

# OF COUNSEL

A report  
to clients  
and attorneys.

VOLUME 08  
NUMBER 1

## \$4.25 MILLION SETTLEMENT FOR REPEATED FAILURES TO DIAGNOSE PANCREATIC CANCER

**Medical experts' failures to find and treat cancer results in death of 45-year-old**

In 2002, John Doe was a 45-year-old man with a loving wife, three children, and a very exciting corporate career. As a young boy, he had immigrated to the United States from Communist Cuba and, with hard work and determination, had achieved an extraordinary level of success in both his personal and professional life. After holding executive positions at several companies, John accepted a position at a large corporation that eventually led to a promotion that would involve moving overseas and taking responsibility for the company's operations in Europe, the Middle East, and Africa. By all standards, John was in the prime of his life, in apparent good health, and looking forward to continued enjoyment in both work and family life.

In July 2002, John visited a medical clinic in Florida for a routine annual examination by Dr. X. John was concerned about his health and health history, and made every effort to live a healthy lifestyle. During the examination, John told Dr. X that both his mother and father had been diagnosed with colon cancer and this fact was clearly documented in the doctor's records. A month later, on August 18, John visited the medical clinic's emergency department complaining of abdominal pain, nausea, and vomiting. He was examined, diagnosed with gastritis, and discharged. Because of a trace amount of blood found in his urine, he was advised to return to Dr. X for further examination. John scheduled an appointment with Dr. X and, on September 4, the doctor began a workup to determine if John was suffering from kidney stones.

John's medical records at the clinic reflected a concern by the clinic's physicians *(Continued on page four.)*

## PERMANENT DAMAGE CAUSED BY KAVA PRODUCT

**Manufacturer fails to use FDA warnings on dangerous herbal supplement, resulting in total liver destruction for woman.**

Jane Doe was a very healthy 42-year-old woman employed as a bookkeeper at a local herbal supplement supplier in Jupiter, Florida. The supplier sold various natural food supplements, many of which were touted to be made from the best medicinal herbs in the world. Jane's employer regularly permitted employees to purchase these items at a discounted price. One of the items sold by her employer was kava, a natural food supplement that was, according to both the manufacturer (located

in North Carolina) and the supplier, an excellent supplement for relaxation and stress relief. The product was presented to Jane and other purchasers as totally safe. In fact, she was told pharmacological substances used for relaxation could put her health at risk and the herbal supplements were far safer. *(Continued on page five.)*





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**Over  
\$1 Million  
Settlement:  
PERSONAL INJURY**

## MASSIVE INJURIES CAUSED BY HUGE SUV SPEEDING IN PARKING LOT

**The Hummer SUV had  
to be driven off the  
injured woman's body.**

Mary Doe was employed as a part-time licensed practical nurse at a medical clinic in Fort Pierce, Florida. She and her 18-month-old baby girl lived with her mother and father. Mary's mother was a registered nurse employed at the same clinic, and they often worked together. Mary's father was retired and babysat Mary's daughter while the two women were at work. The baby's father lived separately, but was very close to Mary and her family. All in all, life was working out fairly well for Mary.

November 2, 2007 was Mary's 37th birthday. After work, she left the clinic and headed to her nearby bank. As she walked toward the bank, a Hummer sped through the parking lot, running into Mary and pinning her under the vehicle. Immediately after, Mary's mother exited the clinic and saw her daughter pinned under the vehicle, suffering from massive head injuries. She yelled for the clinic's doctor and ran to Mary's side. The Hummer had to be driven off her daughter's body. An ambulance was called which transported Mary to another medical center where she was airlifted to a hospital and placed in intensive care. When the police arrived at the scene of the accident, they took a blood sample from the driver and took the vehicle into custody.

Mary remained in a coma for three weeks. Mary and her family have always been very religious and very active in their church. When the Does' church family heard of Mary's situation, they marshaled their prayer forces. There were literally over 1,000 people praying for Mary's recovery every day that she was in intensive care in the hospital. On Thanksgiving Day, Mary woke up from her coma. She began an intensive regimen of physical therapy and rehabilitation. Mary is still not fully recovered from the accident, but she is determined and is well on her way to recovery.

Shortly after the accident, while Mary lay in a coma of indeterminable length, Mary's parents sought representation by SDSBS attorney Earl Denney. With the assistance of another attorney, it was arranged that Mary's mother would be appointed as Mary's guardian while she was incapacitated. The insurer for the driver of the Hummer immediately tendered their policy limits of \$1 million. Another \$100,000 was recovered from Mary's insurance carrier for underinsured motorist coverage. ■



### OF COUNSEL

NEWSLETTER  
VOLUME 08 NUMBER 1

NOTE: The accounts of recent trials, verdicts and settlements contained in this newsletter are intended to illustrate the experience of the firm in a variety of litigation areas. Each case is unique, and the results in one case do not necessarily indicate the quality or value of any other case. Omitting clients' names and/or defendants' names are the result of requests for anonymity.

# MAN'S DEATH IN HORRIFYING MULTI-VEHICLE CRASH CAUSED BY NEGLIGENT DRIVER

**Family's loss is compounded by defendants' challenge of the validity of father's marriage**

**O**n a warm Monday morning in July 2006, Mr. X awoke, startled by his wife telling him that he had overslept and that he was going to be late for work. The previous day, Mr. X had attended a party at his parents' house where he had gotten drunk, consumed even more alcohol after returning to his own home, and finally passed out. In his intoxicated state, he had either failed to set his alarm or had slept right through the alarm's buzzer. Mr. X raced back to his parents' house where he had left the large commercial pick-up truck his employer, Company A, provided for him, and then drove the truck toward his employer's office.

Mr. X knew when he left his parents' house in Company A's truck that he was going to be late for work, and he grew increasingly anxious about his late arrival. As he drove at speeds well in excess of the posted limit, he began searching the passenger compartment of the truck looking for his personal cell phone. Mr. X needed to let his supervisor know that he was on his way. He did not want to use the company's two-way radio, clipped handily on his belt, because he knew that others would overhear the conversation.

Mr. X was already in hot water with his employer because of an accident he had two months earlier, only a few months after he was hired. Fortunately, no one was injured in Mr. X's first crash involving a company vehicle. Mr. X's supervisor at Company A warned Mr. X that if anything else happened "he might be written up." However, no further action was taken by Company A to ensure that Mr. X was qualified to operate the vehicle entrusted to him by his employer.

As Mr. X barreled down the highway while searching for his cell phone, he failed to see that traffic had come to a stop in front of him. A passenger vehicle was waiting to make a left turn off the highway. A landscape company truck, carrying five employees and pulling a trailer with equipment, had stopped behind the car, waiting for the lane to clear. Mr. X smashed full speed into the vehicles ahead of him, going through the trailer and coming to rest on top of the landscape company truck. Fuel containers on the trailer were ignited by the crash, and a huge fireball consumed the three vehicles. Mr. Z, an employee of the landscape

company, was caught in the twisted metal wreckage and was unable to escape the wreck's fiery aftermath. His co-workers were unable to free him from the wreckage. Tragically, Mr. Z burned to death.

Mr. Z was only 32 years old when he died. Eighteen months earlier, he had come to the United States from his home in Honduras, leaving behind a wife and thirteen-year-old son. His plan was to work hard for three years, send money back home to help his family, and save money to make their lives better when he eventually returned to Honduras. Mr. Z's brother had come to the U.S. earlier, and had helped Mr. Z get the job with the landscape company. Almost immediately, Mr. Z began a weekly practice of wiring money back home to his wife and son and to his elderly parents. His family also relied on the love, support, and guidance Mr. Z provided in weekly telephone calls and regular email exchanges with his wife and son. He was a responsible man, pleasant to be around, and was considered a reliable, hard worker by his employer. Halfway through his three-year plan to make a better life for his family back home, Mr. Z's life and his family's dreams abruptly ended in a horrifying crash that resulted from Mr. X's careless operation of Company A's commercial vehicle and the company's failure to properly train and supervise Mr. X.

Mr. Z's family sought representation from SDSBS attorneys Jack Scarola and Jack Hill. A wrongful death action was filed against the company on behalf of Mr. Z's family. While Mr. X and Company A could not fight their overwhelmingly clear responsibility for causing the death of Mr. Z, the defendants took great steps to challenge the validity of the common-law marriage between Mr. Z and his wife of 13 years. In seeking to provide Mr. Z's family with the full measure of justice which they so richly deserved, it was critical to establish that Mr. Z's common-law wife would be recognized as his spouse under Honduran law. To that end, SDSBS retained local counsel to bring an action in Honduras to have the Honduran court formally recognize the validity of the marriage between Mr. Z and his wife. As a result of several trips to Honduras and a thorough investigation, Mr. Scarola and Mr. Hill were able to gather the evidence necessary to prove that Mr. Z and his wife were validly married according to Honduran law. With that evidence in hand, a settlement was finally reached to help Mr. Z's family reach past their loss and towards the life he died trying to make for them. ■



## **\$4.25 million settlement for repeated failures to diagnose pancreatic cancer**

*(Continued from page one.)*

that John was allergic to iodine dye based on an apparent allergic reaction to iodine he had suffered some twenty years earlier. Therefore, a CAT scan of John's abdomen and pelvis was performed on September 5, 2002, without the iodine dye as contrast. The scan was unremarkable, although the radiologist noted that the scan was limited due to the absence of either an oral

or intravenous contrast. During this time, John again discussed the history of cancer in his family and expressed his concerns to Dr. X about cancer as a possible cause of his abdominal problems. John was fully aware of the limitations of a scan performed without a contrast dye, and aware of the doctor's concern for his allergy. John specifically asked Dr. X if an MRI would be an appropriate examination for him. Dr. X told John that they would run all of the appropriate tests, and that he might refer John to a gastrointestinal specialist for appropriate tests.

During the September 2002 examinations, the clinic's urologist referred John to an allergy specialist to determine if an intravenous contrast could be safely used on John. The doctors felt that John's earlier allergic reaction might possibly have been a result of some osmotic change in the concentration level of the iodine. They decided upon a plan to use a lower strength contrast, and to pre-medicate John with prednisone and benadryl, per the clinic's protocol on such procedures.

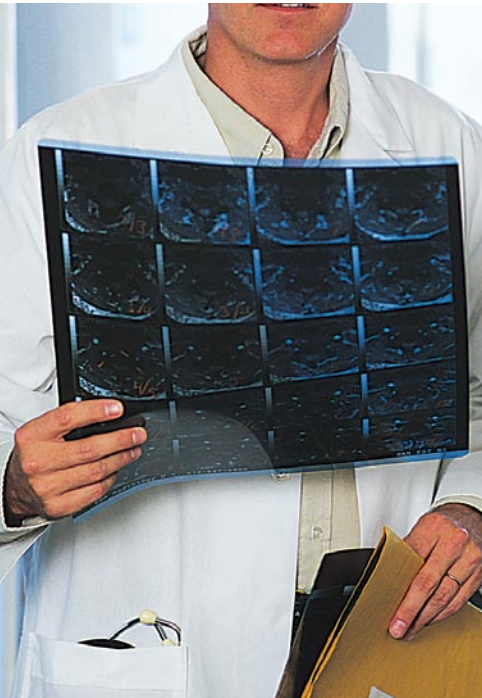
John continued to suffer from unexplained abdominal pain. In November 2002, after determining that John was not suffering from kidney stones, Dr. X referred John to a gastrointestinal specialist at the clinic. John again brought up his concerns about his family's history of colon cancer, and his concerns about the limitations of the scan that had been performed without contrast.

He also asked again about the possibility of an MRI in eliminating questions concerning cancer or another major illness. The gastrointestinal doctor assured John that they would run the appropriate tests in their efforts to determine the cause of his pain. At this time, the doctors noted that they wanted to conduct tests that would rule out pancreatic disease. Regardless of the fact that numerous experts would testify that the only way to conclusively rule out pancreatic disease was to administer a contrasted CAT scan and/or an MRI of the abdomen and pelvis, the doctors still did not schedule these tests.

In December 2002, the gastrointestinal specialist began a workup that included an upper endoscopy and a colonoscopy, both of which were negative for signs of cancer. Additional tests were performed, all of which were negative with regard to any explanation for John's continued abdominal pain. On January 3, 2003, the gastrointestinal specialist ordered a small bowel series of tests with oral contrast and an ultrasound examination. Both of these tests indicated a normal condition.

On May 2, 2003, John was back in the clinic's emergency room with abdominal pain, nausea, and vomiting. A CAT scan with oral contrast was ordered, but the clinic's radiologist failed to report an abnormality of the pancreas that was revealed by this latest test. Had this test been performed a year earlier during the July 2002 examinations, as the standard of care required, the cancerous lesion would have been identified and could have been treated successfully. Continuing to suffer from abdominal pain and nausea, John returned yet again to the clinic in July 2003, where another scan without contrast was performed and essentially read as negative. John's symptoms continued and he repeatedly sought treatment at the clinic, but the cause of his abdominal pain was never diagnosed. In June 2004, John returned to the clinic's emergency department and a scan with intravenous and oral contrast was performed. This latest scan revealed a large neuroendocrine tumor of the pancreas. John began intensive, state-of-the-art oncological treatment in the U.S. and in Europe.

In October 2004, after months of frustration and anxiety brought about by the medical experts' failure to find and treat John's cancer in a timely manner, the family sought representation by SDSBS attorney Bill Norton. Unfortunately, John's cancer continued to spread and he died of the disease on July 27, 2006. John's promising young life was over and his family was devastated. A wrongful death complaint was filed in March 2007, and the case was eventually settled for \$4.25 million. ■



## Permanent damage to liver caused by kava supplement

*(Continued from page one.)*

In November 2006, Jane began taking the kava products manufactured by the North Carolina company and sold in her employer's store. She took a single pill each day, well within the stated recommendations on the product's packaging. During the last six weeks of her use of the product, she noted a lack of energy. Routine blood tests taken during a visit to her local physician revealed that her liver enzymes were dangerously skewed. Jane immediately stopped taking the kava supplements. Unfortunately, it was too late. Further tests revealed that Jane's liver function was highly abnormal and in danger of imminent failure. She was admitted to a hospital and then transferred to a Miami hospital that specialized in liver transplants.

Tests performed at the transplant center revealed the total destruction of Jane's liver. She required an immediate transplant just to survive. She was, by now, swollen and jaundiced, and had no choice but transplant. According to her doctors, failure to obtain a liver transplant would, in all likelihood, result in her death. In April 2007, Jane underwent a liver transplant.

Unknown to Jane Doe, and contrary to allegations by the manufacturer and supplier that the supplement was safe, kava and kava products are well known to cause liver damage. One country, Great Britain, has outlawed the substance and banned its sale because of this danger. Several years earlier, the U.S. Food and Drug Administration (FDA) issued a consumer advisory warning stating:

*"Kava-containing products have been associated with liver-related injuries – including hepatitis, cirrhosis, and liver failure – in over 25 reports of adverse events in other countries. Four patients required liver transplants. In the United States, FDA has received a report of a previously healthy young female who required liver transplantation, as well as several reports of liver-related injuries."*

Further, FDA had recommended a warning label for all kava products, to state as follows:

*"FDA advises that a potential risk of rare, but severe, liver injury may be associated with kava-containing dietary supplements. Ask a healthcare professional before use if you have or have had liver problems, frequently use alcoholic beverages, or are taking any medication. Stop use and see a doctor if you develop symptoms that may signal*

*liver problems, including jaundice (yellowing of the skin or whites of the eyes) and brown urine. Other non-specific symptoms can include nausea, vomiting, light-colored stools, unexplained tiredness, weakness, stomach or abdominal pain, and loss of appetite. Not for use by persons under 18 years of age, or by pregnant or breastfeeding women. Not for use with alcoholic beverages."*

Despite substantial evidence of the possibility of injury, the manufacturer in North Carolina and the supplier in Florida continued to process, manufacture, market, and sell the kava products to an unsuspecting public, claiming the supplement had significant health benefits far superior to pharmacologically-tested medications.

*Unknown to Jane Doe, and contrary to allegations by the manufacturer and supplier that the supplement was safe, kava and kava products are well-known to cause liver damage.*

Because of the substantial injury Jane suffered from her use of the kava supplement, she will require anti-rejection medication for the rest of her life. At present, the cost for this medication is nearly \$3,000 each month. While the medication is necessary to sustain Jane's life, it is also slowly poisoning her. She lives each day with the realization, confirmed by her physicians, that she has a shortened life expectancy. Jane frequently must change her day-to-day activities to avoid contact with people who are ill. Germs and diseases, which healthy people need not fear, pose serious risk to Jane. Jane's doctors have even recommended she limit contact with her daughter and two-year-old grandson – two of the most important people in Jane's world. Because of her surgery, Jane suffers from constant pain and substantial physical scarring. Her ability to work is substantially limited due to her persistent pain and risk of infection.

In June 2007, Jane asked SDSBS attorney David Kelley to represent her in a product liability action against the manufacturer. Mr. Kelley submitted a demand on Jane's behalf for the defendant's policy limit of \$2 million, and in January 2008 that amount was paid in full. This payment was considered partial settlement of the issue. Mr. Kelley is now pursuing a legal action against the supplier. ■

**\$2 Million Settlement:**  
**PRODUCT LIABILITY**

## SPEAKING EVENTS



**Chris Searcy** spoke at the Florida Justice Association's 2008 Workhorse Seminar held in February 2008 at Walt Disney World

in Orlando. His subject, "The Compassionate Gladiator," addressed the task of putting together a total case package with intensity, tenacity, persistence, and drive, while simultaneously seeing and feeling the compassion and heart of the case. His presentation also included a discussion on what it means to ef-



fectively communicate with a juror and how that is accomplished.

**Karen Terry** moderated the Seminar. ■



**Jack Scarola** spoke at the Palm Beach County Bar Association's Trial Advocacy Seminar, "Trial Superstars: Trying the

Catastrophic Injury Case." The seminar was hosted by the Association's Continuing Legal Education Committee in March 2008 in West Palm Beach. Mr. Scarola's subject was "Closing Arguments." ■



**Darryl Lewis** spoke on "Trial Techniques, Including Opening Statements" at the American Association for Justice's

conference held in October 2007 in Keystone, Colorado. ■

## PROTECTING OUR PRECIOUS CHILDREN

**We strive to provide them with the safest and healthiest environment possible**

Our greatest assets are our children. As parents, we strive to provide them with the safest and healthiest environment possible. We spend a great deal of time researching the schools they will attend, including the daycare centers where we leave our toddlers for the better part of five days a week. We visit the schools, inspect the premises inside and out, meet with and talk to the teachers, and contact other parents with similar concerns. We read the brochures and pamphlets, and search the internet for information that will help us determine if a particular school will meet the needs of our children and meet our parental standards for care and safety. Does the school or daycare center have trained and qualified personnel to respond properly to health care emergencies? Has the facility thoroughly investigated the background information on teachers, aides, or others who are going to be around our little ones? The sex scandals that have headlined the news in past years have made all parents aware of the importance of daycare centers conducting proper and in-depth background checks on each of their employees.

The recent headlines from Florida's west coast had to shock every parent who has a child in a daycare center: "Children Watch 'Monster' Kill Daycare Teacher." This was not just another one of those horribly frequent reports of school shootings. This was not just another one of those horribly frequent reports of a crazy man murdering his wife. We have not become so hardened by the frequency of these reports that we can ignore this article and move on through the news. In fact, this incident begs us, as parents, to revisit all of our carefully researched efforts to find and provide our children with a safe place to be while we are away from them. And it compels us to look critically at the decisions we make ourselves, and at the decisions that are made by our daycare providers.

Daycare centers, and all schools, have a duty to use reasonable care with regard to the safety and security of the children that come through their doors each day. As attorneys, we learn in law school that this duty is heightened by the knowledge that the daycare center is providing these services to the children by and through the use of its employees. The risk of harm increases, and the employer's duty to use reasonable care increases, with each employee or visitor that is permitted access to the children.

From all recent news accounts, it appeared that a teacher at the Cape Coral daycare center was having severe marital problems with her estranged husband. He had threatened her, and she reported the threats to her supervisors at the daycare center. She warned them to be on the lookout for him and to not let him enter the premises. The front door to the school was locked and could only be opened by entering a code in a keypad next to the door. Every parent and employee had been given the code. On several previous occasions, the school had gone into a "lock-down mode" and on special alert because of concern for this same teacher and fear that she





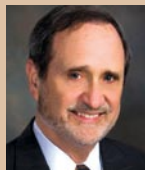
might be harmed. Notwithstanding this concern, the school did not require the teacher to stay home, or stay in some other safe haven, until the tension between the couple was reduced and the risk of harm removed. The teacher, now raising her child as a single parent, was considered to be very good at her work and was admired by parents and children alike. The school chose to keep the teacher on their premises and did not inform the parents of the risk.

On January 25, 2008, the estranged husband came to the school with a gun in his hand, looking for his wife. The school authorities called 911 for help and tried to lock all of the other doors. Teachers gathered the children and raced into closets and restrooms to hide. The gunman found a back door not yet locked, and entered the building. Searching the hallways, he found his wife hiding in a restroom with a group of two- and three-year-old children. The husband then brutally shot and killed his wife as she sat surrounded by the children. The children were not physically harmed, but were terrorized by the incident. A parent of one of the students had arrived just before the shooting. Having quickly moved her child into the safety of a hiding place with other children and teachers, this very heroic parent went back and confronted the gunman, grappled with him briefly, and took his gun from him. The police arrived and took the man into custody.

The news reports and commentary on this tragedy included statements such as, "Why should the daycare center be held responsible for this killing? If someone is going to shoot another person in a situation like this, nothing can prevent it." Our response is that if the daycare center knew the teacher was under threat and, in fact, had locked down their facility in the past out of fear for her being harmed, why didn't they require her to stay away from the center, in some other safe haven for herself and her child? Why didn't the daycare center think first and foremost about the safety of the children at the center? Why didn't the daycare center notify the children's parents and allow those parents to make their own decision about risking their child's safety under the circumstances of this poor teacher and the fatal relationship she had with her husband? Would any of these precautions have made a difference? There may have been no difference to the fate of the teacher who was murdered. However, if she had not been on the daycare center's premises, the gunman would not have forcibly entered that school looking for her and, in doing so, placed the children at such considerable risk.

As parents, we have every right to expect the people who care for our children to exercise due diligence and responsibility in providing a safe and caring environment for them, and to make decisions that place the safety of the children paramount to any other concern. ■

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**Sia Baker-Barnes with Riviera Beach  
Maritime Academy Advancement  
Director Vincent Franco.**

### **Sia Baker-Barnes speaks at the Riviera Beach Maritime Academy**

**Sia Baker-Barnes** spoke to the student body at the Riviera Beach Maritime Academy on Guest Speaker Day, November 9, 2007. The Academy specializes in providing an academic and hands-on education for students interested in careers within the maritime industry. ■

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PLUS: Top professional service providers share their expertise on optimizing referrals, eminent domain, anti-money laundering reviews, non-compliance fines, IRS criminal investigations, minimizing valuation report challenges and more.



## ACCOLADES



**Chris Searcy**



**Earl Denney**



**Jack Scarola**



**Greg Barnhart**



**John Shipley**



**Bill Norton**



**David Sales**



**Chris Speed**



**Cal Warriner**



**Darryl Lewis**



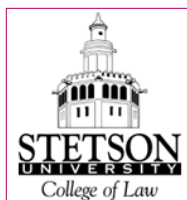
**Harry Shevin**



**Karen Terry**

### SDSBS firm and attorneys named among the top in area by 'South Florida Legal Guide'

The *South Florida Legal Guide* (2008 Annual Edition) again selected SDSBS as one of the top law firms in south Florida. The publication also named nine SDSBS attorneys as top lawyers in south Florida – **Chris Searcy, Earl Denney, Jack Scarola, Greg Barnhart, John Shipley, Bill Norton, David Sales, Chris Speed** and **Cal Warriner**. The Guide selects the honorees by asking Florida's most highly-regarded attorneys to nominate attorneys whom they most respect, and to whom they would refer a friend or family member. Attorneys **Darryl Lewis, Harry Shevin, and Karen Terry** were named by the Guide as "Top Up & Comers." ■



### Chris Searcy inducted into Stetson University College of Law Hall of Fame

**Chris Searcy** was named as one of eight new members inducted by Stetson University College of Law into its Hall of Fame. According to the University's announcement, all of the individuals "have reached the pinnacle of their professions and have affected a profound positive influence" on the College of Law. At the age of 30, Mr. Searcy became the youngest lawyer in the U.S. to achieve a million-dollar verdict for a single personal injury lawsuit. In 2005, he was awarded the Perry Nichols Award for lifetime service, the highest honor awarded by the Florida Justice Association. In 2006, he was one of only two attorneys to receive the "War Horse Award" from the Southern Trial Lawyers Association. ■



### Debbie Knapp becomes member of paralegal staff at SDSBS

Congratulations to **Debbie Knapp** on her recent promotion to the position of paralegal. Debbie joined SDSBS in 1976. Prior to her promotion, she worked as a legal assistant with Earl Denney. Outside of her SDSBS work, Debbie is a sergeant in the Palm Beach County Sheriff's Office (PBSO) Mounted Unit, performing search and rescue work, patrolling parks and neighborhoods, and attending demonstration events with her horse. She is also a member of the PBSO's Certified Emergency Rescue Team, an organization that responds to emergencies within the county. Debbie is a member of the Indian Trail Improvement District Trails Committee, and she and her horse are active in charity work. ■





Harry Shevin



Jack Hill



Emilio Diamantis

## SDSBS members continue participating in Palm Beach County Justice Association

**Harry Shevin** was recently inducted as president of the Palm Beach County Justice Association (PBCJA, formerly known as the Palm Beach County Trial Lawyers Association). Mr. Shevin served on PBCJA's board of directors in 2002, and was elected secretary in 2005 and treasurer in 2006. **Jack Hill** was re-elected to a second two-year term on PBCJA's board of directors, and **Emilio Diamantis** continues in his two-year term as PBCJA's paralegal representative. ■



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## Chris Searcy selected one of top 500 lawyers in the nation by 'Lawdragon Magazine'

**Chris Searcy** was selected this year to be included in Lawdragon Magazine's third annual "Lawdragon 500" – the top 500 lawyers in the nation. The Los Angeles-based magazine provides legal services consumers a guide to the best attorneys in the nation. Lawdragon's editorial staff researches data gathered from legal professionals and uses the data to rank attorneys and judges. According to the magazine, less than .01 percent of all attorneys in the U.S. will be named a member of Lawdragon 500. ■



*"Every step toward the goal of justice requires sacrifice, suffering and struggle."*

- Martin Luther King, Jr.



**Michelle White**



## **SDSBS staffer Michelle White actively involved in Guardian ad Litem program**

When you combine a passion for justice with a passion for kids, and then add a lot of training and a deep personal commitment to help children grow up with dignity in a safe environment, you have what it takes to become part of Florida's Guardian ad Litem (GAL) Program. Michelle White, project assistant to SDSBS attorney Greg Barnhart, is doing just that. She recently completed the first part of her training to become a state-certified and court-appointed volunteer for the GAL Program in the Fifteenth Judicial Circuit for Palm Beach County. Michelle initially signed up for the program as part of her requirement for internship hours at school. However, after completing her initial training and observing in court how much an advocate can mean to a child in need, she hopes to be a part of the program for the rest of her life.

Guardians ad Litem are appointed to be a voice for children involved in court proceedings, primarily those children who are there as a result of abuse, neglect, or abandonment. They are appointed to protect the child's rights and to advocate for their best interests. Volunteer GAL candidates must be at least 19 years of age and complete an application and prescreening process that includes a background check and screening by the Florida Department of Law Enforcement. Volunteers must complete a 30-hour training class and participate in in-service training. Upon being appointed by the court to advocate for a particular child, the Volunteer GAL must visit the child monthly, submit regular monthly reports to the court on the status of the child's situation, attend hearings and court proceedings as necessary, and provide independent recommendations to the court focusing on the needs of the individual child.

The 15th Judicial Circuit has approximately 290 volunteers in the GAL Program. They need an additional 400 volunteers to fully meet the needs of children in Palm Beach County alone. The Palm Beach County GAL Program is increasing efforts to recruit more volunteers to meet the needs of county children, working in close collaboration with other child advocate organizations and colleges within the community. ■

If you are interested in participating as a volunteer in this very rewarding program, contact Alan Mentser, Director of Recruitment and Training for the Palm Beach County GAL Program, at:

**561-355-2773**

Learn more about the program on their websites at:

**[www.gal.fl.gov](http://www.gal.fl.gov) and [www.galpbcc.org](http://www.galpbcc.org)**

# **TAKING...** *Time to Care*

## **SDSBS participates in Temptations concert to benefit "Autism Speaks"**

When the legendary Motown group, The Temptations, scheduled a reunion concert at the Maltz Jupiter Theater for January 28, 2008, SDSBS purchased 200 tickets for the performance and for a special "meet the stars" reception after the performance. Combining our affection for doo wop and soul music from the 1960's and 1970's, and the desire to support a cause dear to us all, SDSBS resold those tickets to the public to benefit Autism Speaks. A total of \$30,500, from ticket sales and other contributions, was sent directly to the charity to help fund their efforts for research, early diagnosis, and public awareness of autism. If you want to learn more about autism, or Autism Speaks, log on to their website at [www.autismspeaks.org](http://www.autismspeaks.org). ■



**Henry Searcy with GC Cameron**





**(l-r) Laurie Briggs, Susan Hanlon, Tammy Briggs and Leslie Milk SDSBS members compete in the Palm Beach Marathon to raise funds for 'Friends of Abused Children'**

Paralegal **Laurie Briggs** and her relay team of family and friends (team name "Three Skinny [Chicks] and One Fat Chick") finished the Palm Beach Marathon in seventh place. Running the marathon as a charity fundraising event, the team raised \$1,025 for Friends of Abused Children (FAC). Laurie is board president of FAC. Other SDSBS participants in the marathon included attorney **Karen Terry** and her relay team of "Roadrunners" who placed third, and receptionist **Linda Miller** who completed the Half-Marathon event, placing 39th out of over 1,300 entrants. ■



**Attorney Jack Scarola and SDSBS take part in 'SleepOut' to raise awareness and funds to benefit The Lord's Place**

**Jack Scarola** participated in the 2008 "SleepOut" to raise funds for The Lord's Place programs and to increase awareness of what it is like to be homeless. The event was held February 9, 2008, at the Meyer Amphitheater in West Palm Beach, Florida. Participants listened to inspirational presentations, shared meals, and slept in sleeping bags under the stars. For the past 25 years, The Lord's Place has provided shelter, meals, and support, including agency referrals, clothing, and employment assistance, for the over 4,000 homeless people in Palm Beach County. SDSBS contributed \$2,000 as a sponsor for the event. SDSBS employees raised \$725 in a "Dress-Down Day" fundraiser at work, and raised another \$540 from other contributors. This event raised over \$120,000 and involved administrative costs of less than \$10,000. Mr. Scarola has served on the board of directors for The Lord's Place since its inception 25 years ago. ■

**Above: Jack Scarola speaks during the 'SleepOut' event; Left: the group of participants in the park at the 'SleepOut'.**





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