

1 RICHARD LEE SAX (SBN 81429)
2 AUDREY POWERS THORNTON (SBN 118870)
3 Attorneys at Law
4 2192 Palomar Airport Road, 2d Floor
5 Carlsbad, CA 92008
6 Tel. (760) 431-9631
7 Fax (760) 931-9800

8 Attorneys for Plaintiff
9 RICK A. HOLLIFIELD

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 IN AND FOR THE COUNTY OF SAN DIEGO
12 NORTH COUNTY JUDICIAL DISTRICT

13 RICK A. HOLLIFIELD, an individual)

Case No.: GIN003700

14 Plaintiff,)

15 vs.)

STATEMENT OF DAMAGES

16 RICHARD M. BRAUN, M.D., KVAAS)
17 CONSTRUCTION CO., OLSEN)
18 STEEL, INC., ARGONAUT)
19 INSURANCE CO. and Does 1 through)
20 25, inclusive)

Defendant.

21
22 To Defendant, RICHARD M. BRAUN, M.D. plaintiff RICK A. HOLLIFIELD seeks
23 damages in the above-entitled action as follows:
24 Plaintiff has attached as Exhibit "A" his Statement of Damages in the underlying action
25 (Hollifield v. Olsen Steel) which were calculated at the time of the defendant's
26 misdiagnosis prior to settlement in the underlying case and prior to discovery of the fact
27 that the plaintiff's fracture had not healed and his total wrist fusion.
28

1 Plaintiff's present damages post discovery are set forth as follows:

2 I. SPECIAL DAMAGES

3 A. Medical Expenses incurred from discovery to present	\$ 20,000
4 B. Future Medical Expenses (this is an estimate - actual 5 damages will be according to proof at time of trial)	\$120,000
6 C. Loss of Earnings from discovery to present	\$ 85,488
7 D. Loss of Future Earning Capacity	\$1,367,808
8 E. Cost of Retraining 2-4 years at \$30,000 a year	\$ 60,000- 120,000

9 II GENERAL DAMAGES

10 A. Pain and Suffering

11 Pain and suffering associated with one major wrist
12 surgery- a total wrist fusion - and two future wrist
13 surgeries \$140,000

14 Loss of enjoyment of life: No sports: loss of use of right
15 arm, inability to pick up his children, inability to move
heavy objects; loss of self-esteem \$ 800,000

16 Pain & Suffering associated with constant wrist and
17 arm pain; pain associated with compensatory motions for
loss of ability to use right arm \$ 800,000

18
19 Dated: 6/6/00

20 
Richard Lee Sax
Audrey Powers Thornton
Attorneys for Plaintiff
Rick A. Hollifield

1 PROOF OF SERVICE BY FACSIMILE AND MAIL

2 I, Audrey P. Thornton, declare:

3 That I am, and was at the time of service of the papers herein referred to, over the age of
4 eighteen years, and not a party to the action; and I am employed in the County of San Diego,
5 California, within which county the subject mailing occurred. My business address is 6343 Paseo
6 Coronado, Carlsbad, CA 92009. I served the following document(s):

7 Hollifield v. Braun

8 Case No. GIN003700

9 1) STATEMENT OF DAMAGES

10 by sending via facsimile with confirmation thereof to those fax numbers listed below and then
11 by placing a copy thereof in a separate envelope for each addressee named hereafter,
12 addressed to each such addressee respectively as follows:

13 1. Dan H. Deuprey
14 Wingert, Grebing, Brubaker & Ryan
15 600 West Broadway, Seventh Floor
16 San Diego, CA 92101-3370
17 Fax No.: (619) 232-4665

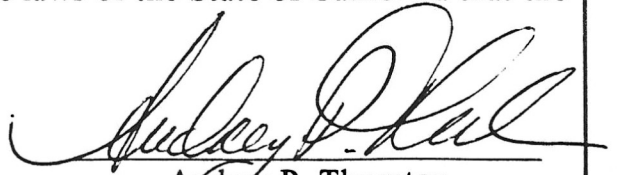
18 2. J. Michael Nolan
19 General Counsel
20 Argonaut Insurance Company
21 250 Middlefield Road
22 Menlo Park, CA 94025

23 3. Kenneth S. Kawabata
24 Gibbs & Fuerst
25 600 B Street, Ste. 2300
26 San Diego, CA 92101

27 I then sealed each envelope and, with the postage thereon fully prepaid, deposited each
28 in the United States mail at Carlsbad, California, on June 6, 2000.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.

Executed on: June 6, 2000


Audrey P. Thornton

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT "A"

STATEMENT OF DAMAGES

RICK A. HOLLIFIELD

DATE OF INJURY: AUGUST 28, 1996

Age: 33

I. SPECIAL DAMAGES

A. Medical Expenses

Medical bills incurred to date: \$ 105,608

B. Future Medical Expenses

Estimated future medical expenses: \$ 60,000

C. Loss of Income

\$ 887,536

D. Cost of Retraining

2 years at \$30,000 per year \$ 60,000

TOTAL SPECIAL DAMAGES:

\$1,113,144

II. GENERAL DAMAGES

A. Pain and Suffering

Pain, suffering & trauma incurred
at time of injury: \$ 20,000

Pain, suffering & trauma associated
with 7 major wrist surgeries: \$ 175,000

Pain, suffering & trauma associated
with 4 minor wrist surgeries: \$ 40,000

Loss of enjoyment of life: \$ 400,000
No sports; no physical activities involving
wrist movement; loss of self-esteem

Pain & Suffering associated with constant wrist
joint pain, including arthritic pain and
numbness, lack of motion and stiffness
in wrist, loss of grip strength and arm
strength. \$ 400,000

TOTAL GENERAL DAMAGES:

\$1,035,000

TOTAL DAMAGES:

\$2,148,144