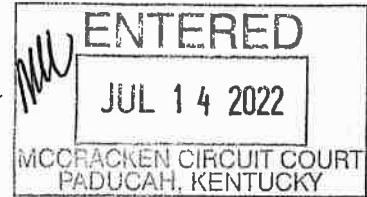


COMMONWEALTH OF KENTUCKY
McCRACKEN CIRCUIT COURT
CIVIL ACTION NO. 15-CI-00362
DIVISION NO. I



ROXANNE PRIDEMORE, INDIVIDUALLY AND AS ADMINISTRATRIX
OF THE ESTATE OF LARRY S. PRIDEMORE, SR.

PLAINTIFF

v.

MERCY HEALTH PARTNERS-LOURDES, INC.;
D/B/A LOURDES HOSPITAL, INC.;
STEVEN J. MCCULLOUGH, DO
MERCY HEALTH PHYSICIANS KENTUCKY, LLC,
D/B/A LOURDES PHYSICIAN SERVICES, LLC; AND
JACKSON PURCHASE MEDICAL ASSOCIATES, PSC

DEFENDANTS

TRIAL ORDER AND JUDGMENT

1. This case was called to trial before a jury beginning at 9:00 a.m. on Monday, June 20, 2022. The case was recorded by the Court's videotape system, and a more complete record of the proceedings will appear in the Court videotaped transcript.

2. The Plaintiff, Roxanne Pridemore, was represented by Jeff Adamson. Defendant, Steven J. McCullough, D.O. was represented by E. Frederick Straub, Jr. and Matthew Eddy.

3. After being duly sworn, a panel of prospective jurors was seated and examined by attorneys for Plaintiff and Defendant. Peremptory challenges were exercised, and the following 12 jurors and 2 alternate jurors were sworn to hear the case:

Todd Hayden	David Moore
Michael McMann	Dennis Rednour
Gena Hicks	Deborah Deming
Cathy Wyatt	Clara Dickerson
Danielle Draffen	Lisa Wilkey
Tyler Schuler	Rebecca Montgomery
Alfred Mayes	Dewey Berger

4. Each party, by counsel, gave an opening statement. Following opening statements, counsel for Plaintiff proceeded to present Plaintiff's case-in-chief.

5. On June 21, 22 and 23 2022, Plaintiff's counsel continued to present Plaintiff's case-in-chief.

6. On June 23, 2022, counsel for Plaintiff announced the close of Plaintiff's case. Counsel for Defendants then moved for a directed verdict, which was denied.

7. On June 23, 2022, counsel for Defendant presented Defendant's case-in-chief, through in-person testimony from Steven J. McCullough.

8. On June 24, 2022, counsel for Defendant presented Defendant's case-in-chief, through in-person testimony from John Q.A. Mattern, III. Thereafter, counsel for Defendant announced the close of Defendant's case. Plaintiffs presented no rebuttal proof. Defendants thereafter renewed Defendants' motion for a directed verdict, which was also denied.

9. The Court instructed the jury, then counsel for Defendant presented Defendant's closing argument and counsel for Plaintiff presented Plaintiff's closing argument.

10. Based upon a random drawing by the clerk of the court, Alfred Mayes and Dewey Berger were selected as alternate jurors and dismissed.

11. The jury then retired to the jury room to consider their verdict.

12. After deliberation, the jury returned with the following verdict:

INSTRUCTION NO. 2

It was the duty of Steven J. McCullough, D.O. in caring for Larry Pridemore, Sr., to exercise the degree of care and skill expected of a reasonably prudent Internist and Hospitalist physician acting under the same or similar circumstances.

Do you believe from the evidence that Dr. McCullough failed to comply with this duty and that such a failure was a substantial factor in causing the death of Larry Pridemore, Sr.?

_____ Yes X No

The verdict upon this Instruction was signed by the foreperson, Rebecca Montgomery.

11. After the Court read the verdict, counsel for Plaintiffs and Defendants declined to inspect the verdict or to have the jury polled. The Court thereafter discharged the jury.

WHEREFORE, IT IS ORDERED AND ADJUDGED:

1. In accordance with the verdict of the jury and the law of the Commonwealth of Kentucky, judgment is hereby entered in favor of Defendant, Steven J. McCullough, D.O.

2. Plaintiff's Complaint against Defendant, Steven J. McCullough, D.O., and all claims asserted therein or which could have been asserted therein against him, are hereby DISMISSED WITH PREJUDICE, with taxable court costs pursuant to Cr 54.02 to be assessed to the Plaintiff.

3. Plaintiff's Complaint against the Defendants, Mercy Health Partners-Lourdes, Inc., d/b/a Lourdes Hospital, Inc. and Mercy Health Physicians Kentucky, LLC, d/b/a Lourdes Physician Services., LLC, and all claims asserted therein against such Defendants is not dismissed by this Order and all such claims remain pending before the Court.

4. This is a final and appealable order. There is no just cause for delay.

This 14 day of July, 2022.



JUDGE, McCRACKEN CIRCUIT COURT

HAVE SEEN AND AGREED:

/s/ E. Frederick Straub, Jr.
E. Frederick Straub, Jr.

/s/ Jeff W. Adamson
Jeff W. Adamson

CLERK'S CERTIFICATE OF SERVICE

I hereby certify that a copy was mailed this 14 day of July, 2022, to the following:

Paul A. Casi, II, Esq., and Jeff W. Adamson, Esq., Paul A. Casi, II, PSC, 801 East Main Street, Louisville, KY 40206, *Attorneys for Plaintiff*; and

E. Frederick Straub, Jr., Whitlow, Roberts, Houston & Straub, PLLC, P. O. Box 995, Paducah, KY 42002, *Attorneys for Defendant Steven J. McCullough*.

Megan Walters, d.c.
Clerk