SEARCY DENNEY SCAROLA BARNHART & SHIPLEY

OF COUNSEL

A quarterly report to clients and attorneys.

VOLUME 02
NUMBER 1

Young Boy Suffers Serious Injuries at School Stop Sign

On Oct. 24, 1997, 14-year-old Damian Croft of Seminole, Fla. was seriously injured while riding his bicycle on the sidewalk. Accompanied by one of his friends, Damian was passing an elementary school on his way to the middle school he attended. At the same time, a garbage truck owned by Waste Collection Service Corporation and driven by Brian Morris was exiting the elementary school parking lot. Although a stop sign was located right before the sidewalk in front of the elementary school, witnesses testified that Mr. Morris passed the sign before coming to a complete stop. As Damian and his friend passed in front of the garbage truck, Mr. Morris released the brake and proceeded forward, striking Damian and running over his bicycle and his lower extremities.

Damian was airlifted to Bayfront Medical Center where it was discovered that he had suffered a fractured pelvis and a collapsed lung. Even worse, the femoral arteries in both legs were crushed. Surgery was performed on Damian's lower extremities and Gore-Tex grafts were placed in the right and left femoral arteries and the right femoral vein to reconstruct those blood vessels. Damian underwent several additional complex surgeries over the next several weeks in order to restore and maintain the function of his arteries and vein.

Damian's parents retained the law offices of David Kesler, P.A., in St. Petersburg, who filed a complaint against the garbage truck driver and Waste Collection Service Corporation. After filing suit against both defendants, Mr. Kesler referred the case to attorney Chris Searcy, who in turn sought the assistance of colleague Darryl Lewis in litigating the case. The defendants vigorously argued that Damian darted out in front of the garbage truck, and was therefore responsible for causing his own injuries. However, with the use of accident reconstruction and computer animation, Mr. Searcy and Mr. Lewis were able to demonstrate how the accident occurred.

Damian Croft with his sisters Tami (l.) and Robin.

After one failed mediation, during which the defendants made no settlement offers, Mr. Searcy and Mr. Lewis attended a second mediation just days before the start of trial. During that proceeding, Mr. Searcy and Mr. Lewis successfully negotiated a $1.1 million settlement on Damian's behalf. Damian's family chose to place a portion of the settlement proceeds into an annuity, which will provide Damian with a guaranteed source of income for the rest of his life. ■

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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.

Woman Loses Life After Birth of Child

In 1996, Mr. and Mrs. B arrived for the pre-scheduled cesarean section delivery of their first child together. After a long courtship, Mr. and Mrs. B had recently been married, and both had two older boys. The fact that this was to be their first and only child together was well known to the doctors, and, in fact, Mrs. B intended to have her tubes tied once the baby was born. Tragically, Mrs. B's son would never know his mother as she died shortly after giving birth.

Early in her pregnancy, Mrs. B was diagnosed with a thin uterine wall and suspicion of a condition called "placenta previa." Nevertheless, Mrs. B's pregnancy was uneventful. However, having had two prior children by cesarean section, Mrs. B was not a candidate to undergo traditional labor with this child. Her age, coupled with her history of cesarean section deliveries, would have put her at risk for placental abnormalities had a traditional course of labor been allowed. Consequently, the cesarean procedure was scheduled in advance of Mrs. B's due date.

The procedure began at approximately 7:30 a.m., and Baby B was born shortly thereafter at 7:53 a.m. Almost immediately, Mrs. B's doctors confirmed the presence of a "placenta accreta," an abnormality in which the placenta abnormally adheres to the wall of the uterus. Further study revealed that Mrs. B's placenta had actually grown through the uterine wall and adhered to her bladder. Principles of obstetrics define such a circumstance as a surgical emergency. Furthermore, attempting to debride, or cut away, the placenta from the uterus typically results in massive bleeding, and so obstetrical standards dictate that the uterus in such circumstances should be removed.

During the cesarean procedure, Mrs. B began bleeding profusely, and although her condition seriously declined, no pulse or blood pressure values were documented for a significant period of time. The medical chart did reveal that blood replacement was ordered and transfused, and in turn Mrs. B's vital signs seemed to improve. However, despite later testimony that a cesarean hysterectomy was begun immediately after delivery, the total procedure time seemed excessive.

Mrs. B. made it through both the delivery and subsequent hysterectomy, and was then transferred to the intensive care unit (ICU). Unexpectedly, a nurse there recorded her temperature at only 88.9 degrees. Shortly thereafter, Mrs. B experienced cardiac arrest and was unresponsive to resuscitation efforts.

Discovery in this case revealed that Mrs. B's hysterectomy did not begin shortly after delivery. In addition, it was learned that the obstetrician spent a significant period of time trying to debride the placenta from the uterus, which is contrary to standard practice. Finally, despite testimony from the hospital staff to the contrary, it was determined that the blood replacement infused in Mrs. B was never warmed, but rather was given to her cold. As trial approached, it appeared that Mrs. B. died from profound hypothermia.

All the defendants in the case vehemently claimed that Mrs. B died of acute anaphylaxis of pregnancy. This syndrome, known as "amniotic fluid embolus," formed the basis of a formidable defense for the doctor and nurses in the case. Death frequently results in such cases, and little, if any, evidence of the event remains once the patient dies.

At attorney Chris Searcy's request, attorney Cal Warriner handled this case through its investigation, pre-trial preparation, and eventual mediation. The case settled for a confidential amount, believed to be the largest medical negligence tort settlement in the history of the county where the action was brought. The recovery will provide financial security for Baby B and his older brothers, and will also compensate Mr. B for the loss of his wife and mother of his child. ■

Man Becomes Disabled Due to Physician Assistant's Misdiagnosis

Art Ervine was an avid bodybuilder and outdoorsman, who loved hunting and fishing in the northern rural community of Jennings, Fla. Employed in the construction trade, Mr. Ervine was always the picture of health.

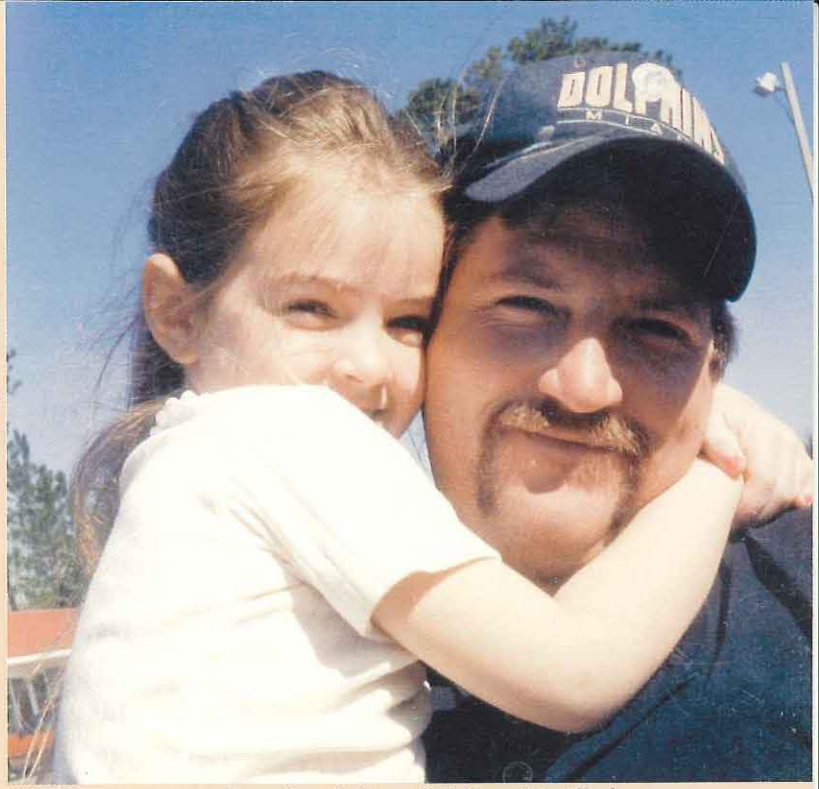
So on a Monday morning in 1998, it was extremely unusual that Mr. Ervine came down with a cold and an earache. For the next week, Mr. Ervine had a high fever and suffered headaches, earaches, vomiting, dizziness and neck pain. By Friday of that same week, Mr. Ervine asked his wife Karen to take him to the hospital.

Mrs. Ervine drove her husband to the emergency room at Columbia Hamilton County Medical Center in Jasper, Fla. They waited for quite some time before they were finally seen by a man, whom they presumed was a medical doctor. In fact, the man was not a medical doctor, but a physician's assistant, covering the emergency room.

Columbia Hamilton County Medical Center had a contract with an emergency room physicians group called, Coastal Physicians, to supervise the activities of the nurses and physician's assistants. Florida law requires all physician's assistant be supervised by a licensed physician. Columbia Hamilton County Medical Center's own protocol procedures require that a physician's assistant consult with a supervisory physician when a patient has serious symptoms, to determine the appropriate plan of treatment.

In Mr. Ervine's case, the physician's assistant prescribed medications, including controlled substances, without consulting a licensed physician. Mr. Ervine's temperature climbed to 103 degrees and he became lethargic and disoriented. Mrs. Ervine was very concerned and brought this to the attention of the nurses. However, hours later, Mr. Ervine was discharged with a diagnosis of a sore throat and ear infection.

The following morning, Mrs. Ervine left to have Mr. Ervine's prescription filled at the pharmacy. When she arrived home, she noticed Mr. Ervine's condition had worsened. In addition, he became disoriented and combative. Mrs. Ervine immediately called 911 to assist in getting her husband to a hospital. The Sheriff's Department and emergency medical personnel both arrived. Mr. Ervine was immediately transported to the South Georgia Medical Center in Valdosta, Ga. A spinal tap showed that Mr. Ervine was suffering from bacterial meningitis. He slipped into a coma and Mrs. Ervine and the family were told Mr. Ervine might not survive.



Daughter Brittany Leigh and Art Ervine.

However, a week later, Mr. Ervine came out of the coma. Unfortunately, as a result of the untimely diagnosis of bacterial meningitis, Mr. Ervine suffered near blindness, balance and ambulating deficiencies, as well as severe damage to his inner ear. As a result, Mr. Ervine, who was declared totally disabled by the Social Security Administration, must use a walker to ambulate.

Attorneys Chris Searcy and David Kelley were contacted by the Ervines. Suit was brought against Columbia Hamilton County Medical Center, Coastal Physicians, the physician's assistant, nurses, and a local doctor. The case was scheduled to be tried on Feb. 11, 2002, but settled on the eve of the trial for a confidential amount.

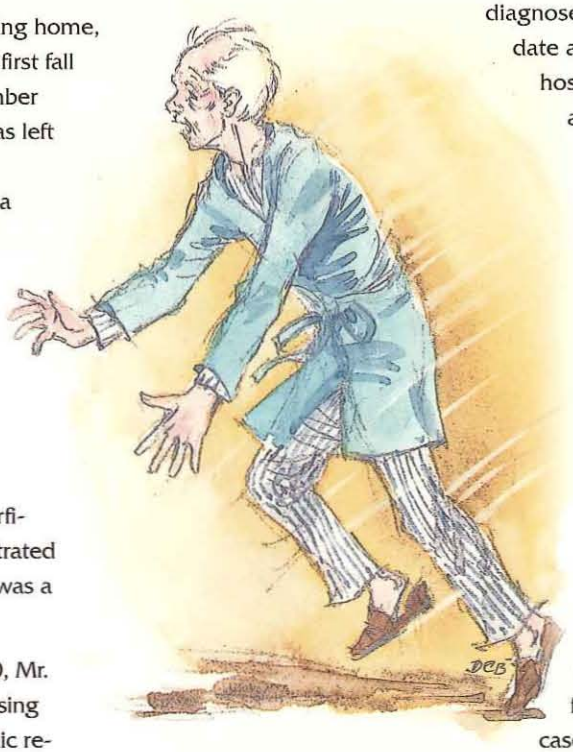
Subsequent to the incident, Columbia Hamilton Medical Center sold the hospital and Coastal Physicians' contract terminated. Mr. and Mrs. Ervine will use the settlement funds for their living and medical expenses and to provide for their children, Art Jr. and Brittany Lee. ■

Unattended Resident Dies from Fall in Nursing Home

Mr. B., age 83, became a resident at a nursing home in West Palm Beach in August 2000. Having suffered a stroke in 1999, Mr. B. was unable to ambulate without assistance. In fact, the staff at the nursing home was aware that Mr. B. had suffered a fall, without injury, at another nursing home facility where he previously resided. Upon admission to the new facility, the staff documented that Mr. B. was a fall risk. Given his stroke-related disability, coupled with his history of falls, Mr. B. was an obvious risk, and should have been treated as such by the staff at the nursing home.

Mr. B.'s wife, Mrs. B., and their daughter visited Mr. B. every day at the nursing home, arriving around 8:30 a.m. and staying until 6:00 p.m. Mr. B. was able to converse with his family, and he loved to read the daily newspaper.

While residing at the new nursing home, Mr. B. suffered three falls. The first fall occurred in his room in September 2000, at a time when Mr. B. was left unattended. Mr. B.'s daughter found him lying on the floor in a pool of blood. The second fall also occurred in his room, later that month. Mr. B. had been receiving assistance from a nurse's aide, who left the room with Mr. B. on the edge of his bed. The injuries suffered by Mr. B. in both of these falls were relatively superficial, but they certainly demonstrated to the nursing staff that Mr. B. was a significant fall risk.



On the morning of Oct. 1, 2000, Mr. B. suffered a third fall at the nursing home, this time with catastrophic results. Despite his history of being an obvious fall risk, a nursing aide accompanied Mr. B. to the bathroom so he could brush his teeth, but then left him near the sink unattended. Mr. B. fell. He suffered several fractured ribs, lacerated his spleen, and punctured his lung.

Mr. B.'s fall occurred around 7:15 a.m. When Mrs. B. arrived that morning to kiss her husband hello, she was horrified. He was sitting, black and blue, in his wheelchair. He could not be touched and was screaming in pain. His chart indicates that he was complaining to his wife of excruciating pain within an hour of the fall. The staff, however, waited hours before having Mr. B. transported to a hospital. In fact, his wife had to beg the nursing home to send him to the emergency room. The staff wanted to wait until the following week to send Mr. B. for medical care.

Mr. B. was transferred to a local hospital. He was diagnosed with several rib fractures, as well as a spleen injury and bilateral pleural effusions, or fluid in his chest cavity. Given his internal injuries, Mr. B. was immediately diagnosed as a potential surgical candidate and was transferred to another hospital's trauma unit. Mr. B. was admitted as a trauma patient, but never recovered from his injuries. He died on Oct. 12, 2000.

The Palm Beach County Medical Examiner determined that Mr. B. died as a consequence of "complications of blunt chest trauma." The Examiner further described the manner of death as accidental, distinguishing it from any type of medical event that would have caused Mr. B. to suffer a natural death.

Mrs. B. hired attorneys Greg Barnhart and Karen Terry to investigate the case. Immediately after filing suit, Ms. Terry pushed this case to mediation. During mediation in November 2001, Ms. Terry argued that preventative measures, such as close supervision whenever Mr. B. ambulated and the institution of a toileting program, would have prevented his terrible fall. Ms. Terry settled the case during mediation for a total of $618,500. ■

Clients Have Wins Against Two Major Car Insurers

With the help of two other firms serving as co-counsel, attorneys Jack Scarola and Sean Domnick made substantial recoveries against two of the nation's leading car insurers. The claims took less than six months to resolve.

In October 2001, a Federal District Court in Miami approved a multi-million dollar settlement against Colonial Penn Insurance Company, headquartered in Valley Forge, Pa. Under the terms of the settlement, approximately 275,000 class members nationwide became eligible to receive a portion of settlement proceeds estimated at $6 million. The suit alleged that Colonial Penn used inferior replacement parts, produced by companies other than original equipment manufacturers ("non-OEM" parts), in estimating repair costs and repairing damaged vehicles. The plaintiffs alleged that Colonial Penn's use of such parts breached the company's contractual obligation to repair their policyholders' damaged cars with parts of "like kind and quality." The suit also alleged that the carrier's failure to use OEM parts raised safety concerns for vehicle drivers and passengers, decreased the values of some of the cars repaired, and in some cases voided auto manufacturers' warranties. Colonial Penn settled the suit without an admission of liability.

Approximately 275,000 people became eligible for a portion of a $6 million settlement.

In February of this year, the Fourth District Court of Appeal in Palm Beach County ruled that a class action lawsuit, similar to the case against Colonial Penn, can proceed against Integon General Insurance Corporation, headquartered in Winston-Salem, N.C. Furthermore, the Colonial Penn case and the ruling against Integon form the basis for claims against 14 other insurers engaging in the same or similar practices, including Progressive Express Insurance, Geico Casualty Corporation, Allstate Insurance Company, United Services Automobile Association, State Farm Mutual Automobile Insurance Company, Security National Insurance Company, Underwriters Guarantee Insurance Company, Nationwide Mutual Fire Insurance Company, Gateway Insurance Company, American Home Assurance Company, Merchants and Business Men's Mutual Insurance Company, American Skyhawk Insurance Company, Amstar Insurance Company, and Federated National Insurance Company.

Scott Sheftall and Brian Torres of the firm Sheftall & Torres in Miami, along with Jeffrey Orseck and David Sherry of the Law Offices of Jeffrey Orseck in Ft. Lauderdale, serve as co-counsel in all of the non-OEM parts cases. ■

Two Student Nurses Drop Patient

On Nov. 8, 1999, MW, age 18, suffered injuries to both legs and to her left arm in a single car collision. She was transported by her father to a hospital in Ft. Pierce, Fla. Shortly after her admission, x-rays revealed that MW had suffered a right ankle fracture, a left knee fracture, and a hairline fracture to her left upper arm. An orthopedic surgeon immobilized MW's right ankle and left knee, placed her left arm in a sling, and placed her on both upper and lower body non-weight-bearing status. Fortunately, none of MW's injuries required surgery.

Days following her admission, MW and her mother, who stayed with her daughter during her entire hospital stay, would periodically leave the hospital room to go outside. MW was encouraged to do this by her doctor.

On Nov. 10, two student nurses (B and C) offered their assistance to help MW get back into bed after she had been outside. Student nurse B positioned herself on one side of MW's wheelchair and student nurse C went around to the other side. Using a bed sheet, the two student nurses attempted to lift MW from the wheelchair to the bed. In doing so, the nurses dropped MW and she banged her left arm against the bed, traumatically displacing the fracture to her arm. The newly displaced fracture then required surgery in which a rod was implanted to fixate MW's displaced fracture.

Retained by MW, attorney Karen Terry began investigating the circumstances. The hospital records were devoid of any description of the incident, with the exception of notes dictated by the orthopedic surgeon who was not present when MW was dropped. The nurses' notes in the chart were also devoid of any mention of the incident.

Shortly after litigation ensued, Ms. Terry took the depositions of student nurses B and C. Both denied dropping MW or injuring her in any way. Consequently, the hospital also denied any responsibility for MW's injuries.

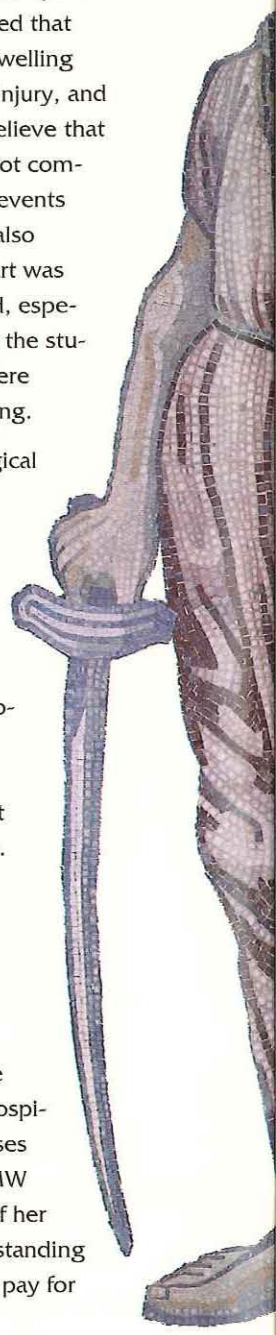
Despite the defendants' denial of liability, there was quite a bit of circumstantial evidence supporting the plaintiff's version of the events. The chart recorded that pain medication was suddenly ordered for MW immediately after the incident, and a "STAT" (emergency) x-ray of her arm was also ordered. MW also suffered swelling and bruising in her upper arm. In addition, MW's treating surgeon testified that it would have taken blunt trauma and a significant force to displace MW's fractured arm. Nevertheless, the defendants implied that MW displaced the fracture herself or that her mother might have displaced it by assisting MW in her bed.

To further complicate matters, the hospital denied responsibility for any actions or inactions of the student nurses working there. The hospital argued that the student nurses were not employed by or agents of the hospital, but rather were acting solely on behalf of the local community college they attended. In doing so, the hospital attempted to shift liability to the college, which, as part of the public school system, would enjoy sovereign immunity protection and capped damage exposure under Florida law.

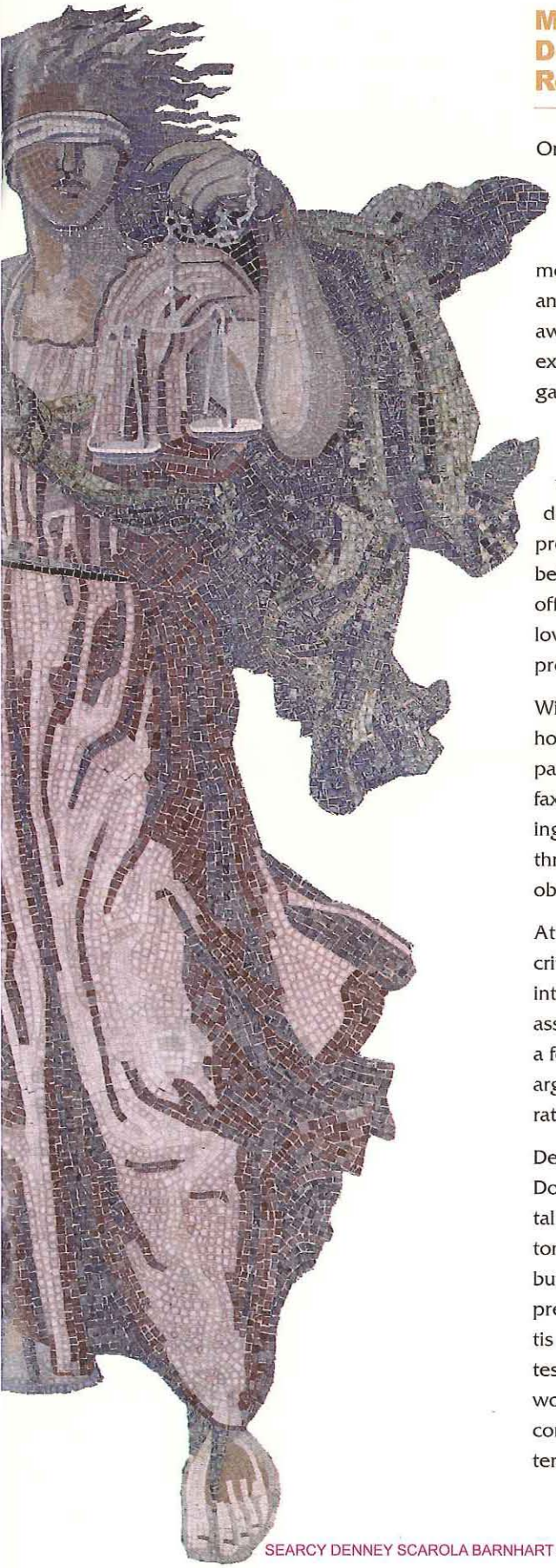
Depositions from several other people were taken in the case, including MW's mother and the floor nurse in charge of MW's care when the incident occurred. The floor nurse testified that the student nurses should never have attempted MW's transfer. She confirmed that MW suffered bruising and swelling consistent with a traumatic injury, and that she had no reason to believe that MW and her mother were not completely forthright about the events which had transpired. She also agreed that the hospital chart was woefully under-documented, especially in light of the fact that the student nurses claimed they were falsely accused of wrongdoing.

MW endured the initial surgical procedure to implant hardware in her shoulder. In April 2000, after months of failed physical therapy, MW had a second surgery to remove the hardware as it was interfering with the rotation of her shoulder. The two surgeries left MW with multiple scars across her left shoulder and down her arm. Physical therapy resumed, and MW was ultimately assigned a six percent whole person impairment.

After 18 months of hard-fought litigation, MW's case was settled with both the hospital and the two student nurses for confidential amounts. MW plans to use the proceeds of her settlement to settle her outstanding medical expenses and then pay for her college education. ■



Decisions...Decisions...Decisions...



Medical Delay By Doctors and Hospital Results In Child's Death

One Sunday night, Suzy, age 6, was suffering from fever, nausea, diarrhea, and vomiting. Early the next morning, Suzy's mother called the doctor's office and was told to bring Suzy in right away. A relatively benign physical exam resulted in the diagnosis of gastroenteritis and dehydration.

Doctor A told Suzy's parents to take her home and to call if she vomited again. Unfortunately, the doctor did not review Suzy's blood pressure, which had been taken just before Suzy and her mother left the office. Suzy's blood pressure was low and she was suffering from profound dehydration.

Within three hours of returning home, Suzy vomited again. Suzy's parents called Doctor A and he faxed orders to the hospital, including laboratory tests and twenty-three hour direct admission for observation and hydration.

At the hospital, Suzy's condition critically deteriorated, and she went into shock. The nurse's admission assessment revealed that Suzy had a fever, low blood pressure, lethargy, weakness, and a rapid heart rate and respiration.

Despite Suzy's ominous condition, Doctor A was not called. The hospital nurse testified that Suzy's symptoms were not indicative of shock, but rather were consistent with the presenting diagnosis of gastroenteritis and dehydration. Doctor A later testified that, had he been called, he would have ordered a critical care consultation, aggressively administered fluids, ordered immediate laboratory studies, and changed Suzy's diagnosis to rule out septic shock.

The day that Suzy was admitted to hospital, Doctor A left the office early and never followed up with the hospital staff. He signed the case over to his partner Doctor B, giving only minimal information about the admission. Despite the need for emergent critical care, Suzy received only basic treatment. No new orders were given, despite the fact that Suzy remained in shock and had no output of urine. The night nurse took over and continued the same course of treatment.

Throughout the night and morning hours, the night nurse observed and documented Suzy's condition as it worsened. Suzy's blood pressure continued to drop. Her lack of urine production continued. Her heart rate and breathing quickened, and Suzy began to exhibit generalized swelling. Despite overwhelming evidence that Suzy was in trouble, the night nurse believed Suzy was mildly dehydrated and had the stomach flu.

No communication took place between the hospital staff and the doctor until late in the evening. Unfortunately, when the nurse and Doctor B did finally communicate, in two separate conversations, the nurse never voiced any concerns or suggested that Suzy be more closely examined. In addition, Doctor B failed to grasp from the nurse even a rudimentary understanding of the seriousness Suzy's condition.

The following morning, when Doctor B arrived on rounds, she found that Suzy was much sicker than she expected. Doctor B ordered Suzy to be transferred to another hospital with a pediatric intensive care unit.

Continued on page eight.

Decisions, Decisions...

Continued from page seven.

She increased fluid administration, antibiotics, and ordered consultations with a cardiologist and a pediatric intensive care doctor. Unfortunately, none of Doctor B's orders were carried out in timely fashion. Eight hours passed before Suzy was transferred. She did not receive fluids or antibiotics for hours. No pediatric intensive care doctor ever saw Suzy, and a cardiac consultation did not occur until one hour before her transfer. Once at the pediatric intensive care hospital, despite heroic lifesaving attempts by the staff, Suzy died 19 hours after her transfer.

Attorney Cal Warriner resolved this case against the two pediatricians and the first hospital for a confidential sum. The family is hopeful that by exposing the nature of Suzy's illness, and the failures on the part of the doctors and the hospital, no other family will have to suffer the same heartbreak and misery. ■

Routine Auto Accident Causes Years of Litigation

Doctor S had practiced dentistry in Palm Beach County most of his adult life until 1994, when a cervical disc disease caused him to discontinue his practice. Doctor S then went on to become a consultant and professor of dentistry.

In 1996, Doctor S was driving northbound on U.S. 1 in Lake Park, Fla. As he reached the intersection of Hawthorne Drive, a vehicle failed to yield the right of way and struck Doctor S's car. The Lake Park Police Department concluded that the at-fault driver, who fled the scene of the accident, was totally responsible for the crash.

After being treated and released from a local emergency room, Doctor S went to see his ophthalmologist. He was diagnosed as having a ruptured and detached retina in his right eye. In an attempt to salvage the vision in his affected eye, Doctor S underwent laser surgery. Unfortunately, the surgery proved unsuccessful, and Doctor S was left legally blind in his right eye.

At the time of this crash, Doctor S carried $25,000 in Personal Injury Protection (PIP) and $10,000 in Medical Payments coverage on his own automobile insurance policy with USAA Insurance Company. However, USAA took the position that the detached retina was not caused by the traffic accident, but rather was due to Doctor S's history of hypertension.

In October 1999, Doctor S hired attorneys Jack Scarola and Darryl Lewis to represent him in his claim for the benefits denied by USAA. Mr. Scarola immediately filed suit against USAA, seeking payment of the unpaid bills, as well as attorney's fees and costs. After a year of litigation, the carrier eventually paid all of Doctor S's PIP and Medical Payments benefits, interest on the benefits withheld, and attorney's fees and costs incurred by Doctor S in bringing the action.

Having resolved the PIP/Medical Payments claim, Mr. Scarola and Mr. Lewis turned their attention to the uninsured motorist coverage on Doctor S's USAA policy. Nearly six years after the crash, the case was resolved on behalf of Doctor and Mrs. S in the amount of $500,000. ■

Anniversaries

Searcy Denney Scarola Barnhart & Shipley would like to recognize our employees each quarter for their hard work and dedication. ***Congratulations to all.***

January

1/01	**John A. Shipley**	26 years
1/22	**David K. Kelley Jr.**	21 years
1/13	**Bonnie D. Landrigan**	16 years
1/19	**Suzanne L. Valentage**	15 years
1/12	**Pam G. Roberts**	15 years
1/02	**Steve M. Smith**	10 years
1/25	**Shannon A. Kent**	9 years
1/17	**Laurie J. Briggs**	8 years
1/22	**Vivia R. Ware**	6 years
1/22	**Phoebe J. Harris**	5 years
1/20	**Nancy J. LaSorsa**	5 years
1/12	**Ellen F. Brandt**	4 years
1/25	**Joni A. Baker**	3 years
1/31	**Karen L. Kreuscher**	2 years
1/04	**Jennifer L. Faerber**	1 year
1/02	**Josephine M. Walsh**	1 year

February

2/22	**William A. Norton**	14 years
2/05	**C. Calvin Warriner**	14 years
2/24	**Donna M. Howey**	10 years
2/10	**Joanne B. Cline**	10 years
2/10	**Linda T. Wells**	5 years
2/10	**David J. White**	5 years
2/05	**Wayne A. Adams**	3 years
2/20	**Gretchen Dore**	1 year
2/20	**Christopher C. Deckert**	1 year

March

3/01	**Earl L. Denney**	34 years
3/06	**Helene E. Walker**	13 years
3/12	**Marilyn Hoffman**	12 years
3/25	**Lisa R. Roig**	11 years
3/21	**Amy H. DeFau**	8 years
3/15	**Harry A. Shevin**	3 years
3/15	**Sean C. Domnick**	3 years
3/20	**Robert W. Pitcher**	2 years
3/06	**Stacey Kniseley**	2 years

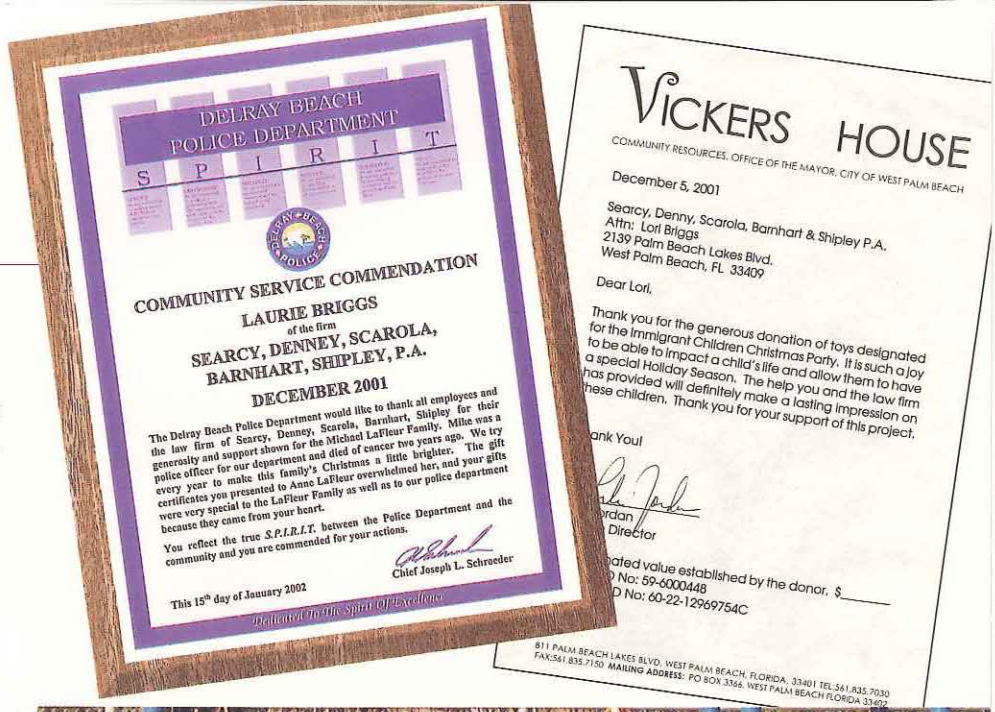
Taking... Time to Care

Over the holiday season, Searcy Denney Scarola Barnhart & Shipley employees showed overwhelming generosity and goodwill by raising $10,000 to support eight non-profit organizations. The money was used to purchase new toys, clothes, shoes, and food for more than 1,000 men, women, and children.

Spearheaded by Laurie Briggs and Dawn Pitts, the firm's employees and their family members raised the money, and then shopped, sorted, wrapped, and delivered the gifts and food items. Those organizations receiving support were:

- Palm Beach County Home, a facility for indigent men and women, received more than 70 new sweat suits, t-shirts, and hats.
- West Jupiter Community School, an after school program for at-risk children, received $10 Publix gift certificates for 55 different families.
- Child Outreach, a community organization for low-income families in Palm County, received 1,000 small toys for children.
- Vickers House, a facility serving the homeless, the elderly, and teen mothers, received 250 small toys for the children they serve.
- Guatemalan-Maya Center, which provides assistance to Guatemalans who have relocated to central Palm Beach County, received 500 small toys.
- Operation Hope, an emergency shelter for women and children, received support for 30 children and 15 women.
- Adopt-A-Family, an organization helping families in need, received support for four selected families.

The firm also assisted the LaFleur family after Mike LaFleur, a Delray Beach Police Officer, died of cancer, leaving a wife and five children. Searcy Denney Scarola Barnhart & Shipley employees purchased $500 worth of Publix gift certificates, $185 worth of Wal-Mart and Target gift certificates, and a box of food. On January 15, The Delray Beach Police Department presented the law firm with a Community Service Commendation for its holiday gift giving to the LaFleur Family. ■


DELRAY BEACH POLICE DEPARTMENT
S P I R I T

COMMUNITY SERVICE COMMENDATION

LAURIE BRIGGS
of the firm
SEARCY, DENNEY, SCAROLA, BARNHART, SHIPLEY, P.A.
DECEMBER 2001

The Delray Beach Police Department would like to thank all employees and the law firm of Searcy, Denney, Scarola, Barnhart, Shipley for their generosity and support shown for the Michael LaFleur Family. Mike was a police officer for our department and died of cancer two years ago. We try every year to make this family's Christmas a little brighter. The gift certificates you presented to Anne LaFleur overwhelmed her, and your gifts were very special to the LaFleur Family as well as to our police department because they came from your heart.

You reflect the true *S.P.I.R.I.T.* between the Police Department and the community and you are commended for your actions.

Chief Joseph L. Schroeder

This 15th day of January 2002

Dedicated To The Spirit Of Excellence

VICKERS HOUSE

COMMUNITY RESOURCES, OFFICE OF THE MAYOR, CITY OF WEST PALM BEACH

December 5, 2001

Searcy, Denny, Scarola, Barnhart & Shipley P.A.
Attn: Lori Briggs
2139 Palm Beach Lakes Blvd.
West Palm Beach, FL 33409

Dear Lori,

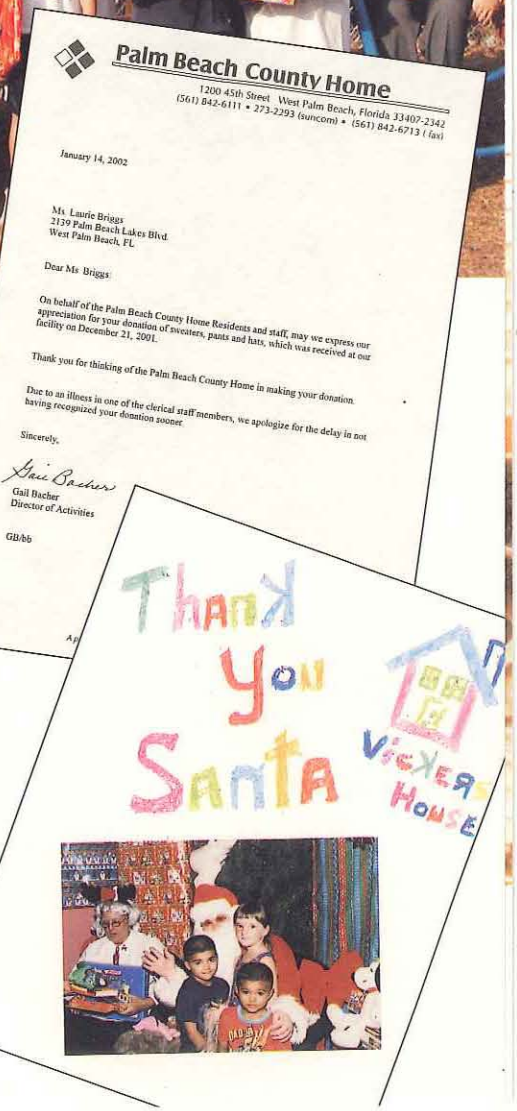
Thank you for the generous donation of toys designated for the Immigrant Children Christmas Party. It is such a joy to be able to impact a child's life and allow them to have a special Holiday Season. The help you and the law firm has provided will definitely make a lasting impression on these children. Thank you for your support of this project.

ank You!

ordan
Director

ated value established by the donor, $_____
D No: 59-6000448
D No: 60-22-12969754C

811 PALM BEACH LAKES BLVD. WEST PALM BEACH, FLORIDA. 33401 TEL:561.835.7030
FAX:561.835.7150 MAILING ADDRESS: PO BOX 3366. WEST PALM BEACH FLORIDA 33402


Palm Beach County Home

1200 45th Street West Palm Beach, Florida 33407-2342
(561) 842-6111 • 273-3293 (suncom) • (561) 842-6713 (fax)

January 14, 2002

Ms. Laurie Briggs
2139 Palm Beach Lakes Blvd.
West Palm Beach, FL

Dear Ms. Briggs:

On behalf of the Palm Beach County Home Residents and staff, may we express our appreciation for your donation of sweaters, pants and hats, which was received at our facility on December 21, 2001.

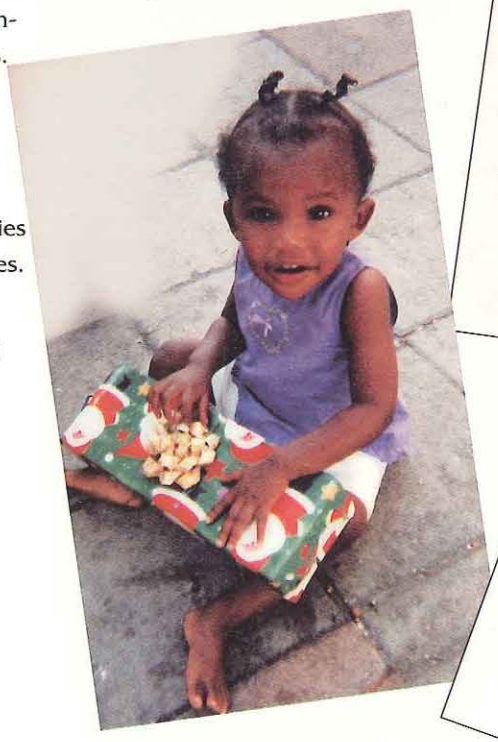
Thank you for thinking of the Palm Beach County Home in making your donation.

Due to an illness in one of the clerical staff members, we apologize for the delay in not having recognized your donation sooner.

Sincerely,

Gail Bacher
Director of Activities

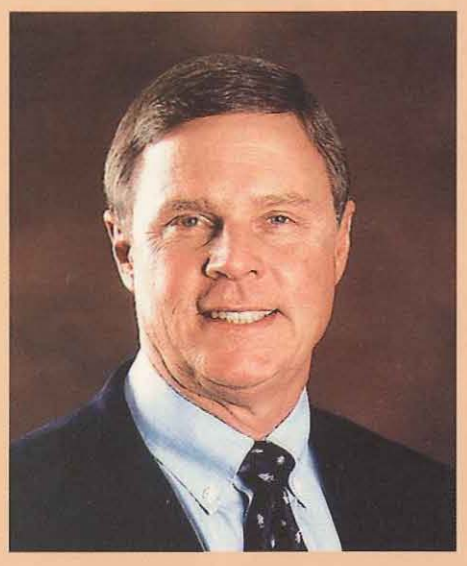
GB/bb



Thank You Santa

VICKER HOUSE

Accolades



Chris Searcy and Firm Give $200,000 Leadership Gift

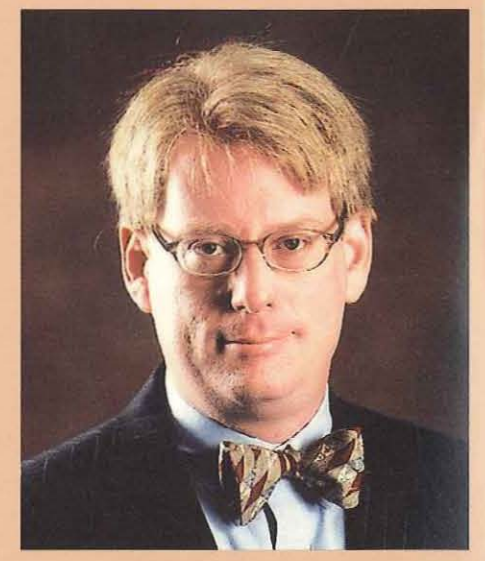
On Jan. 7, 2002, Chris Searcy and the firm of Searcy Denney Scarola Barnhart & Shipley donated $200,000 to Stetson University College of Law. The leadership gift will help to establish the William McKinley Smiley Chair in Trial Advocacy. The endowment will honor Professor Smiley, who has taught at Stetson University College of Law for 36 years. Professor Smiley is recognized as one of the nation's outstanding teachers of trial advocacy.

The gift will help Stetson University College of Law remain one of the nation's preeminent law schools in the training of outstanding advocates. Stetson has been consistently ranked number one or two in the nation by *U.S. News & World Report* for its Trial Advocacy Program. Mr. Searcy, a 1973 graduate of Stetson, is Vice Chair of the College's Board of Overseers. Mr. Searcy has received numerous awards from the university, including the Distinguished Alumnus Award in 2000. ■

Lance Block Becomes New Member of FSU Board of Visitors

On Feb. 24, Lance Block was introduced as a new member of Florida State University (FSU) College of Law's Board of Visitors. His term will last three years and will conclude in the fall of 2004.

As a Board of Visitors, Mr. Block and 39 other members from across the country will help to increase FSU's mission and programs, both in and out of the legal community in Florida. They will develop mechanisms to help the interchange of ideas between the college and the legal profession. Board members also provide advice and assistance in areas such as financial support, recruitment, retention of students, and career counseling and placement. ■



David Sales Joins Palm Beach County Literacy Coalition Board

On Nov. 2, 2001, David Sales was elected to the board of the Palm Beach County Literacy Coalition. As one of the 31 board members, Mr. Sales will help promote basic reading, writing, grammar, and mathematics for both children and adults. In Palm Beach County, 22 percent of adults function at the lowest category of literacy.

On March 15, actor Danny Glover was the guest speaker at a luncheon, encouraging the community to read and promote literacy. Mr. Sales helped to secure Mr. Glover's transportation, tables at the event, and radio airtime promoting literacy. ■

Sean Domnick Joins Easter Seals Florida, Inc.

On Jan. 24, Sean Domnick was appointed to the board of Easter Seals Florida, Inc. for a three-year term. Mr. Domnick joins 25 other board members to serve area children with special needs and disabilities. Mr. Domnick will also help to guide and oversee the organization's staff in programming, fundraising, and advocacy issues. A capital campaign fund is currently underway to build a new facility in West Palm Beach.■

Recent Train Derailment Eerily Similar To Palank Case Won By SDSBS

The latest train derailment tragedy which occurred on April 18 in Crescent City, Fla., underscores the need for people to look to the justice system to protect lives and ensure safety on the rails. In this most recent derailment, four people were killed and 100 were injured on an Amtrak train traveling on CSX rails.

On July 31, 1991, eight people were killed and 71 injured when a Miami-to-Washington Amtrak train derailed and smashed into nine freight trains. Paul Palank, a former Miami police officer, was one of the victims who was tragically killed. A National Transportation Safety Board (NTSB) investigation showed that a retaining pin was broken. Further investigation by attorneys Chris Searcy and Greg Barnhart on behalf of their client, Angel Palank, showed that CSX, which owned the rails, made substantial safety and maintenance force cutbacks, which resulted in the tragedy.

In 1995, $6.1 million in compensatory damages was awarded to Mrs. Palank. On July 30, 1997, six jurors rendered the largest verdict for a single death in the amount of $50 million in punitive damages. ■

Paul Palank in 1984.

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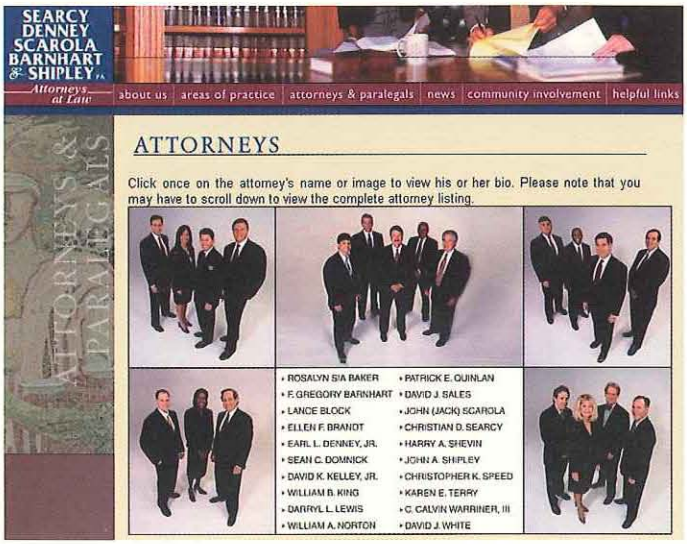
ADDRESS SERVICE REQUESTED

Log onto

www.searcylaw.com

for the latest news and information about Searcy Denney Scarola Barnhart & Shipley.



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