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**COMMONWEALTH OF KENTUCKY
KNOTT CIRCUIT COURT
CIVIL ACTION NO. 22-CI-00099**

MEDIA5022

ELECTRONICALLY FILED

**PHILLIP JED MAGGARD
and TONYA LYNN MAGGARD, *his wife***

PLAINTIFFS

v.

**PRIMARY CARE CENTERS OF EASTERN
KENTUCKY, LLC; JAMES D. HALL, APRN;
KENDALL L. BOWLING, D.O.**

DEFENDANTS

TRIAL VERDICT AND JUDGMENT

The parties appeared on Tuesday, January 20, 2026, and each party announced ready for trial. The Court and parties conducted voir dire of the jury panel. Thereafter, the following individuals were duly sworn as the jury to try the issues:

- | | |
|----------------|----------------|
| No. 425 | No. 75 |
| No. 937 | No. 334 |
| No. 292 | No. 634 |
| No. 353 | No. 644 |
| No. 933 | No. 801 |
| No. 748 | No. 562 |
| No. 101 | No. 273 |

All testimony and proceedings of this trial were recorded by video.

Following opening statements, Plaintiffs proceeded with their case in chief. The trial was adjourned until Wednesday, January 21, 2026, at which time the parties again appeared. Plaintiffs continued their case in chief.

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The trial was adjourned until Friday, January 23, 2026, at which time the Plaintiffs announced "closed." Defendants moved for directed verdict on the issues of liability and causation.

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The Court denied the motions. Defendants proceeded with their case in chief.

The trial was adjourned until Tuesday, January 27, 2026, due to inclement weather. However, due to continued inclement weather, by Order of the Court, the trial was further adjourned until Wednesday, January 28, 2026, at which time the parties again appeared. Juror No. 75 was excused due to sickness. Juror No. 334 was excused due to inclement weather and the inability to get to the Court. Defendants continued with their case in chief. Defendants announced "closed." Defendants renewed their motions for directed verdict on liability and causation. The Court denied the motions.

The jury received instructions from the Court on January 28, 2026, and at the close of final arguments the jury retired and returned to the Court the following verdict, to-wit:

INSTRUCTION NO. 1

It was the duty of James D. Hall, APRN, in treating Phillip Jed Maggard, to exercise the degree of care and skill ordinarily expected of a reasonably competent nurse practitioner specializing in family medicine and acting under the same or similar circumstances.

Are you satisfied from the evidence that James D. Hall, APRN failed to comply with this duty, and that such failure was a substantial factor in causing the damage to Phillip Jed Maggard?

Yes _____ No ✓

As the verdict was unanimous, Question No. 1 was signed by the jury foreperson, Juror No. 353.

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INSTRUCTION NO. 2

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It was the duty of Kendall Bowling, D.O., in treating Phillip Jed Maggard, to exercise the degree of care and skill ordinarily expected of a reasonably competent physician specializing in family medicine and acting under the same or similar circumstances.

Are you satisfied from the evidence that Kendall Bowling, D.O. failed to comply with this duty, and that such failure was a substantial factor in causing the damages claimed by Phillip Jed Maggard?

Yes _____ No ✓



As the verdict was unanimous, Question No. 2 was signed by the jury foreperson, Juror No. 35.

WHEREFORE, it is hereby ordered and adjudged by this Court that Judgment shall be entered on behalf of Defendants, James D. Hall, APRN, Kendall L. Bowling, D.O., and Primary Care Centers of Eastern Kentucky, and that Plaintiffs and Intervening Plaintiff shall take nothing by their Complaints.

The Complaint of Plaintiffs and the Complaint of the Intervening Plaintiff are hereby **DISMISSED** with prejudice. Defendants shall recover from Plaintiffs their taxable court costs expended pursuant to CR 54.04 upon filing of a Bill of Costs. Plaintiffs shall have the right to challenge such a recovery by Defendants.

This is a Final and Appealable Order and there is no just cause for delay.

ENTERED this _____ day of February 2026.

	 <small>JUDGE KIMBERLY CHILDERS electronically signed 2/5/2026 5:06:02 PM ET</small>
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HON. KIMBERLEY CORNETT CHILDERS
JUDGE, KNOTT CIRCUIT COURT

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CLERK'S CERTIFICATE OF SERVICE:

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It is hereby certified that on _____, _____ the foregoing was served upon the parties by mailing a true copy of same to their attorney of record, as follows:

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KNOTT CIRCUIT CLERK