SEARCY DENNEY SCAROLA BARNHART & SHIPLEY

OF COUNSEL

A Quarterly Report to Clients and Attorneys.

VOLUME 00
NUMBER 4

CSX Liable for $50 Million in Punitive Damages

U.S. Supreme Court Rules In Favor Of Woman's Fight Against CSX

On Tuesday, Oct. 3, the U.S. Supreme Court handed down a decision to CSX Transportation Inc. denying a June 9 petition to hear the case. This affirms a Cooper City, Fla., woman's nine-year battle against the railroad giant.

The plaintiff, Angelica Palank, with the help of attorneys Chris Searcy and Greg Barnhart, filed suit against CSX Transportation Inc. for the death of her husband Paul in 1991.

On July 30, 1997, six jurors found CSX, which is based in Jacksonville, liable for $50 million in punitive damages. CSX appealed the decision. In August 1999, the Fourth District Court of Appeals, in a seven page opinion, affirmed the six jurors' 1997 verdict. CSX responded with an appeal to the Florida Supreme Court which, on March 15, 2000, refused to accept jurisdiction to review the case. CSX then appealed to the U.S. Supreme Court.

On July 31, 1991, eight people, including Paul Palank, were killed in Lugoff, S.C., when the last five passenger cars of a Miami-to-Washington Amtrak train switched to a side track and smashed into nine parked freight cars. Federal Safety Regulations require railroads to carefully inspect main line switches at least twice a week. An extensive investigation revealed that a faulty main line switch, which had been broken for at least 7 months, opened, causing the train to derail. CSX owns the Lugoff tracks and approximately 30,000 miles of track between New York and Miami. Records show that an audit done by the Federal Railroad Administration (FRA), as early as 1987, showed gross deficiencies in CSX's staffing and inspection practices. ■

***Miami Metro* magazine contributor Linda Marx wrote a feature on Mrs. Palank's fight with CSX. Enclosed is a reprint of that October 2000 article.**

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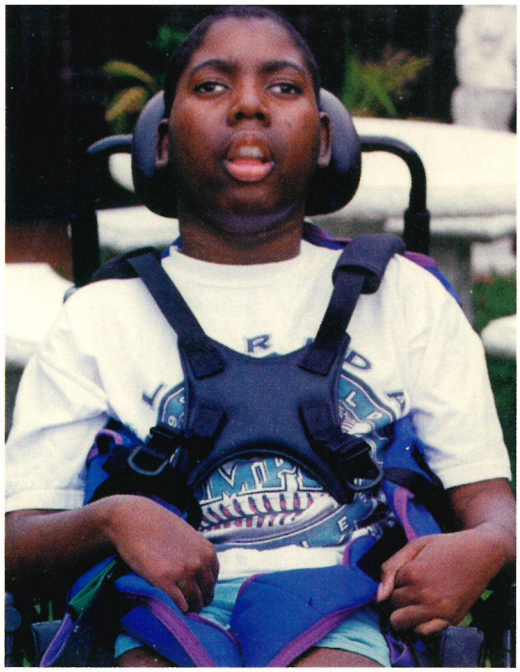
NOTE: The accounts of recent trials, verdicts and settlements contained in this newsletter are intended to illustrate the experience of the firm in a variety of litigation areas. Each case is unique, and the results in one case do not necessarily indicate the quality or value of any other case.

Omitting Clients' names and/or Defendants' names are result of requests for anonymity.

Small Area of Pond Lacked Safety Requirements

Pond's Side Slope Turns Tragic for Six-Year-Old Boy



On May 11, 1991, six-year-old Collin Brann was playing with a friend near a pond. The pond was located directly behind his family's home in Greenacres, Fla. The pond's drainage structure, known as a weir, allowed the water level to be raised or lowered. While the water was very shallow along the shoreline and everywhere else in the pond, it was very deep immediately in front of the drainage structure. Collin tragically fell into the pond, and, unable to swim, immediately sunk to the bottom. His young friend went for help, but it was more than ten minutes before Collin was recovered in eight feet of water. Collin was resuscitated and transported to St. Mary's Hospital in West Palm Beach, but not before suffering a severe anoxic brain injury.

Palm Beach County and the South Florida Water Management District require builders of storm water retention ponds to conform with very specific side slope requirements. These requirements are designed to protect young children, like Collin, who, if having fallen into the pond, can easily stand up and walk out. Nevertheless, the drainage structure for this pond was designed so that the depth of the water directly in front of the drain was more than eight feet deep. When Collin fell into the pond, he immediately sunk to the bottom and was unable to climb up the steep underwater slope. The entire bed of the pond conformed with side slope requirements, with the only exception being the small area where Collin was ultimately found.

Collin is now a quadriplegic and is unable to walk, talk, eat, or drink. Collin's only source of nutrition is through a gastrostomy tube which was placed shortly after his injury. He has also been hospitalized on numerous occasions for chronic respiratory problems and for a number of orthopedic surgeries. Collin's lack of mobility has made it impossible for his bones to grow normally. Orthopedic surgeons have had to implant rods in Collin's back to relieve pressure on his spine, tendons, and muscles.

Attorneys Bill Norton and Patrick O'Hara, of Patrick O'Hara, P.A. in West Palm Beach, sued the homeowners' association and the engineers who designed the pond. They settled in 1995 for $2.243 million. They also sued the developer and contractors, who together settled this year for $2.75 million.

The Branns are an inspiration to all who witness their love for Collin. Collin's father, Dr. Herman Brann, left his profession as an economist to stay home and care for Collin full time. His mother, Mrs. Glorianna Brann, is a registered nurse who works tirelessly to care for Collin and to ensure the coordination of his medical treatment with all of his physicians. The entire Brann family, including Collin's younger sister, Julie, and older brother, Marlin, have done everything possible to ensure that Collin knows he is loved and cared for. Collin's total recovery of $4.993 million will be placed in a guardianship to provide him with proper care and treatment for the rest of his life. ■

Nerves Damaged During Back Surgery

Young Couple Loses Everything As a Result of Botched Surgery

Mr. and Mrs. John Doe were a young couple who were very active and very much in love. They did everything together, including fishing, scuba diving, snow skiing, and many other physical activities.

In 1995, Mr. Doe sustained a lower back injury which required medical care. He sought treatment from Dr. X, a local orthopedic surgeon. Dr. X told Mr. and Mrs. Doe about a "Band-Aid" procedure, intended to remove a herniated disk with a laser device. Dr. X touted the procedure as being less invasive than traditional disk surgery. It would require careful administration of anesthesia so that Mr. Doe could alert the surgeon if sensitive nerves were being adversely affected. Mr. Doe, following his doctor's recommendation, agreed to undergo the procedure.

One of the most obvious complications of any back surgery is injury to otherwise healthy nerves. Nerves in the lower back, if injured, can disable a patient's lower extremities, as well as interfere with bowel and bladder function. It is therefore common for a hospital to make sure a patient is neurologically intact before the patient is discharged.

Evaluation showed that Mr. Doe was not a good candidate for the surgery.

When Mr. Doe's surgery was completed, he was transferred to a post-anesthesia recovery room. Unfortunately, he found he was unable to urinate. He was told he must remain in the hospital until he could urinate successfully. In an attempt to empty his bladder, Mr. Doe, with his wife's assistance, attempted to stand beside his bed. His legs buckled immediately, and his wife helped him back into bed.

A neurological evaluation revealed that Mr. Doe had suffered a nerve injury to his lower back. Mr. Doe was taken back into the operating room, this time for a full laminectomy. Unfortunately, Mr. Doe emerged from the surgery partially paralyzed. To this day he has limited bowel and bladder function and extremely limited lower extremity sensation. He will walk with difficulty for the remainder of his life.

At the time Mr. Doe underwent surgery, he and his wife owned a flourishing restaurant. They were also planning to start a family. As a consequence of this negligent, preventable injury, Mr. and Mrs. Doe lost everything, including their marriage. They divorced due to the stress and strain of Mr. Doe's permanent disability.

Experts hired by the plaintiffs evaluated the care rendered to Mr. Doe, and determined that he was never a good candidate for surgery in the first place. In addition, they determined that the surgery was performed negligently. While in the operating room, Mr. Doe had experienced excruciating pain. A laser technician, describing the event, stated, "The patient screams of pain and jerking around the table, became so severe that I was unable to keep him safely on the operating table..." It was learned that the anesthesiologist had suggested that the procedure be terminated, but Dr. X chose to ***continued on page four***

Employee Injured Due to Combination of Rain, Speed, and Unscreened Driver

Staff Leasing Company Found Liable for Employee's Injuries

In April 1998, Pedro Torres had been living in the United States less than one month. He had quickly gotten a job as a blueberry picker in Okeechobee, Fla. On the afternoon of April 30, 1998, it was raining and the pickers were therefore sent home early. Mr. Torres was riding in the front seat of a car driven by a co-worker. As they pulled out from a side street, they were struck by a semi-truck owned by Padgett Trucking & Sod Farms. The driver of the truck, Arturo Guerrero, was a temporary worker for a company called Staff Leasing, Inc.

According to eyewitnesses, the truck driver was speeding along at 60 miles per hour in a 55 mile per hour zone. The Commercial Driver's License Manual states that in rainy conditions a truck driver should slow his speed by a third, which in this case should have been about 35 mph. Furthermore, Mr. Guerrero had a long history of poor driving, and Staff Leasing had done no background check before hiring him. If they had, the plaintiff contended, Staff Leasing would never have allowed Mr. Guerrero to drive.

Following the accident, Mr. Torres was air-lifted to St. Mary's Hospital in West Palm Beach. He stayed in a coma for several months and suffered fractures to his arm and his leg. Mr. Torres also suffered multiple internal injuries.

This case was referred to attorney Sean Domnick from The Accident Law Offices of Philip DeBerard in Okeechobee and Stuart. The driver of the car in which Mr. Torres was riding, who was significantly at fault in this accident, had no insurance. There have been very few, if any, cases holding employee leasing companies, such as Staff Leasing, liable under these circumstances. Nevertheless, Mr. Domnick was able to reach a settlement for $1 million with Padgett Trucking and Sod Farms, and $1.05 million with Staff Leasing. Mr. Torres will use the $2.05 million to pay for his future needs, as well as enjoy financial stability for the remainder of his life. ■

Nerves Damaged During Back Surgery

(Continued from page three)

have additional anesthetic administered so he could complete the surgery. For complying with Dr. X's wishes, the anesthesiologist was also deemed negligent. Experts also criticized other hospital personnel involved in the surgery, as well as the manufacturer of the laser itself.

In defending this case, Dr. X, arguing that the injury occurred post-surgery, blamed the hospital staff for allowing Mr. Doe to attempt to stand in the recovery room. The hospital staff, in turn, blamed Dr. X for negligently performing the procedure, as did the laser manufacturer. In essence, all the defendants began pointing fingers at each other.

Attorneys Chris Searcy and Earl Denney represented Mr. Doe for his injuries. Attorney Pat Massa from North Palm Beach represented Mrs. Doe, who remained a plaintiff in the case after the Does divorced. Defense counsel continued to shirk responsibility by arguing that Mr. Doe merely suffered a complication for which their clients were not liable.

On the eve of trial, Mr. Searcy, Mr. Denney, and Mr. Massa settled with Dr. X, the anesthesiologist, and the hospital for a combined sum in excess of $4 million. The settlement was apportioned 90 percent for Mr. Doe and 10 percent for Mrs. Doe. ■

Doctors Treat Fracture But Miss Cancer

Young Man Shows Courage After Misdiagnosis

Willie Marshall, Jr. was a sophomore at Immokalee High School, near Ft. Myers, Fla., and was the running back on the varsity football team. On the evening of Sept. 23, 1994, Willie's life changed forever when he took a pitch from the quarterback, dropped the ball, and turned to pick it up. When he pivoted, he felt a tremendous pain in his left leg. Willie was not hit by any other players.

Willie was taken by ambulance to the hospital. Paramedics determined that Willie's injury was not traumatic. X-rays were taken and interpreted by Radiologist A and an orthopedist as a left spiral oblique femur fracture. Although both physicians were aware of the lack of blunt trauma, neither investigated potential underlying causes of the fracture. The next day, the orthopedist performed surgery to place a rod in Willie's left femur. Another radiologist, Radiologist B, was present during the procedure. Once again, the physicians noticed nothing in the area of the fracture which might have raised their suspicions.

After the operation, the orthopedist reviewed the original x-rays and noticed a mass at the fracture site. He conferred with Radiologist A, who then performed a CT scan on Sept. 29, 1994. This time the doctors identified a mass at the fracture site, but diagnosed it as a benign condition.

Willie continued treatment with the orthopedist for normal post-operation follow-ups. His left leg, however, became increasingly painful. Finally, after two months, the orthopedist recognized that Willie had a significant problem with his left leg and referred him to a specialist for an MRI. The MRI confirmed that Willie had cancer in the area of the fracture. However, because the surgeon performed an open surgical procedure and placed the rod through Willie's femur, the cancer had been distributed from Willie's hip down to his knee.

Willie was immediately referred to a pediatric oncological specialist at All Children's Hospital in St. Petersburg, as well as an oncologic orthopedic surgeon at Tampa General Hospital. In spite of heroic efforts to save Willie's leg, the oncologists were ultimately unsuccessful. The placement of the rod had spread Willie's cancer so extensively and quickly that the only way to save Willie's life was to perform a hemipelvectomy surgery. This is a very rare procedure in which the doctor removes not only the patient's leg, but half of his pelvis. ***continued on page seven***

Wrock-Ryland vs. Karroum, SmithKline

In August 1996, Martie Wrock-Ryland noticed a dark growth on the nape of her neck. She went to her dermatologist, who removed the growth at the skin level and sent it to SmithKline Beecham Laboratories for evaluation. Dr. John Karroum, a dermatopathologist employed by SmithKline, reviewed the tissue sample. His pathology report stated that the growth was a basal cell carcinoma and, therefore, Ms. Wrock-Ryland needed no further treatment.

Five months later, Ms. Wrock-Ryland noticed another small growth in roughly the same spot as the one removed in August. She again went immediately to her dermatologist, who again cut off the growth and sent it to SmithKline Beecham Laboratories. Dr. Karroum again examined the tissue sample and this time rendered a diagnosis of malignant melanoma. Ms. Wrock-Ryland then underwent a procedure called a complete wide excision, where all the tissue surrounding the area of the melanoma was removed. The melanoma was of minimal depth and Ms. Wrock-Ryland's prognosis looked good.

In October 1998, Ms. Wrock-Ryland, while showering, discovered a lump in her armpit. A subsequent examination revealed that she had a lymph node which was positive for malignant melanoma. The melanoma was spreading, and in April 1999 her doctors found another positive lymph node.

At about that same time, Ms. Wrock-Ryland was watching a TV news program about a lady whose melanoma was misdiagnosed by a SmithKline Beecham pathologist. Concerned that this may have happened to her, Ms. Wrock-Ryland visited Dr. Steven Rosenberg, a West Palm Beach dermatologist. Dr. Rosenberg obtained the original biopsy sample from August 1996. He arranged for a subsequent review by a dermatopathologist from the University of Miami, which revealed that Dr. Karroum had misread the initial biopsy sample. In fact, Ms. Wrock-Ryland had malignant melanoma all along.

Attorneys Greg Barnhart and Sean Domnick were retained by Ms. Wrock-Ryland. The plaintiff's experts testified that Dr. Karroum's negligence was the cause of Ms. Wrock-Ryland's cancer spreading. They testified that if Dr. Karroum had correctly diagnosed the malignant melanoma in September 1996, appropriate treatment would have cured Ms. Wrock-Ryland. Conversely, permitting the melanoma to grow for five months allowed the cancer to spread.

Recently, Mr. Barnhart and Mr. Domnick were able to reach a confidential settlement with SmithKline Beecham Laboratories and Dr. Karroum. Ms. Wrock-Ryland currently undergoes CAT scans and physical examinations every three months. She also continues her crusade to make people aware of the dangers of melanoma. ■

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

The 1989 Toyota Camry in which Catherine Giampa was a passenger.

Giampa vs. Berkowitz

On July 26, 2000, attorneys David White and Karen Terry successfully tried a case on behalf of their client, Catherine Giampa of Connecticut. Ms. Giampa, age 74, was a restrained passenger in her sister's automobile. The Toyota Camry in which they were riding was involved in a violent crash in an intersection in Delray Beach, Fla.

Ms. Giampa's sister, who was driving the car, attempted to make a left hand turn into her apartment complex, The Pines. Upon entering the intersection, a four door Chrysler smashed into the back passenger door, causing over one foot of intrusion. The Camry spun 180 degrees and went up on two wheels on the driver's side, then smashed back down on Ms. Giampa's side. Ms. Giampa's head struck the window and she broke her neck.

Ms. Giampa was rushed to Delray Beach Medical Center emergency room, where she was diagnosed with an odontoid fracture and C-2 bilateral mass fractures and placed in a hard collar. Fortunately, surgery was not necessary. In fact, Ms. Giampa was fortunate to have not been rendered a quadriplegic.

After months of grueling physical therapy, Ms. Giampa was ultimately deemed to have a residual permanent impairment of 14 percent. She continues to have difficulty with range of motion in her neck. Stripped of much of her independence, Ms. Giampa can no longer drive an automobile great distances and she is unable to travel out of state alone. She has lost her ability to garden, play Ping-Pong with her grandsons, and exercise to Richard Simmons videos as she did prior to the crash. She is now reliant on others for many activities which used to be routine. Ms. Giampa has been relegated to the life of a "little old lady" and, as her sister described her, she is a "mere shell of her former self."

Ms. Giampa's past medical expenses totaled approximately $25,000. The cost of medical care in the future remains uncertain. Mr. White and Ms. Terry tried this case before a Palm Beach County jury for three days. The jury awarded a total of more than $240,000 for past and future medical expenses, pain, and suffering. ■

Young Man Shows Courage After Misdiagnosis

Continued from page five.

In addition to enduring such a painful and profound procedure, Willie then had to undergo a very long course of chemotherapy. During his treatments, Willie unselfishly volunteered for experimental courses of chemotherapy. He hoped that it would someday benefit other pediatric cancer patients, like the ones he had met and befriended in his cancer ward.

Willie's perseverance and love of life has made him a very well respected young man.

The Marshall family originally consulted attorney Jeff Chambers of St. Petersburg, who then referred the case to attorneys Chris Searcy and Bill Norton. Mr. Searcy and Mr. Norton settled the case for the available insurance limits of $1.275 million.

Willie's perseverance and love of life has made him a very well regarded and respected young man. He served as a mentor to many younger cancer patients and became involved in the Children's Miracle Network. Willie now speaks regularly for the Children's Miracle Network, All Children's Hospital, and other related organizations. The 22-year-old is attending college at the University of South Florida and is pursuing a degree in education. ■

Symptoms and Risk Factors Not Recognized by Doctors

Doctor's Misdiagnosis Causes Woman to Suffer a Stroke at Age 44

At the age of 44, the last thing Kathleen Colozzo expected was to have a heart attack. On April 28, 1995, the unexpected happened, and the doctors and nurses who Mrs. Colozzo trusted failed to properly diagnose her heart condition.

After finishing her dinner, Mrs. Colozzo began to feel ill. As her abdominal pain increased, Mrs. Colozzo, who is a licensed practical nurse, began to recognize that her symptoms were becoming serious. Her husband, Don, called 911. Mrs. Colozzo began to develop serious chest pains. When the paramedics arrived at the Colozzos' home, they initiated a cardiac protocol and transported Mrs. Colozzo to the hospital.

When Mrs. Colozzo arrived at the emergency room, the nurse and emergency room doctor focused on Mrs. Colozzo's gastric problems. Although Mrs. Colozzo had clearly indicated to the paramedics that her chief complaint was chest pain, the emergency room record reflects only epigastric pain. In addition to her chest pains, Mrs. Colozzo had several risk factors for heart disease which should have been recognized by the nurses and emergency room doctor. The results of the blood work showed a very high CPK level, which can be indicative of a heart attack. In spite of Mrs. Colozzo's symptoms and laboratory findings, the emergency room physician chose to focus on her gastrointestinal symptoms and discharged Mrs. Colozzo with a diagnosis of gastritis. Although gastrointestinal distress frequently accompanies a cardiac event, neither the doctors nor the nurses considered the possibility. A simple EKG, which could have been ordered by the doctor or the nurses, would have ruled out or confirmed a heart attack.

The next day, April 29, 1995, Mrs. Colozzo again developed chest pains. This time, her husband drove her to the hospital where the couple had to wait for over an hour before being seen by a physician. In spite of Mrs. Colozzo's severe chest pains, the couple was told by a nurse that the hospital had "priorities" and that they would have to wait. When Mrs. Colozzo was finally seen by a physician, he immediately recognized that Mrs. Colozzo was experiencing an evolving myocardial infarction which required emergency treatment. Mrs. Colozzo was admitted to the hospital and administered blood thinners in an attempt to minimize any further damage to her heart. Unfortunately, the injury to her heart muscle had begun the day before. The damage was permanent.

On May 1, 1995, Mrs. Colozzo underwent a cardiac catheterization which documented the extensive damage to her heart muscle. When Mr. Colozzo returned to the hospital the next morning to see his wife, he found her unresponsive. Mrs. Colozzo was found to have suffered a left middle cerebral artery stroke. The stroke left Mrs. Colozzo with severe brain damage. After several years of intensive therapy, Mrs. Colozzo was still left with right-sided weakness, severe depression, and an inability to speak, in addition to greatly diminished heart function.

A simple EKG, ordered by either doctors or nurses, would have clarified the possibility of a heart attack.

Attorney Bill Norton, along with co-counsel James Torres of the law firm of Alpizar, Ville, Torres & Camfield in Palm Bay, litigated this case. They argued that Mrs. Colozzo's stroke was caused by the damage done to her heart as a result of the doctors' and nurses' failure to diagnose her serious heart condition. The case settled shortly before trial for $1.15 million. ■

History and Symptoms Ignored by Doctors

Man Dies After Two Cardiologists Misread EKG

Left to right:
Rebecca, Brandon, Amber, and Ronald Carroll

Ronald Carroll was a truck driver who was looking forward to returning home to his wife and children on the evening of May 16, 1998. Mr. Carroll was driving to his home in St. Petersburg, Fla. from a trip to Indiana when he began to experience shortness of breath. While driving through Gainesville, Mr. Carroll stopped at a drug store. The pharmacist recognized that Mr. Carroll had a severe problem and called 911.

Mr. Carroll was transported to Hospital A, where he was examined by emergency room physician Dr. B. The doctor noted complaints of left-sided chest pain and a productive cough. The emergency room record reflected a history of borderline diabetes and mitral valve replacement eight years prior. A chest x-ray was ordered, which the hospital radiologist found to be abnormal. Dr. B also ordered an EKG, which was mechanically interpreted to be abnormal and possibly indicative of a heart attack. Dr. B disregarded both the EKG and the x-ray and diagnosed Mr. Carroll with pneumonia and bronchitis. The doctor attributed Mr. Carroll's chest wall pain to a bruise he had received some weeks prior. Mr. Carroll spent less than one hour in the hospital.

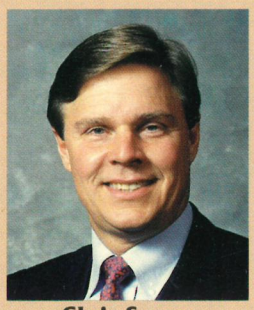
When Mr. Carroll arrived home, he developed nausea and vomiting. His wife, Rebecca, went to the pharmacy to fill the emergency room doctor's prescriptions for antibiotics and pain medication. During the course of the night, Mr. Carroll continued to experience nausea and vomiting, which got progressively worse. Mrs. Carroll called an ambulance in the early morning hours of May 17, 1998, and Mr. Carroll was taken to Columbia Northside Medical Center. Shortly after his arrival at the hospital, Mr. Carroll died as a result of an acute myocardial infarction. Mr. Carroll was survived by his wife, Rebecca, his daughter, Amber, and son, Brandon.

Mrs. Carroll originally sought representation by St. Petersburg attorney Jeffrey Chambers. Mr. Chambers referred the case to attorneys Chris Searcy and Bill Norton. Shortly after being placed on notice of the claim, the defendant hospital and emergency room doctor admitted liability and requested arbitration. They did so to take advantage of protection afforded to them by the Florida Medical Malpractice Statute. By admitting liability, the defendant hospital and emergency room doctor limited the Carroll family's non-economic (pain and suffering) damages to $350,000. However, shortly after the defendants' admission of liability, the Florida Supreme Court ruled in the case of St. Mary's Hospital v. Phillipe that the statutory cap of $350,000 is available to each of Mr. Carroll's survivors. Previously, defendants could cap their total exposure at $350,000, regardless of the number of dependent survivors.

Citing the St. Mary's case, Mr. Searcy and Mr. Norton demanded the emergency room physician's policy limits of $1 million. The policy limits were paid to Mr. Carroll's estate shortly thereafter. The case against Hospital A is still pending. Additionally, Mr. Searcy and Mr. Norton have discovered that Mr. Carroll had treated with a cardiologist several months prior to his death. The cardiologist performed an EKG which was misread. Had the cardiologist correctly read the EKG, Mr. Carroll could have received medical treatment which would have prevented his subsequent fatal heart attack. The Estate of Ronald Carroll has recently filed suit against this cardiologist as well. ■

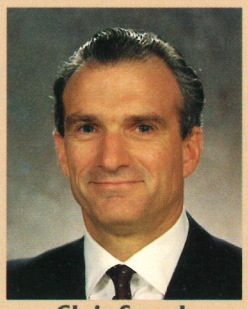
Accolades

Three Attorneys are Selected for Best Lawyers In America



Chris Searcy

Greg Barnhart



Chris Speed

Chris Searcy, Greg Barnhart, and Chris Speed have been selected for the 2001-2002 edition of *The Best Lawyers in America.* Throughout the country, 15,000 leading attorneys were contacted to cast their "votes" on the abilities of lawyers in their fields of expertise. Lawyers are chosen for the publication based solely upon their abilities as measured by their peers.

This is the ninth edition of *Best Lawyers In America.* Mr. Searcy has been listed since 1983, Mr. Speed has been listed since 1987, and Mr. Barnhart has been listed since 1995. ■

A letter to the law offices of Searcy Denney Scarola Barnhart & Shipley:

Please extend our gratitude to everyone at Searcy Denney Scarola Barnhart and Shipley. We are so grateful for all you have done for us. We cannot thank you enough for all your hard work and determination. Thank you for bringing our case to a victorious close and for ultimately changing our lives forever. We thank God for the incredible team of people at Searcy/Denney and for your brilliant panel of experts who were able to lend a hand in our case.

A very special thanks to Chris Searcy, Greg Barnhart, Steve Smith, Pam Roberts and Jennifer Manke... who were in contact with us almost everyday throughout those two long years. I cannot begin to tell you how much we appreciate each and every one of you. I know we put you through a lot and so I commend you for tolerating us... especially when our spirits were low and we needed an encouraging word to get us through another day. I can remember Chris saying that "there will be a brighter day." And though it was difficult to see at the time, his words rang true. Because of you... our lives will never be the same... and so we are eternally grateful to you!

Please keep this card in memory of Rebecca. God bless each and every one of you. We wish you all a very Merry Christmas!

With love from,

Vinnie, Lori and Jennifer Berardi

Christmas 2000

Thank You and Holiday Wishes from Former Clients

The Berardis were featured in a recent *Of Counsel* newsletter. They lost their daughter, Rebecca, in 1999. ■

Taking... *Time to Care*

Leukemia and Lymphoma Society's "Light the Night Walk"

On Friday, Sept. 22, Searcy Denney Scarola Barnhart & Shipley employees and their family members participated in The Leukemia & Lymphoma Society's "Light The Night Walk." More than $1,200 was raised by Searcy Denney team walkers, who collected pledges and then walked three miles. All the proceeds will help fund research for the Society.

Searcy Denney Scarola Barnhart & Shipley employees and family members who participated were Nancy Bullard; Carla DeCunha; Lisa Dodds; Marilyn Hoffman and her husband Brad; Michelle Holly; Stacey Kniseley; Jennifer Manke and her daughter Ashleigh; Donna Miller and her daughter Lindsey; Cory Rubal; Sylvia Simon and her husband Jay; Ashleigh Simmons, her friend Greg Anderson, and her sister Angie; Chris Speed and his son Jonathan; and Jud Whitehorn. ■

Firm Team Excels at "Great Grown Up Spelling Bee"

On Saturday, Sept. 23, paralegals Steve Smith, Kevin Walsh, and law clerk Tobi Perl participated in the "Great Grown Up Spelling Bee." More than $27,000 was raised during the event, with proceeds to help support the services of the Palm Beach County Literacy Coalition. Searcy Denney Scarola Barnhart & Shipley was one of 21 teams participating in the spelling competition.

Mr. Smith, Mr. Walsh, and Ms. Perl made it to an impressive fifth round during the event. The word they missed was "querulous," an adjective which means "inclined to find fault." ■

Prince Loadholt Retires

On Friday, Oct. 27, Searcy Denney Scarola Barnhart & Shipley employees said goodbye to Prince Loadholt. Mr. Loadholt retired and will be moving to Georgia with his family.

Mr. Loadholt began his career with the firm in the early 1980s. He was hired by then office manager, Ed Fallon, to maintain the grounds around the firm parking lot. During an early morning celebration, Earl Denney reminisced about Mr. Loadholt's years of dedicated service at the firm. Mr. Loadholt was then presented with gifts and well-wishes from all the law firm's employees. ■

Volume 00, No. 4

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Happy New Year!

Happy 2001 from all of us at...

SEARCY DENNEY SCAROLA BARNHART & SHIPLEY PA

Attorneys at Law