

ATTORNEY CHRIS SEARCY'S PASSION FOR JUSTICE ACHIEVES \$100 MILLION IN JURY TRIAL VERDICTS FOR FOUR SDSBS CLIENTS IN 2007

This year Searcy Denney partner Chris Searcy accomplished a rare feat: a total of more than \$100 million in jury verdicts for four different client families whose lives have been devastated.

But for Searcy, winning these verdicts was no different from the impassioned pursuit of justice he has practiced his entire career as a trial lawyer. For more than 30 years, he has spoken up for those who can't speak for themselves, battling to protect the rights of innocent victims.

"Every day, every trial, is special, because every client is special," says Searcy. "It's not just about the money, although all of these families face a lifetime of astronomical medical bills and other financial burdens. It's also about protecting every citizen's constitutional right to seek justice under the law."

Searcy has earned a reputation as a champion of the underdog, representing innocent victims killed or injured by the negligence of others. But he worries that in the future there may be limited recourse for families whose lives have been turned upside down by inattentive drivers, unscrupulous doctors, or corporations that value profit

over public safety. "As conservatives scramble to ban so-called 'frivolous' litigation and legislators put caps on recoveries that victims genuinely need and deserve, our civil justice system is seriously threatened," he warns.

Searcy's four cases, in which judgments totaled \$101.7 million, illustrate in very human terms the intrinsic value of our civil justice system. The cases couldn't be more different. And yet, there are several common threads: the reluctance of wrongdoers to accept responsibility, even in the face of solid factual evidence; the length of litigation – in one case, a decade; and, on the other hand, the brevity of jury deliberation, an average of just three hours.

"What is most striking about these cases," says Searcy, "is that they demonstrate the brilliance of our trial-by-

jury system. A jury of peers is amazing in its ability to cut to the chase. CEOs and highly-paid corporate attorneys have spent years devising strategies to obscure the facts. Yet, in all four cases, it took a handful of common sense people just a few hours to find justice."

Three of the Searcy clients were families who filed claims against the medical community on behalf of a loved one. In February, parents of little Aaron Edwards were awarded a judgment of \$30.8 million against Lee

Memorial Health System, which, a jury found, caused preventable lifelong crippling brain injury. According to the lawsuit, Lee Memorial Health System failed to adhere to its own policies and procedures to protect Aaron's mother while administering the drug pitocin to induce labor.

The lawsuit over Aaron's brain damage was filed shortly after he was born, in September 1997. However, it dragged on for a decade because of what Searcy calls "the culture of no accountability to the patient" fostered by Lee Memorial. Unfortunately for Aaron's parents, the case will drag on still longer due to appeals

in the case and the possibility of having to go through a claims bill process against Lee Memorial. Lee Memorial maintains it is a special taxing district of the state of Florida, which requires legislature approval of the claim. The Legislature has the option of awarding an amount different from the jury's decision.

In yet another affirmation of Searcy's faith in the civil justice system, in July a Tampa jury awarded \$23.5 million to a Gainesville couple who sued University of South Florida geneticists who failed to identify in their first child severe hereditary disorders that then recurred in their second child.

Amara and Daniel Estrada's son Aiden was born in 2002 with abnormalities that included a cleft palate, abnormally placed urethral opening, undescended testicles,



Chris Searcy

**Photos of some of
Chris Searcy's clients.**

and decreased amniotic fluid. They told a USF geneticist they would not consider a second child if the defects were genetic. They were told no genetic disorder was indicated, and to expect a normal pregnancy.

When the Estradas' second son, Caleb, was born in 2004 with similar multiple birth defects, it left them with two severely-disabled special needs children, now both of whom would require millions of dollars of future care. It took a jury only three hours to render the verdict, but, says Searcy, it will take the Estradas a lifetime of sacrifice to care for their children. "The emotional pain and financial burden caused by failure to identify an obvious genetic disorder could easily have been avoided by a proper medical diagnosis."

In a third Searcy case, Beth Hippely's hope of surviving breast cancer was tragically complicated when a Walgreens pharmacist misfilled her prescription for Warfarin, a blood-thinning medication.

Advising that the 42-year-old mother of three had an 88% chance of survival, doctors prescribed chemotherapy and a one milligram dose of Warfarin. But when Hippely took the prescription to be filled, Walgreens gave her a dosage ten times the strength prescribed. This overdose caused excessive bleeding inside her brain, resulting in permanent and profound brain injury and forcing Hippely to stop chemotherapy treatments. Ultimately, she suffered a massive stroke and died.



Searcy's fourth major trial in 2007 resulted in a jury award of \$21.6 million to the family of a woman killed by an inattentive motorist using a cell phone. In 2004, wife and mother Lesley Beers was driving to work in rush hour on the Sawgrass Expressway, as she always did. In a flash, Beers's car was struck in the rear by another driver who, cell phone records confirmed, was distracted by a cell phone call and failed to stop. As a result of being rear-ended, Beers' vehicle was pushed across the median and was struck again by two more oncoming cars. She died at the scene.

"Tragically, it has become increasingly commonplace for drivers to focus on their cell phone conversations rather than watch the road," says Searcy. "The driver who rear-ended Lesley Beers could have prevented this accident. Stephen Beers would still have a wife, and Olivia and Zachary would still have a mother. This grave negligence was obvious to the jury, which took less than two hours to deliberate."

For Chris Searcy, the lasting value of these verdicts is proof that our civil justice system works for everyone. He is as passionate about the system's defense as he is about his pursuit of justice for his clients. "What better confirmation could we have of the wisdom of our Founding Fathers?" he muses. "They embedded in our Constitution the right of all citizens to seek recourse from the courts, and to have issues tried by a jury of peers. This has worked for more than 200 years; it is a sacred trust that we cannot betray." ■

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The pharmacist responsible for verifying Hippely's prescription was not made aware of the error until three years later when a lawsuit was filed. It took a jury just slightly more than three hours to find Walgreens responsible and award a judgment of \$25.8 million. Searcy cites this case as just one more example of a corporate carelessness and greed. "Walgreens' slogan is 'The Pharmacy America Trusts,' but when Beth Hippely trusted them, she died," says Searcy. "While no amount of money can adequately compensate the Hippely family for the untimely death of a wife and mother, this verdict serves notice on corporate America that putting profit over safety will not be tolerated."