

The Alabama Jury Verdict Reporter

The Most Current and Complete Summary of Alabama Jury Verdicts

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Statewide Jury Verdict Coverage - Published Monthly

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Alabama's Jury Verdict Reporter Since 2001

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Civil Jury Verdicts

Complete and timely coverage of civil jury verdicts in Alabama including circuit, presiding judge, parties, case number, attorneys and results.

Medical Negligence - Plaintiff was diagnosed with a serious heart condition that required surgery and that he claims has left him with cognitive deficits due to an hypoxic injury; plaintiff blamed the incident on his family physician for failing to inform him of the results of an echocardiogram and failing to call in a cardiology consult

Stauffer v. Andrews, 18-900329

Plaintiff: Bart Siniard, *Siniard Law*,

LLC., Huntsville; and Robert J.

Weltchek, *Weltchek Mallahan &*

Weltchek, LLC., Lutherville, MD

Defense: Joel A. Williams and James

W. Moss, *Friedman Dazzio & Zulanas*,

P.C., Birmingham

Verdict: Defense verdict

Circuit: **Madison**, 12-5-22

Judge: Chris Comer

In February of 2017, Ronald Stauffer, then age 61, was working for military defense contractors as a trainer in the anti-ballistic missile defense system. On 2-7-17, Stauffer consulted with his family physician, Dr. Raynon Andrews, about complaints of stomach bloating.

Upon examining Stauffer, Dr. Andrews detected a heart murmur. As a precautionary measure he ordered an echocardiogram, which was performed a few weeks later by a technician employed by a company called HealthScan Imaging, LLC.

The echocardiogram was interpreted by Dr. Ross Barnett, a diagnostic radiologist who served as the medical director of HealthScan Imaging. Dr. Barnett interpreted the echocardiogram as indicating moderate mitral regurgitation and a mild left atrial enlargement, normal left ventricular function, and normal ejection fraction. It would later be

alleged that this interpretation was incorrect.

After undergoing the echocardiogram, Stauffer was told to wait a few days and then contact Dr. Andrews's office for the results. Dr. Andrews's office received the report two days later. However, Stauffer was unable to get any information about the results despite contacting Dr. Andrews's office multiple times.

Finally, the front desk receptionist in Dr. Andrews's office told Stauffer that the test results were "normal." Slightly over a month later on 4-3-17, Stauffer saw Dr. Andrews for an annual physical exam and follow-up. According to Dr. Andrews, he discussed the result of the echocardiogram with Stauffer during that visit and told him it was not an urgent condition.

A couple of months later, on 6-28-17, Stauffer began experiencing severe shortness of breath. He went to a walk-in clinic where he was diagnosed with pneumonia and was advised to go to the ER. Stauffer went to the ER two days later on 6-30-17. His oxygen saturation was measured at that time at 78%.

Stauffer was admitted to the hospital with a diagnosis of acute hypoxic respiratory distress. He was placed on supplemental oxygen and a few days later was given a repeat echocardiogram. This time the test was read as indicating a flailed mitral leaflet due to ruptured chordae and severe congestive heart failure.

Over the next couple of weeks Stauffer underwent numerous medical procedures in an effort to bring his condition under control.

*** * *The AJVR Blog*****

We launched our blog in September and it stays current on litigation news for Alabama lawyers. We have regular updates on verdicts, motions and opinions.

It's good stuff that you won't read about anywhere else.

The verdict form from the big case . . . yesterday.

We'll probably have it.

[The AJVR Blog](http://juryverdicts.net/alblog)

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The case was tried for two days in Huntsville. The jury returned a verdict for Jahandarfarid and awarded him damages of \$20,662. This figure was nearly three times his incurred medical expenses. The court entered a judgment for that amount, plus costs. Jahandarfarid filed a post-trial motion for costs in the amount of \$2,110. The court granted the motion.

Case Documents:

[Jury Verdict](#)

[Final Judgment](#)

Uninsured Motorist - Plaintiff was awarded more than twelve times his medical expenses for soft-tissue injuries he suffered in an intersection crash with an uninsured motorist.

Richardson v. State Farm, 18-900084
Plaintiff: David L. Graves and Leia Leonard, *Shunnarah Injury Lawyers, P.C.*, Birmingham

Defense: Kimberly S. DeShazo and Greyson K. Breal, *Webster Henry Bradwell Cohan Speagle & DeShazo, P.C.*, Birmingham

Verdict: \$25,000 for plaintiff

Circuit: **Jefferson**, 6-15-22

Judge: Carole C. Smitherman

On 8-15-17, Marcus Richardson was driving near the intersection of Shades Creek Drive and Windsor Drive in Jefferson County. At the same time Ignacio Hernandez was also driving in the same area. They reached the intersection simultaneously. Hernandez failed to yield the right-of-way, and he crashed into the side of Richardson's vehicle.

Richardson suffered soft-tissue injuries to his neck and back due to the crash. He followed a course of chiropractic treatments, and his medical expenses totaled \$2,030.

Richardson filed suit against Hernandez and blamed him for failing to yield the right-of-way and thereby causing the crash.

Richardson also presented an uninsured/underinsured motorist claim against his own insurer, State Farm Insurance.

The parties later stipulated to the dismissal of Hernandez from the case. The litigation proceeded thereafter solely on the UM claim. State Farm defended the case and minimized Richardson's claimed damages.

The case was tried in Birmingham. The jury returned a verdict for Richardson and awarded him damages of \$25,000 – i.e., over twelve times his medical expenses. The court entered a judgment for that amount, and it has been satisfied.

Case Documents:

[Jury Verdict](#)

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We have continually published civil jury verdict reporters around the country since June of 1997. We are unaffiliated with any organization, public or private or otherwise. Our singular mission to report civil jury trial results without favor, fairly presenting the positions of the parties, interesting trial practice and verdict results.

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