

DAILY BUSINESS REVIEW

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LIABILITY

For veteran litigator, \$108 million and counting

Christian D. Searcy
Karen E. Terry
Searcy Denney

Christian D. Searcy won multimillion-dollar verdicts four times this year from juries that spent less than four hours each in deliberations.

The name partner with Searcy Denney Scarola Barnhart & Shipley in West Palm Beach persuaded separate juries to award \$30.6 million, \$28.5 million, \$26.1 million and \$23.5 million.

When the Daily Business Review first contacted Searcy to talk about his successes, he was out of the country in trial. As soon as he returned, he started another trial in West Palm Beach, and his paralegal said he could not break away.

His top verdict of the year came in February against Lee Memorial Health System. It took nearly 10 years to get the case to trial for the parents of Aaron Edwards, who suffered brain damage during birth in 1997. Colleague Jack P. Hill served as co-counsel.

The 9-year-old boy's parents blamed his injury on excessive pitocin administered during labor.

Lee Memorial prided itself on never being successfully sued for malpractice before, Searcy maintained. The hospital refused to acknowledge a lapse in care, and no hospital employees were disciplined over the boy's birth injury.

Searcy spent the month of June trying a wrongful death case against an Ohio company whose driver — distracted by a cell

phone conversation on the Sawgrass Expressway in 2004 — rear ended Lesley N. Beers.

The Parkland mother of two was on her way to work when the impact sent her car across the median and into oncoming traffic. She died at the scene after being hit by two cars. Partner Jack Scarola worked with Searcy on Beers' case.

In a Tampa case, Searcy presented evidence that Amara and Daniel Estrada's first child was born with multiple birth defects including a cleft palate. Before considering a second child in 2004, they consulted a University of South Florida geneticist to see if their son had a genetic disorder.

They were told no and were devastated when their second child was born with the same disorder, later identified as Smith-Lemli-Opitz syndrome. In July, a jury ordered the public university to pay \$23.5 million to the couple now raising two special-needs children.

In August, Searcy and co-counsel Karen Terry won \$25.8 million for the family of a breast cancer patient who died after taking excessive doses of a blood thinner for 23 days while undergoing chemotherapy. The case was featured on ABC's "20/20."

Lawyers for Deerfield, Ill.-based Walgreens told Polk County jurors that cancer killed Beth Hippely.

Terry and Searcy blamed the blood thinner in a 2003 lawsuit.

The mother of three ended up with a dose that was 10 times higher than her prescription due to a typing error by a 19-year-old pharmacy technician whose previous job was at a movie theater.

"It's amazing to me that Walgreens lets people like that behind the pharmacy," Terry said.

Hippely suffered a cascade of medical setbacks starting with a stroke. She went into a coma, doctors stopped treating her breast cancer, and she was living in a nursing home before she died this year.

Terry is fighting Walgreens in another prescription mix-up case expected to go to trial next year. She claims a 22-year-old



Christian D. Searcy, along with Karen Terry, won a \$25.8 million award for the family of a breast cancer patient who died due to a prescription error by Walgreens.

pregnant woman was mistakenly given an anti-inflammatory drug that caused an allergic reaction and premature labor. The woman and her baby, born at less than two pounds, died.

Also this year, Terry won a \$1 million settlement that exhausted insurance policy limits for a Punta Gorda man who was gored in his yard by a neighbor's escaped bull.

The attorney found 147 animal-control reports of a black bull owned by the same man escaping from his property.

— Kelly Cramer