,261	3160	(38)	\$1,708,000	1680	(60)	\$974,683	3751
(14)	\$4,517,612	4228	(39)	\$1,700,000	1618	(61)	\$969,777	3225
(15)	\$4,106,620	3987	(40)	\$1,535,500	3728	(62)	\$937,215	298
(16)	\$4,001,663	2168	(41)	\$1,525,000	3040	(63)	\$865,000	2243
(17)	\$4,000,000	2641	(42)	\$1,520,000	3958	(64)	\$861,178	3957
(18)	\$3,970,360	699	(43)	\$1,508,849	3322	(65)	\$850,797	1625
(19)	\$3,308,105	4208	(44)	\$1,488,333	1061	(66)	\$847,013	3685
(20)	\$3,294,883	2027	(45)	\$1,359,259	4242	(67)	\$836,240	3986
(21)	\$3,053,450	2963	(46)	\$1,334,636	1945	(68)	\$829,744	1619
(22)	\$3,000,000	815	(47)	\$1,256,552	3162	(69)	\$828,520	3777
(23)	\$2,828,108	915	(48)	\$1,245,000	510	(70)	\$814,225	3858

<u>Rank</u>	<u>Award</u>	<u>Case#</u>	<u>Rank</u>	<u>Award</u>	<u>Case#</u>
(71)	\$786,973	3030	(125)	\$158,620	3081
(72)	\$750,000	3669	(126)	\$154,000	1678
(73)	\$716,614	4141	(127)	\$150,000	3163
(74)	\$700,000	2297	(128)	\$150,000	2693
(75)	\$685,000	4246	(129)	\$142,619	1608
(76)	\$671,883	3705	(130)	\$134,000	261
(77)	\$670,518	1745	(131)	\$126,406	1521
(78)	\$650,000	1304	(132)	\$120,000	2550
(79)	\$621,619	1920	(133)	\$109,708	3062
(80)	\$618,945	1442	(134)	\$100,000	2366
(81)	\$601,550	3212	(135)	\$100,000	1302
(82)	\$597,255	2245	(136)	\$100,000	779
(83)	\$525,000	786	(137)	\$100,000	134
(84)	\$500,600	3725			
(85)	\$500,000	3954	Less than \$100,000		
(86)	\$500,000	2791	(138)	\$95,005	2877
(87)	\$494,225	117	(139)	\$87,000	1014
(88)	\$471,236	3475	(140)	\$80,000	1261
(89)	\$450,000	2044	(141)	\$76,501	2785
(90)	\$450,000	1062	(142)	\$64,250	2979
(91)	\$417,500	1064	(143)	\$62,530	1918
(92)	\$402,085	1352	(144)	\$62,000	2197
(93)	\$394,725	3398	(145)	\$59,261	2165
(94)	\$387,500	4204	(146)	\$50,000	1016
(95)	\$368,000	2787	(147)	\$50,000	511
(96)	\$343,047	3628	(148)	\$44,478	1397
(97)	\$329,930	1017	(149)	\$39,477	1717
(98)	\$313,036	3507	(150)	\$37,371	2166
(99)	\$310,000	1715	(151)	\$27,300	1206
(100)	\$308,808	917	(152)	\$25,000	3474
(101)	\$300,000	4225	(153)	\$25,000	3064
(102)	\$300,000	2445	(154)	\$22,378	1441
(103)	\$281,095	1522	(155)	\$21,000	119
(104)	\$279,180	2124	(156)	\$20,678	1099
(105)	\$260,000	2768	(157)	\$10,000	3272
(106)	\$250,000	698	(158)	\$9,802	1716
(107)	\$250,000	1398	(159)	\$5,000	124
(108)	\$250,000	135	(160)	\$500	3120
(109)	\$250,000	2046	(161)	\$1.00	3959
(110)	\$234,150	1744			
(111)	\$234,646	2198			
(112)	\$232,000	3554			
(113)	\$221,348	4092			
(114)	\$218,326	2028			
(115)	\$210,085	299			
(116)	\$206,000	1620			
(117)	\$205,283	1492			
(118)	\$200,000	3324			
(119)	\$191,419	774			
(120)	\$186,000	2551			
(121)	\$181,286	2167			
(122)	\$175,000	702			
(123)	\$173,990	3625			
(124)	\$170,000	697			