

Ex-lawyer on the case with biting court report

Disbarred Ragland puts
unique twist on trials

By Andrew Wolfson
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The Courier-Journal

He has charged that Kentucky Court of Appeals Judge Sara Combs permits "emotion rather than law to guide her decisions."

He has written that Justice William Cooper is a "mad genius" given to such vitriolic outbursts that his dissents must be rated like earthquakes on the "Cooper Dissent Fury Scale," from a "CDFSI" — a polite disagreement with "a little name-calling" — to a "CDF5 5" — "a catastrophic literary event, the mangled and twisted corpse of the majority left rotting in the wake of Cooper's linguistic fury."

Shannon Ragland is publisher of the Kentucky Trial Court Review, an acerbic monthly newsletter for lawyers that documents the verdict in nearly every lawsuit tried in the state — from the case of a man who slipped on a mashed kiwi at the Scottsville Food Lion to the \$1,000-a-day Lexington stripper who was hurt in a car wreck and couldn't "go back to the pole."

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Similar verdict reviews are published in dozens of other states, but what sets Ragland's apart is his background — he's a disbarred lawyer and convicted felon — and the fact that he adds his editorial 2 cents, teeing off on lawyers and judges alike for what he describes as strategic blunders, defective reasoning and deceit.

Twelve years ago, he was a promising young attorney in Marion County who had graduated in the top quarter of his University of Kentucky class and was president of the Lebanon Rotary Club.

But then, addicted to sports and casino gambling, Ragland began pocketing fees owed to his law firm. He admitted stealing about \$70,000, pleaded guilty to two counts of theft and was sentenced to 10 years in prison.

"I admitted everything and withdrew from the bar," he said in an interview. "Not that I had much choice."

After seven months in prison, he was released. "It was pretty devastating," said Ragland, now 37. "I had lost my house, my reputation, even my identity."

He held a few jobs, including helping out at his father's mulch factory. Then it struck him how he could make his living off the law without actually practicing it.

"I may have been a crook," he said, "but nobody had ever challenged my intellect."

Starting in Jefferson County with 75 subscribers, he launched his verdict report and eventually took it statewide. A yearly subscription is \$175, and he now publishes similar newsletters in three other states and one on the federal courts, grossing about

\$150,000 a year in Kentucky alone.

He employs a staff of five, including a licensed lawyer he pays to write squibs about verdicts in Indiana and Alabama, and lives with his wife and two daughters in a \$300,000 house in Northfield.

He said his unique status has given him the freedom to zing judges and lawyers without fear of being sanctioned. "What are they going to do," he asks, "disbar me?"

More than just wit

Lawyers who both bring damage lawsuits and defend them say Ragland's review provides a valuable service by showing the real-world value of every conceivable injury — from a catastrophic brain injury to a broken toe.

The Kentucky Trial Court Review also shows that most plaintiffs usually lose, especially in medical malpractice cases, and lawyers say that makes it an important tool to show clients who are convinced that their case is priceless.

"It sobers them up and gives them a sense of reality," said Louisville trial lawyer William McMurry.

Ragland researches every case himself rather than relying on winning lawyers to submit summaries of their triumphs, as some in other states do.

"Everybody in the industry feels Shannon's publication is the best because he does it himself," said Erik Albrektson, a Crestwood lawyer whose Verdict Research Group publishes trial-verdict reports in 10 states and Washington, D.C.

But some lawyers and judges — especially those who have been hooked by Ragland's barbs

— are less impressed.

Combs, for example, calls him "abrasive" and "mean-spirited."

Cooper complained that Ragland "committed what every attorney would consider a lawyer's second-greatest crime" — stealing from his firm — yet is now making a living off the "lawyers he ripped off."

Heather Clark Reynolds, a young Louisville lawyer whom Ragland criticized in his September issue for failing to aggressively cross-examine the opposing medical expert in a car-wreck case, said: "I think it's wrong that somebody who is a disbarred attorney can go around and play lawyer and tear others apart. He is just rude."

Ragland says he doesn't try to gratuitously embarrass anyone. "I'm sure there are lawyers who don't like our spin on cases," he said. "Usually they are on the side that lost."

He's never been sued, although several lawyers and doctors have threatened litigation.

Some, such as Louisville defense lawyer Jack Ballantine, say that Ragland, who practiced for three years, doesn't always get his facts straight but that his pithy accounts of cases are often hilarious.

In a case listed under the heading "Practical Joke Negligence," he recounted how a Louisville man who climbed up a ladder at his boss's house to douse a co-worker with water slipped and broke his heel, and then sued his boss for "encouraging him to participate in such tomfoolery." The jury gave him nothing.

The review includes serious legal analysis and describes some awful injuries, such as those of a Louisville man left



Shannon Ragland, publisher of the Kentucky Trial Court Review, lives in Northfield with his wife and two daughters.

with a "grotesque and permanent injury" after doctors allegedly missed signs of flesh-eating bacteria in his buttocks.

A jury found for the doctors, who claimed it wouldn't have mattered if the infection had been discovered earlier.

Ragland's annual report, which sells for \$215, offers encyclopedic coverage of every conceivable human mishap. It lists not only the verdict in every slip-and-fall case from previous years, but also what the plaintiff allegedly slipped on — from cookie crumbs in Christian County (\$249,96) to a puddle of shampoo in Bell County (\$11,235).

Ragland saves his harshest criticism for appellate judges — "they are elected and fair game" — and medical experts, the hired guns paid "huge fees to destroy the other side's case," he said.

He wrote that one state Supreme Court opinion was "so confusing a playbook is needed"; that Justices Cooper and William Graves are in "Wal-Mart's back pocket"; and that Justice Martin Johnstone is Cooper's "intellectual inferior" and "minion."

Graves and Johnstone say Ragland is entitled to his opinions, which Johnstone said "can be pretty funny if your ox isn't being gored."

Focus on expert witnesses

Ragland said he has nothing personal against medical experts. Still, he's so focused on forensic psychiatrist Dr. Robert

ON THE WEB

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► For information about jury verdict reporters by state: www.juryverdicts.com/#usa

► For more information about Kentucky Trial Court Review: www.juryverdicts.com/999958/about.html

Granacher of Lexington, he sells a video compilation of testimony that Ragland calls "Granacher Gone Wild."

Granacher, who has claimed to make \$1.6 million a year as an expert witness and to be able to diagnose depression from a 4-year-old driver's license photograph, said his opinions are fair and objective.

"I don't know Mr. Ragland, but he is welcome to say anything about me he wishes," he said.

Another frequent target, Louisville orthopedist Dr. James Harkness, calls Ragland's publication a "scurrilous rag."

"He makes it out that I will tailor my opinions to help the side who pays me, and that is not true at all," Harkness said. "Anything I say is absolutely true."

Ragland, who could have applied five years ago to get back his law license, said he has no plans to seek reinstatement.

He said he is happy to be able to support his family through publishing ventures. Asked if he has redeemed himself through them, he said that he long ago paid his dues to society — and paid back the money to the lawyer he stole from.

"I wasn't a mass murderer," he said.

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