

Michael R. Sieben  
Attorney at Law

Admitted in MN & WI  
Direct: (651) 304-3266  
msieben@siebenpolklaw.com

**super lawyers**

Minnesota's Journal of  
Law and Politics



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Civil Trial Specialist

**THE BEST  
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AMERICA**

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**LEADING MINNESOTA  
ATTORNEYS**

February 27, 2009

Ms. Ruth Rembert  
Smith Economics Group, Ltd.  
1165 N. Clark Street  
Suite 600  
Chicago, IL 60610

Re: **Amanda [REDACTED] Wrongful Death**  
**DOB: 8/14/92**  
**DOD: 5/17/07**

Dear Ruth:

Thank you for your recent e-mail. We did indeed settle the [REDACTED] case in the amount of \$985,000.00.

The case was settled with all parties.

I am very pleased with the way things turned out, and as always, your office did an outstanding job in analyzing the economic loss aspects of the case.

My partner, Mike Polk, over the years has spoken very highly of the job Dr. Smith has done, and that is why I retained him to analyze this case.

I certainly will keep Dr. Smith in mind as to future cases.

Very truly yours,

**FOR THE FIRM**

Michael R. Sieben

MRS:jm

**Martha Burla**

---

**From:** nealjaney@comcast.net [mailto:nealjaney@comcast.net]  
**Sent:** Friday, May 01, 2009 2:25 PM  
**To:** Martha Burla  
**Cc:** Stan Smith  
**Subject:** Re: Expert Economist Services Hatley, et al. v. Tuffy, et al.

Dear Ms. Burla:

Thank you for the materials.

During our telephone conversation, Stan confirmed that he had no conflicts and would accept our engagement of him and Smith Economics in our case. I confirmed that we will engage him.

I will complete the materials and forward a check for the listing fee. That will be followed by my damages package for review and analysis along with the balance of the retainer deposit.

We are thrilled to have Stan and his fine firm on board. I plan to notify defense counsel of our intent to list him as our expert economist in our designation of expert witnesses.

Stan is among the best of the best. I look forward to the opportunity of working with you, Stan and the team at Smith Economics.

You and Stan may be interested to know that former Police Commissioner Kevin P. Clark and his team may help with an analysis of and expert testimony concerning police management policies, practices, standards and ethics with respect to police discipline. As soon as he is confirmed, I will send you a package of materials on him and his team.

This is really ground breaking stuff. I hope that Stan and Commissioner Clark establish a good relationship that will lead to other team efforts in the future.

This case is exciting because we will be breaking new ground in this jurisdiction.

Yours truly

Neal Janey  
\*\*\*\*\*

Neal Janey  
P. O. Box 1054  
Baltimore MD 21203  
Telephone: (410) 340-6616  
Facsimile: (410) 662-9644  
Email: nealjaney@comcast.net

5/20/2009

# **GMAC** **Insurance**

December 16, 2008

Smith Economics Group, Ltd  
Attention: Stan Smith, Ph.D. - President  
1165 N. Clark Street - Suite 600  
Chicago, Illinois 60610

Date: December 15<sup>th</sup>, 2008  
To: Stan Smith, Ph.D. - Smith Economics Group, Ltd.

Mr. Smith, on behalf of GMAC Insurance Company, I would like to thank you for the excellent work, timeliness and professional friendly service that your facility provided. Your work has exceeded our expectations in each and everyway. Your incredible "commitment" to educating, guiding as well as keeping our office overly informed was simply and truly amazing. What was even more amazing is that your office completed the requested work product in an incredible time-frame. Our company is excited about our future knowing that we can get the opportunity to work with you and your office staff again.

Our company thanks you and your staff for your technical, professional and diligent service provided.

Sincerely  
Robert Freihoff  
Claim [Litigation-Injuries] Manager  
GMAC Insurance Company

GMAC Insurance  
PO Box 1623  
Winston Salem NC 27102  
[www.gmacinsurance.com](http://www.gmacinsurance.com)

---

**From:** Marc Harding [mailto:marc@iowalawattorneys.com]  
**Sent:** Wednesday, November 12, 2008 1:36 AM  
**To:** Stan Smith  
**Subject:** recommendation letter

To Whom It may Concern:

I have worked repeatedly on a variety of cases with Stan Smith and his economic group and have found him and his office to **be well organized, insightful and terrific on the witness stand.** They were especially helpful with issues of admissibility.

I have recommended him to other lawyers, and know that others have used their services.

We are currently using them on a business case, and have used them on personal injury and death cases.

We'll use them again in the future.

Marc Harding  
Harding, Harding & Hobbs  
1217 Army Post Road  
Des Moines, IA 50315

Francis C. Pizzulli, Inc.  
Law Corporation

*FRANCIS C. PIZZULLI, INC.*  
*Law Corporation*

*Via Federal Express*

November 5, 2008

Stan V. Smith, Ph.D., President  
Smith Economics Group, Ltd.  
1165 N. Clark Street, Suite 600  
Chicago, IL 60610

Re: *Kaiser v. The Pampered Chef:  
Settlement*

Dear Dr. Stan:

Per our conversation of today, enclosed please find a check in the amount of \$6,000 as payment in full for the outstanding invoices in the Kitchen Connection/Ursula Kaiser case.

Your and Stephanie's work was greatly appreciated. Your staff is always cooperative and a pleasure to work with.

I look forward to working with you again.

Very truly yours,



Francis C.J. Pizzulli

(Enclosure)

cc: Kevin O'Reilly, Esq. (via e-mail)

718 Wilshire Boulevard Santa Monica California 90401  
Telephone: (310) 451-8020 Fax: (310) 496-2754 email: pizzullilawinc@yahoo.com

LAW OFFICE OF MARK D. CLEMENT  
Attorney at Law

October 14, 2008

Stan V. Smith, Ph.D.  
President  
Smith Economics Group, Ltd.  
1165 N. Clark Street, Suite 600  
Chicago, IL 60610


Re: Keanaaina v. Equifax Information Services, LLC, et. al.  
Civil No. CV07-00118 DAE KSC

Dear Stan:

Thank you for assisting us as a damages expert in the above-referenced matter. Your opinions, guidance and Expert Report permitted us to settle our FCRA case quickly and with increased case value. I will definitely be seeking your assistance on other FCRA cases in the future.

Kindest Regards,

LAW OFFICE OF MARK D. CLEMENT

  
Mark D. Clement

MDC:hk  
cc: Client

JAMES E. LEVER

ATTORNEY AT LAW

---

P. O. Drawer 809  
Hazlehurst, Mississippi 39083

87 Caldwell Drive  
(601) 894-1451  
(601) 894-1459 (Fax)

August 22, 2008

Mr. Stan Smith  
Smith Economics Group  
1165 N. Clark Sstreet, Suite 600  
Chicago, IL 60610

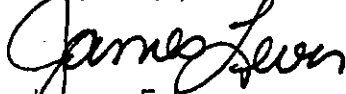
RE: Wrongful Death Claim of Lucretia Yvette Lyons Sumrall

Dear Mr. Smith:

At this time I am enclosing my check in the sum of \$2,173.13, in full payment of your bill.

Your evaluation of this wrongful death claim helped us get a reasonable settlement and we appreciate very much your help in this matter.

Very truly yours,

  
James E. Lever

JEL:hm  
Enclosure



E. Merritt Lentz, Esquire  
(215) 988-0031 Direct Dial  
(215) 988-0042 Fax  
[mlentz@golkowhessel.com](mailto:mlentz@golkowhessel.com)

**GOLKOW  
HESSEL**  
ATTORNEYS

1800 JFK Blvd., Suite 1010  
Philadelphia, PA 19103  
(800) 277-9010  
[www.golkowhessel.com](http://www.golkowhessel.com)

August 1, 2008

Via Facsimile Only (312.943.1016)

Stan Smith, Ph.D.  
Smith Economics Group, Ltd.  
1165 N Clark Street, Suite 600  
Chicago, IL 60610

Re: *Gallagher, et al. v. Bradco Supply Corporation*  
State of Michigan, In the Circuit Court for Wayne County  
Judicial Resource File No.: 07-1704

Dear Dr. Smith:

Please be advised that the above-caption action has resolved by way of settlement. Accordingly, we will be closing our file at this time.

I truly appreciate your assistance in this matter. I will, of course, keep your contact information readily available for possible future matters. Once again, thank you for all the support and information you provided.

Should you have any questions or concerns regarding the above, please do not hesitate to contact me.

Very truly yours,

GOLKOW HESSEL, LLC

By: E. Merritt Lentz, Esquire  
EML/rb



**MICHAEL K. LULICH & ASSOCIATES**  
**ATTORNEYS AT LAW**

2102 East Main Street  
Danville, Indiana 46122  
Telephone: 317.718.0375  
Fax: 317.718.0376

MICHAEL K. LULICH  
*Licensed in Indiana & Illinois*  
MKL@LULICHLAW.COM

Of Counsel:  
STEVEN P. POLICK  
*Licensed in Indiana, Illinois & Wisconsin*

May 20, 2008

Stan Smith  
Smith Economics Group, Ltd.  
1165 North Clark Street Suite 600  
Chicago Illinois 60610

re: Emmons v. JP Morgan Chase  
Cause # 92C01-0503-CC-111

Dear Stan:

I wanted to thank you for your help in this matter. Both you and your staff were always helpful and a pleasure to work with. The Jury returned a defense verdict in the case. While they did not need to address damages, I felt that pointing out through your testimony and an IME physician how the Plaintiff was overreaching had a cumulative affect on the way the Jury viewed the Plaintiff and Plaintiff's attorney.

You may have noticed in the back of the courtroom there was another attorney observing the trial. This was a lawyer who represents EMCOR on our indemnity action. He asked for your contact information as he has a matter that you may be able to help him with. I suspect you will get a call shortly.

Probably most telling, the Plaintiff's attorney told me that he will contact you in the future when in need of an economist. I thought that was particularly flattering to your abilities as he heard both you and his own economist testify on the same subject.

Once again, thank you for your help.

Sincerely,



Michael K. Lulich

MKL/cal

---

Northwest Indiana Office  
3235 - 45th Street #202  
Highland, Indiana 46322

June 9, 2008

**ATTORNEY**

**Phillip Aaron**  
Attorney at law

**DIRECTORS**

**Ruby Harris**  
Director,  
Client Support Services

**STAFF**

**Richard Aaron**  
Chief Legal Assistant/  
Paralegal

**Theresa Aaron**  
Paralegal

**Theary Oeun**  
Paralegal

**Liquittia Matthews**  
Paralegal

**Delight Tsagaan**  
Paralegal

Smith Economics Group, Ltd.  
1165 North Clark Street, Ste. 600  
Chicago, IL 60611

**RE: Sample Settlement**

Dear Mr. Smith:

This letter is to notify you that a settlement was reached with all parties regarding the claim of the Sample family against Father Terrance Fitzmaurice.

I am certain that a contributing element to the successful settlement of this case was the expertise you provided during the mediation process.

If there is ever a future need for your professional services I will let you know.

Yours Truly,



Phillip Aaron

**McCallion & Associates LLP**  
24 West 40<sup>th</sup> Street, New York, New York 10018  
Phone: 646-366-0880 Fax: 646-366-1384  
www.mccallionlaw.com

Kenneth F. McCallion  
Kfm@mccallionlaw.com

February 29, 2008

Stan V. Smith, PH.D.  
Smith Economics Group, Ltd.  
1165 N. Clark Street – suite 600  
Chicago, IL 60610

Re: Arnold Chevrolet v Tribune/Newsday

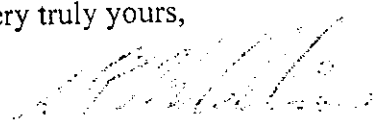
Dear Stan:

As you already know, we were able to reach a very successful settlement in the Tribune/ Newsday case on behalf of the plaintiffs – Long Island car dealers. This favorable result would not have been possible without your outstanding work and expert testimony, and I just wanted to thank you for all your efforts.

This was an expert intensive case and your skills were certainly tested since you were up against some of the most renowned and formidable antitrust economists in the country. You were not only able to hold your own against this array of defense experts, but your extraordinarily well-crafted expert reports and authoritative deposition testimony gave us sufficient leverage during the settlement discussions to bring the defendants up to an acceptable settlement range that was, quite frankly, higher than we had expected.

Again, thank you for your Herculean efforts and I look forward to working with you and your staff again in the near future.

Very truly yours,



Kenneth F. McCallion

Michael R. Strom  
Attorney

February 13, 2008

Ms. Ruth M. Rembert  
Smith Economics Group, Ltd.  
1165 North Clark Street, Suite 600  
Chicago, IL 60610

**Re: James L. Giles and Lorraine G. Giles v. American Standard, Inc., et al.  
Court File No. C9-06-50411**

Dear Ms. Rembert:

Please be advised that we were able to successfully conclude the Giles matter by settlement. This was a very difficult case, but because of the strength of Dr. Smith's expert report, we were able to maximize damages and obtain a very favorable recovery. Although the settlement is confidential, Dr. Smith's report provided us with the ammunition we needed to convince the defense that the damages in this case were far more significant than in most wrongful death cases, and greatly helped our ability to recover a favorable settlement for our client.

Thank you again for your assistance in this case.

Best wishes.

Sincerely,



Michael R. Strom  
[MStrom@SiebenPolkLaw.com](mailto:MStrom@SiebenPolkLaw.com)

STR/sp



Michelle N. Higinbotham  
S. Chase Higinbotham, Jr.\*

Higinbotham and Higinbotham, Attorneys at Law

117 Bradford Lane • Belton, MO 64012 • 816-322-5297 • Fax 816-322-5298 • chaselaws@aol.com

March 13, 2008

Smith Economics Group, Ltd.  
1165 N. Clark Street, Suite 600  
Chicago, Illinois 60610

RE: Higinbotham/Higinbotham/Hall

Dear Stan:

Thank you so much for your patience with payment from our little two (2) man firm down here in Kansas City, Missouri.

We settled our case for \$120,000, and our clients are very happy with the results as are Chase and I. Your work definitely made the difference.

Chase wanted me to tell you that your picture in *Lawyer's Weekly* just did not do you justice! Hope all is well and we can meet again soon . . .

Sincerely,



Michelle N. Higinbotham

:msn

Enclosure: Cashiers Check No. 43557

cc: File

March 28, 2008

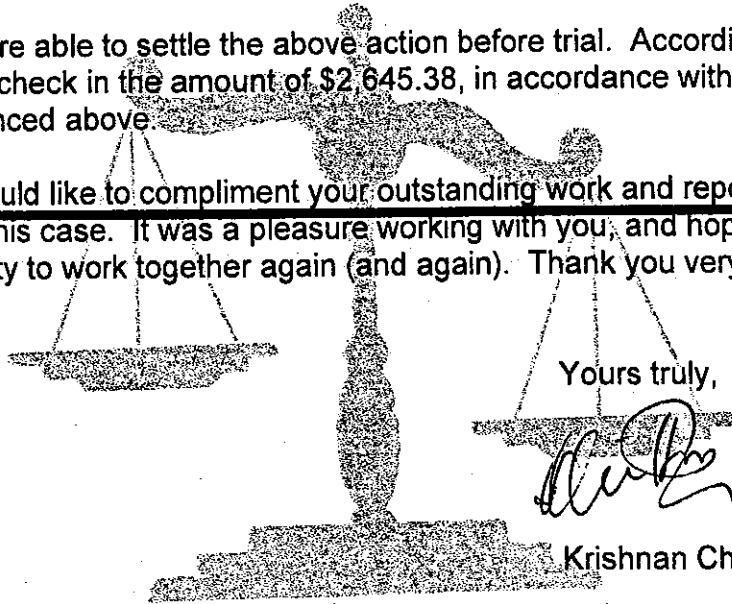
Stan V. Smith, Ph.D.  
Smith Economics Group, Ltd.  
1165 N. Clark Street, Suite 600  
Chicago, IL 60610

Re: Koumantaros v. CUNY

Dear Dr. Smith:

We were able to settle the above action before trial. Accordingly, we have enclosed the check in the amount of \$2,645.38, in accordance with your invoice in the matter referenced above.

~~We would like to compliment your outstanding work and report you have produced in this case. It was a pleasure working with you, and hopefully, we will have the opportunity to work together again (and again). Thank you very much.~~



Yours truly,

Krishnan Chittur, Esq.

**LAW OFFICES OF GEORGE C. AUCOIN**

A PROFESSIONAL LAW CORPORATION

Donald L. Hyatt, II, APFC\*

3500 N. Hullien Street  
Metairie, Louisiana 70002Telephone: (985) 727-2263  
Facsimile: (985) 951-7490  
Website: www.userralaw.com

TX counsel

January 10, 2008

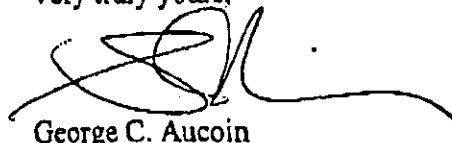
**VIA FACSIMILE 312-943-1016**Stan Smith  
Smith Economic Group, Ltd.  
1165 N. Clark Street, Suite 600  
Chicago, IL 60610Re: ***Schlom v. Marley Cooling Technologies, Inc., d/b/a,  
SPX Cooling Technologies, Inc., USDC No: 3:06-CV-50051***

Dear Stan:

On Monday, January 7, 2008, the *Schlom v. SPX Corp* matter was settled in front of Magistrate P. Michael Mahoney in Rockford. There is no question that your loss calculation, both back pay and front pay, became the framework for my settlement demand and provided the client, and his wife, considerable "backbone" throughout the negotiations. The work of your staff on all sorts of day to day issues throughout this litigation have been supportive and a pleasure. Thank you, and your staff, for your consistently professional work and key support to America's warriors when they return home.

I remain,

Very truly yours,



George C. Aucoin

GCA:lgh

# Durney & Brennan, Ltd.

150 West Huffaker Lane, Suite 101  
RENO, NEVADA 89511

491 Fourth Street  
ELKO, NEVADA 89801

TELEPHONE (775) 322-2923  
TELECOPIER (775) 322-3014

Reply to: Reno Office

THOMAS R. BRENNAN

November 1, 2007

Stan V. Smith, Ph.D.  
SMITH ECONOMICS GROUP, LTD.  
1165 N. Clark Street, Suite 600  
Chicago, IL 60610

Re: Hernandez v. I & E Electric, Inc., et al.

Dear Dr. Smith:

I wanted to take this opportunity to thank you for your help in the above-referenced case. Largely because of your assistance, we were able to settle the claim for \$2,500,000.00.

Sincerely,

  
TOM BRENNAN

TRB:clm



Michael and Diane Casali  
1804 West 86<sup>th</sup> Street  
Darien, Illinois 60561

Dr. Stan Smith, Ph.D.  
Smith Economics Group  
1165 N. Clark Street, Suite 600  
Chicago, Illinois 60610

Dear Dr. Smith:

We are writing this letter to commend the performance of you and your financial group in our federal lawsuit against the City of Chicago and former Chicago police officer Joseph Miedzianowski, which concluded on February 22, 2007. Your professionalism and efficiency was outstanding in every way and greatly contributed to the verdict in our favor and a significant jury award for damages. We both have been federal agents for a total of over 50 years and have had considerable experience conducting federal investigations, preparing cases for trial and testifying in state and federal court. It is from this background where we have made our observations and made our opinions, for which we are commending you.

From the time you signed on as an expert witness for our lawyer, Sally Saltzberg from the law firm of Loftus & Saltzberg, P.C., we were impressed with your thoroughness and your extensive knowledge of federal salaries, benefits and retirement entitlements. The federal sector is not normally an area that civilian specialists encounter, making this more impressive and alleviating any possible concerns that our lawyers and we could have ever had. This not only made your results more thorough but ensured that the damages were accurately reflected.

Your support staff, in particular Stephanie, was a pleasure to work with. They all were very knowledgeable and were quite diligent in the preparation of our economic damages reports and were very responsive to requests from our attorney.

Your written reports were detailed yet to the point. The conclusions you made were thoroughly supported by established practices or case law, and they were cited in the reports. Your background and extensive (and impressive) experience was clearly delineated in your reports. In all, it made you and your conclusions irrefutable. Indeed, with months available to them after your report was submitted, opposing counsel could not produce an economics expert with your experience nor could they find one who could controvert your findings.

Your testimony as an expert witness in trial was stunning. It was the best testimony we had ever heard in either of our careers. Your testimony impressed the jury while you made technical financial concepts easily understood by them, which is truly an important part of any witness' testimony, especially an expert. You did not speak over their head, but rather to the jurors and you related to them very well.


Cross-examination can difficult for witnesses, but in your case, the difficulty was for opposition counsel. They tried to make you say things that were untrue or speculative in nature. Each time

you refused to be coerced down this path and instead turned the tables on the defense lawyers, making them look rather ridiculous. They appeared to be angry and annoyed when their cross-examination failed and had no effect on your testimony. It clearly serves as a tribute to you.


Your work in preparing for deposition and trial were extremely helpful to our lawyers. This was not just for your testimony but also for defense counsel's alleged financial expert. Your background and assistance to our lawyers helped them diminish the credibility of the defense witness. Indeed, the jury award clearly reflected that they believe you far and away over the other expert.

Please consider our opinions as referral for you and your business and feel free to use this letter for any future clients.

Sincerely,



Michael V. Casali



Diane L. Casali

## \$9 mil. award for crooked cop's terror

### Relieved ATF agents: 'We didn't want to sue the city at all'

BY NATASHA KORECKI  
*Federal Courts Reporter*

Two ATF agents say they waited 15 years to see justice against corrupt Chicago cop Joseph Miedzianowski.

On Thursday, justice came in the form of \$9.75 million. A federal jury awarded Diane Klipfel and Michael Casali the significant sum after finding the city failed to properly investigate their reports of corruption by Miedzianowski, leaving him free to terrorize the couple for years.

Klipfel quietly put her hand over her mouth as she heard the jury verdict. Her husband patted her on the back. "I'm relieved the 15-year ordeal is over with and that justice was served," Casali said.

Klipfel criticized the city for spending resources to defend

a bad cop who is now serving a life sentence for operating a major drug ring and protecting gang-bangers and murderers.

"If they would have just turned that into some kind of investigation in the police department," Klipfel said. "We didn't want to sue the city at all. All we wanted was Miedzianowski taken care of."

### Suffered for years

As an ATF agent, Klipfel worked on a case with Miedzianowski in 1992 when she reported he robbed a drug dealer.

The couple claims the city and police department encouraged a code of silence that kept anyone from reporting Miedzianowski. Klipfel, who said she was later forced to leave her job, said Miedzianowski turned the investigation on her.

The couple said they suffered for years as Miedzianowski stalked them and surveilled their house, forcing her to live apart from her husband and move her children to other states. Miedzianowski

Juror Megan Cox said the police investigation into Klipfel's complaints "lacked thoroughness," and she called it "incompetent."

### 'A scary, scary man'

Cox, Karl and juror Steve Friedman said seeing Miedzianowski and hearing him talk — even though it was video testimony — convinced them of the couple's story. "He is a scary, scary man," Karl said. "A frightening man."

The trial stretched five weeks and saw Chicago Police Supt. Phil Cline testify he had a role in three internal investigations of Miedzianowski, but the officer was never disciplined in any of them.

The couple's lawyer, Sally Saltzberg, said the city never offered to settle.

The city said it negotiated but was unable to reach an agreement.

"We're disappointed with the verdict and we're reviewing our appellate options," said Chicago Law Department spokeswoman Jennifer Hoyle.

nkorecki@suntimes.com



Michael Casali and his wife, Diane Klipfel, both ATF agents, leave the Dirksen building in January. They sued the city of Chicago, claiming the city protected Joseph Miedzianowski (inset) after they found evidence of corruption by him. —KEITH HALE/SUN-TIMES (ABOVE); CBS2 (LEFT)

do?" juror Joe Karl said. "Mike and Diane were wronged. It was the city's policies that created that."

Miedzianowski was a sham. And so did jurors.

"What investigation did the Chicago Police Department charged criminally with other corrupt acts years later. The couple said the police department's probe into

**JASON C. BELL, ESQ.**

530 W. Armory Dr.  
South Holland, IL. 60473  
708-717-1574

December 27, 2007

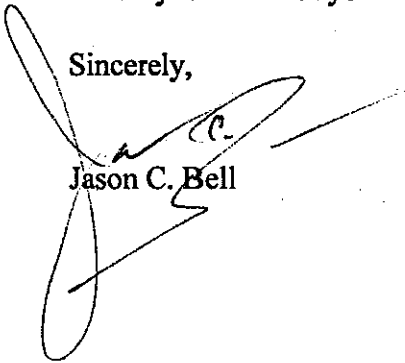
Dr. Stan V. Smith  
1165 N. Clark Street, Suite 600  
Chicago, IL 60610

Dear Dr. Smith:

Your analysis in Mac Scott v. Sunterra was key factor in the judge awarding Mac Scott \$500,000.

Thank you for all of your help.

Sincerely,



Jason C. Bell

September 4, 2007

Stan V. Smith, Ph.D.  
Smith Economics Group, Ltd.  
1165 N. Clark Street, Suite 600  
Chicago, Illinois 60610

Re: Debra Gorec

Dear Stan:

This will confirm that on several occasions we have used your valuation of domestic services which have been lost because of injury or death and, in fact, have been able to get those matters introduced into evidence on at least two occasions. We recently were able to settle a case for \$1,500,000.00 which had a \$1,000,000.00 evaluation of wage-earning loss and a \$500,000.00 cap. This was a medical malpractice case and, obviously, they had to be significantly concerned about your evaluation of household services which would have added \$2,000,000.00 to the final verdict if we got one.

Your calculations are a tremendous help in dealing with the inequities caused by the medical malpractice cap in Mississippi. We will never go to trial again without your evaluation of all the losses which one suffers in such a situation.

Yours truly,

MERKEL & COCKE, P.A.

/s/ John H. Cocke

John H. Cocke

JHC/la

EMILY E. EPPERSON, JD  
ATTORNEY AT LAW  
LICENSED IN ILLINOIS

**BILL T. WALKER, JD, LLM**  
ATTORNEY AND COUNSELOR AT LAW  
LICENSED IN ILLINOIS AND MISSOURI

NIKKI J. BERTOLINO, BA, MA  
DIRECTOR OF OPERATIONS &  
PARALEGAL

ADAM R. LANCASTER  
ASSISTANT

3388-B MARYVILLE ROAD  
P.O. BOX 1800  
GRANITE CITY, ILLINOIS 62040  
(618) 797-1930  
(314) 231-8787

FAX: (618) 797-1935  
E-MAIL: [btw@apci.net](mailto:btw@apci.net)

---

May 22, 2007

Stan V. Smith, Ph.D.  
President, Corporate Financial Group, Ltd.  
1165 N. Clark Street  
Suite 600  
Chicago, IL 60610

Re: John Nenninger, Individually and as Special Administrator of  
the Estate Of Veronica Nenninger, Deceased vs. Edward Wolff,  
et al.....- No. 01-L-1645; Madison County, Illinois

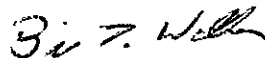
Dear Dr. Smith:

This case mediated successfully last week and the terms are confidential. However, I believe from my 29 years of trial experience, that your report and deposition emphasizing hedonic damages was the sole difference between a mid-six figure settlement and the eventual seven figure result.

The insurance companies, I believe are actively searching for the "right" case to challenge hedonics.

Thank you.

Respectfully,



Bill T. Walker

**TERENCE M. HEUEL**

ATTORNEY AT LAW

134 NORTH LA SALLE STREET  
SUITE 500  
CHICAGO, ILLINOIS 60602  
(312) 346-2766  
FAX (312) 346-3177

Mr. Stan V. Smith, Ph.D.  
Smith Economics Group, Ltd.  
1165 N. Clark Street, Suite 600  
Chicago, IL 60610

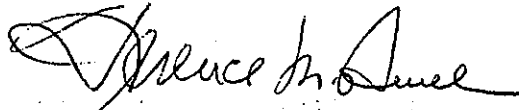
**Re: Smith v. Westfield Ford, et al.**

Dear Stan:

I really appreciate the professionalism of your office. Your economic analysis of the value of the life of the decedent in this Wrongful Death case was prompt, in-depth and readily understandable.

You're the first person on my list to call the next time I need an economic analysis of anything!

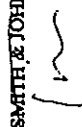
Very truly yours,



Terence M. Heuel

SMITH & JOHNSON, ATTORNEYS, P.C.  
January 17, 2006  
Page 2

Judge Batzer's ruling played a significant factor in our ability to settle the case favorably for our client. We couldn't have done it without your office's extensive support and the simple fact that more and more judges here in Michigan are taking the time to read the materials submitted by this and other offices as we fight county by county to admit a methodology that will assist jurors in coming to an intelligent calculation regarding the denial of social pleasures.

Sincerely,  
  
SMITH & JOHNSON, ATTORNEYS, P.C.  
Timothy P. Smith

TPS/amc

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PROFESSIONAL CORPORATION  
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KIMBERLY JOHNSON  
ALLEN G. ANDERSON\*\*  
TIMOTHY P. SMITH  
ANDREW L. STOVWELL  
LAWRENCE L. WALKER  
BARBARA A. ASSENDELT

\* ADMITTED DISTRICT OF COLUMBIA  
\* ADMITTED STATE OF MICHIGAN  
\* ADMITTED STATE OF CALIFORNIA

Stan V. Smith, Ph.D.  
Smith Economics Group  
1165 N. Clark Street, Ste. 600  
Chicago, IL 60610

RE: Grant v Sears-Roebuck Co, et al

Judge reversed  
prior ruling and  
admitted Hedonic  
Damages testimony

OTHER LOCATIONS:  
LANSING, MICHIGAN  
GLEN LAKE, MICHIGAN  
INTERNET  
www.smith-johnson.com  
E-MAIL ADDRESS  
info@smith-johnson.com

Dear Stan:

Some say you can't teach an old dog new tricks. That wasn't the case with Judge Batzer in Manistee County, Michigan. Defense counsel in that above-referenced case brought a Motion for Summary Disposition, as well as a motion to strike your testimony. The Court scheduled Defendant's motions a week apart, with the summary disposition motion scheduled first. At the conclusion of the summary disposition motion, which we won, the Court reminded us that we would be back the following week to argue defense motion to strike your testimony regarding hedonic damages. He asked us if we wanted to know he ruled on it the last time he examined the issue of hedonic damages. The Judge then began to explain to us how some seven or eight years ago he had heard a motion with regard to hedonic damages and your methodology and had struck it, claiming that the information wouldn't be helpful to a jury. As we walked out of the Courtroom, defense counsel commented that "he had never been so wrong and so right at the same time" referring to the loss he had just been handed on his summary disposition motion and what he perceived as a pending victory in his attempts to strike your testimony.

The following week in front of Judge Batzer, argument began on the admissibility of your methodology. The opinion of Judge Kolenka in the *Victor v Ceres* case in Kent County, Michigan, as well as the excellent information provided by your office in the "admissibility packet", caused Judge Batzer to re-evaluate his prior ruling and reverse himself. He denied Defendant's motion to strike your testimony regarding denial of social pleasure and the case settled for a significant confidential amount at facilitation shortly thereafter.



NOT FOR PUBLICATION WITHOUT THE  
APPROVAL OF THE APPELLATE DIVISION

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
DOCKET NO. A-4468-03T5

WILLIAM B. SHECK,

Plaintiff-Appellant,

v.

ARTHUR DALCORSO AND  
MARY PHELPS,

Defendants-Respondents.

Before Judges Weissbard, Winkelstein and Sabatino.<sup>1</sup>

On appeal from the Superior Court of New Jersey, Law Division, Burlington County, BUR-L-932-02.

Richard J. Shackleton argued the cause for appellant (Shackleton & Hazeltine, attorneys; Mr. Shackleton and Robert E. Rue, on the brief).

Anthony Young argued the cause for respondents (Parker, McCay & Criscuolo, attorneys; Stacy L. Moore, Jr., on the brief).

PER CURIAM

<sup>1</sup> Judge Weissbard, not originally assigned to hear this case, has joined in its consideration and in this opinion. Judge Sabatino was not present for oral argument, but has reviewed the tape recording of the session.

Case for Hedonic Damages in Wrongful Death Cases, 66 Notre Dame L. Rev. 57 (1990); Ted R. Miller, Public Policy: Willingness to Pay Comes of Age: Will the System Survive?, 83 N. U.L. Rev. 876 (1989); Victor E. Schwartz & Cary Silverman, Hedonic Damages, the Rapidly Bubbling Cauldron, 69 Brooklyn L. Rev. 1037 (2004); Joseph I. Kuiper, Note, The Courts, Daubert, and Willingness-to-Pay: The Doubtful Future of Hedonic Damages Testimony Under the Federal Rules of Evidence, 1996 V. Ill. L. Rev. 1197; Erin A. O'Hara, Note, Hedonic Damages for Wrongful Death: Are Tortfeasors Getting Away With Murder?, 78 Geo. L.J. 1687 (1990); Dennis C. Taylor, Note, Your Money or Your Life?: Thinking About the Use of Willingness-to-Pay Studies to Calculate Hedonic Damages, 51 Wash. & Lee L. Rev. 1519 (1994).

Here, the trial judge precluded the expert testimony of Dr. Smith on the issue of hedonic damages. Smith was, in fact, the expert in many of the court decisions that we have cited. In fact, Smith literally wrote the book on the use of expert testimony in hedonic damages. See Michael L. Brookshire & Stan V. Smith, Economic/Hedonic Damages: The Practice Book for Plaintiff and Defense Attorneys (1992/1993 Cum. Supp.).<sup>2</sup>

<sup>2</sup> Smith's co-author, Michael Brookshire, was the proposed expert in many of the other decisions we have listed.

# Smith Economics Group, Ltd.

A Division of Corporate Financial Group

Economics / Finance / Litigation Support

Stan V. Smith, Ph.D.  
President

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How would you assess us?

Please Circle One  
(1=Excellent; 5=Poor)

1. The reputation of our firm, before we performed any services for you? (1) 2 3 4 5
2. Our handling of your initial inquiry when you contacted us regarding your case? (1) 2 3 4 5
3. The quality and usefulness of the initial materials we sent you regarding our firm and our services? (1) 2 3 4 5
4. Subsequent communications with our firm including courtesy, promptness, helpfulness of staff?  
*\* Ruth is exceptional* (1) 2 3 4 5
5. The quality of our written analysis or report? (1) 2 3 4 5
6. The quality of deposition testimony? (1) 2 3 4 5
7. The quality of trial testimony? (1) 2 3 4 5
8. The timeliness of our work?  
*\* Always - even w/o adequate notice* (1) 2 3 4 5
9. The degree to which we met our promise to provide you with Premier Quality service? (1) 2 3 4 5
10. The value of the services we provided for the fees charged? (1) 2 3 4 5
11. The overall impact of our work on your case result? (1) 2 3 4 5

We welcome any comments and/or criticisms. You may use this space, or the other side of this form, or write a separate letter to us. \_\_\_\_\_

Exceptional, sensational work!

YOUR IDENTITY AND RESPONSES ON THIS FORM WILL NOT BE DISCLOSED TO ANYONE. We may include your response with others in a statistical summary that may be disseminated and is available upon request. You may fill in your name here SOLELY FOR OUR OWN USE, or you may remain anonymous.

*\* Ruth is Stan's Scheduling Assistant*

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*Helena, Arkansas 72342*

*Attorneys at Law*

*Louis A. Etoch, P.A.*

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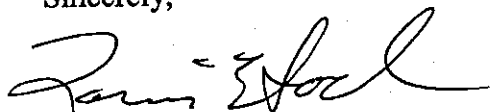
Re: Estates of Charles and Valerie Miller v. Continental Express, Inc.

Dear Stan:

I am writing to inform you that the above referenced matter has concluded in a settlement that is satisfactory to all of the parties involved. Your help and innovative work proved to be an invaluable asset in working towards the resolution of this case and allowing the family to put this matter behind them and begin to move forward with their lives. Furthermore, it has been an enjoyable experience working with your professional and courteous staff.

Pursuant to my telephone conversation with your office, all costs and fees incurred by my office and payable to you as a result of this matter have been paid in full. Should you have any questions or need to speak with me, please do not hesitate to call. Once again, I appreciate your help and expertise in this matter and I look forward to working with you again.

Sincerely,



Louis A. Etoch

LAE/dek

PHILLIP H. McMATH  
JAMES BRUCE McMATH  
MART VEHIK  
SAMUEL E. LEDBETTER  
SANDRA SANDERS  
CHARLES D. HARRISON



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VICTORIA SANTOS  
Legal Assistant  
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SIDNEY S. McMATH (1912-2003)  
HENRY WOODS (1918-2002)  
WINSLOW DRUMMOND (1933-2005)

Dr. Stan Smith  
Smith Economics Group, Ltd.  
1165 N. Clark Street, Ste. 600  
Chicago, IL 60610

RE: Regions Trust, N.A., Administrator of the Estate of  
Gary Newbold, deceased v. Arkansas Pyrotechnics, Inc., et al.  
Pope County Circuit Court

Dear Stan:

Thank you for your help in achieving a substantial recovery in this wrongful death action.

I appreciated your preparation and attentiveness, as well as, your flexibility in meeting our tight pre-trial scheduling requirements. Also, I appreciated the timely and thorough background work of your office. I found your testimony of the breakdown and value of the loss of services particularly helpful in setting forth the full measure of the damages sustained in this case. Finally, you handled with ease the challenges to your testimony, which gave me considerable comfort.

I look forward to working with you in the future.

With best regards, I am

Respectfully,

A handwritten signature in black ink, appearing to read 'Mart Vehik', written in a cursive style.

Mart Vehik

MV/vs

Michael P. Cogan  
Mark E. McNabola  
Edward W. McNabola  
Adria E. Mossing  
James P. Navarre  
John M. Power  
Jody B. Pravecek  
Patti L. Tuttle

*Of counsel*  
Thomas R. Canham\*  
Deborah B. Cogan\*\*

\*Admitted in AZ, and NV  
\*\* Admitted in NY

Stan Smith, Ph.D.  
Corporate Financial Group  
1165 N. Clark Street  
Suite 650  
Chicago, IL 60610


Re: State Farm Arbitration

Dear Dr. Smith:

I wanted to send you a letter thanking you for all of your assistance in this matter. The arbitrators entered a ruling which awarded future bills and lost time consistent with your analysis of the economic damages. They rejected the defendant's analysis completely. I just wanted to thank you for your invaluable input into this successful outcome.

I look forward to working with you in the future.

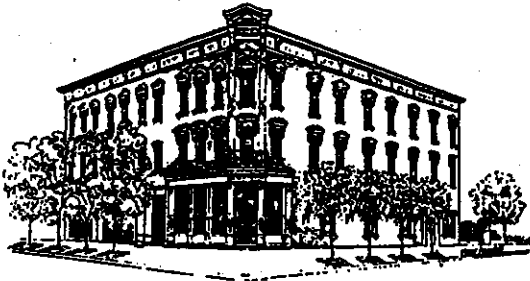
Very truly yours,



John M. Power

JP:tat

MONROE HOUSE LAW CENTER



Law Offices

## English & Monaco

A Professional Corporation

237 E. High Street P.O. Box 67 Jefferson City, Missouri 65102

573/634-2522 FAX 573/634-4526

E-Mail: [inglishmonaco@inglishmonaco.com](mailto:inglishmonaco@inglishmonaco.com)

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Nicholas M. Monaco  
\*Ann Monaco Warren  
Mark G.R. Warren  
Brian C. Hey  
Samantha A. Harris

(1929-1991) Charles P. Dribben  
(1906-2004) William Barton

of Counsel:  
Andrew Jackson Higgins  
Former Judge:  
Sixth Judicial Circuit (1960-1964)  
Missouri Supreme Court (1979-1991)

Stan Smith  
1165 North Clarke Street, Suite 600  
Chicago, IL 60610

Re: Earl and Dixie Glenn

Dear Stan:

Thanks so much for your outstanding work on my credit defamation case. We would not have been able to reach a settlement without your detailed analysis regarding damages. You really simplified a complex issue for me. I will be sure to use you again in the future.

Please tell your wonderful staff thanks also.

Very truly yours,

Brian C. Hey  
BCH/cdd

Dr. Stan Smith  
Corporate Financial Group  
1165 N. Clark Street  
Suite 650  
Chicago, Illinois 60610

RE: *Orlich v. Advocate, et al.*  
Case No.: 00 L 065031

Dear Dr. Smith:

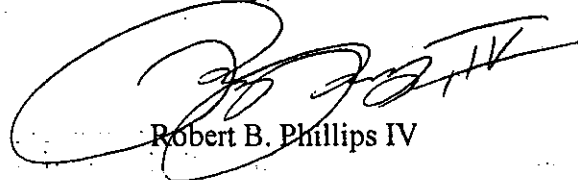
I would like to take this opportunity to express my gratitude for your efforts, role and contribution regarding our recent result in the *Orlich* matter.

The case was resolved through mediation late last week. We were successful in securing a high multi seven-figure recovery on behalf of the child and his family.

Your economic evaluation and analysis of the child's life care plan, as well as his lost wages and benefits, were instrumental in developing and supporting our position which resulted in the ultimate outcome. Over the past sixteen years in practice, I have found many economic experts fail to present their opinions' and testimony in a manner which maintain a jury's interest and attention. Your testimony and presentation provided further support and value to your firm's economic evaluation.

Once again, thank you for your valued contribution to this result.

Sincerely,



Robert B. Phillips IV

RBP/wki

COCHRAN, CHERRY, GIVENS  
SMITH & MONTGOMERY, L.L.C.



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(312) 977-0200 • FAX: (312) 977-0209

<sup>1</sup>Member Illinois Bar  
<sup>2</sup>Member Ohio, Illinois  
and Wisconsin Bar  
<sup>3</sup>Member Indiana and Illinois Bar  
<sup>4</sup>Member Alabama Bar  
<sup>5</sup>Member Alabama, Florida  
and Georgia Bar

Founder  
JOHNNIE L. COCHRAN, JR.  
(1937-2005)

JAMES D. MONTGOMERY <sup>1</sup>  
SAMUEL A. CHERRY, JR. <sup>2</sup>  
J. KEITH GIVENS <sup>3</sup>  
JOCK M. SMITH <sup>4</sup>  
THOMAS C. MARSZEWSKI <sup>1</sup>  
MELVIN L. BROOKS <sup>1</sup>  
JAMES D. MONTGOMERY, JR. <sup>1</sup>  
JAMES M. SANFORD <sup>2</sup>  
MARK PARTS <sup>1</sup>  
BEVERLY P. SPEARMAN <sup>1</sup>  
TRENT A. MCCAIN <sup>5</sup>  
DAVID A. ARGAY <sup>5</sup>

Stan V. Smith, Ph.D.  
President  
Smith Economics Group, Ltd.  
1165 N. Clark Street, Suite 600  
Chicago, IL 60610

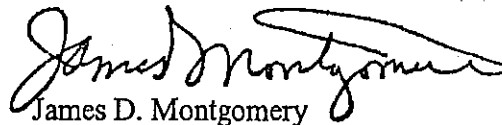
\$ 16 Million  
Settlement

Re: Estate of Rashidi Wheeler v. Northwestern University, et.al  
Court Nos.: 01 L 10149E renumbered as 05 L 1563  
Our File No.: CM214.1

Dear Stan:

Thank you very much for your service in the Rashidi Wheeler case. As you know, after two mediation sessions with Northwestern University, this wrongful death action resolved with a sixteen million dollar (\$16,000,000) settlement. Your work product was important and assisted in influencing the significant settlement in this case.

Very truly yours,

  
James D. Montgomery

TCM:kt



The Law Offices of  
**CHRISTOPHER C. PIERCE**  
312 East Lincoln Avenue  
Barrington, Illinois 60010  
Ph: 847-382-8640 Fax 847-382-7854

Dr. Stan V. Smith, Ph.D.  
Corporate Financial Group  
1165 N. Clark Street, Suite 600  
Chicago, Illinois 60610

Re: VanSleet v. Ross Midwest Masonry et al.  
Court No.: 02 L 007186

Dear Dr. Smith:

I wish to take this time to thank you for your excellent economic analysis with regard to the above captioned lawsuit. The parties proceeded to binding mediation June 13, 2005, before Mediator, Fred Lane. At the mediation I submitted your expert report. I must say that without your report this case would not have generated the award the plaintiff ultimately received. Your analysis was the cutting edge and was instrumental in allowing me to make the appropriate arguments regarding the plaintiff's Lost Earning Capacity and Loss of Value of Life.

I would also like to add that your book on Economic and Hedonic Damages is very educational. Meeting you and reviewing your report and materials fostered a new understanding in me of the value of earnings lost and the value of life from an economist's perspective. This new understanding already has opened new doors for me as one of the younger solo plaintiff's lawyers in the area.

Thank you again. I will look forward to working with you again in the future.

Very truly yours,



Christopher C. Pierce

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ELLIOT D. SAMUELSON

RICHARD L. HAUSE

WENDY B. SAMUELSON

ALISA J. EPSTEIN

CAROLYN D. SCHWARZ

Stan V. Smith, Ph.D.  
President  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 600  
Chicago, IL 60610

Re: Brothers v. Salvati

Dear Stan:

It was a pleasure to work with you and I was quite satisfied with your testimony and preparation. I have no hesitation in referring other matters to you nor recommending you to my colleagues.

As you may know, Johnny is now residing with his mother since custody was changed on an interim basis in July, and I anticipate the child remaining there after trial is completed.

Sincerely,



Elliot D. Samuelson

EDS/kl

# Smith Economics Group, Ltd.

A Division of Corporate Financial Group

Economics / Finance / Litigation Support

Stan V. Smith, Ph.D.  
President

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Please Circle One  
(1=Excellent; 5=Poor)

1. The reputation of our firm, before we performed any services for you? 1 2 3 4 (5)
2. Our handling of your initial inquiry when you contacted us regarding your case? 1 2 3 4 (5)
3. The quality and usefulness of the initial materials we sent you regarding our firm and our services? 1 2 3 4 (5)
4. Subsequent communications with our firm including courtesy, promptness, helpfulness of staff? 1 2 3 4 (5)
5. The quality of our written analysis or report? 1 2 3 4 (5)
6. The quality of deposition testimony? 1 2 3 4 5
7. The quality of trial testimony? 1 2 3 4 (5)
8. The timeliness of our work? 1 2 3 4 (5)
9. The degree to which we met our promise to provide you with Premier Quality service? 1 2 3 4 (5)
10. The value of the services we provided for the fees charged? 1 2 3 4 (5)
11. The overall impact of our work on your case result? 1 2 3 4 (5)

We welcome any comments and/or criticisms. You may use this space, or the other side of this form, or write a separate letter to us. \_\_\_\_\_

YOUR IDENTITY AND RESPONSES ON THIS FORM WILL NOT BE DISCLOSED TO ANYONE. We may include your response with others in a statistical summary that may be disseminated and is available upon request. You may fill in your name here SOLELY FOR OUR OWN USE, or you may remain anonymous.

Stan Smith  
Smith Economics Group, Ltd.  
1165 North Clark Street  
Suite 600  
Chicago, IL 60610

Dear Stan:

I just wanted to thank you again for the terrific job you did on the Bradham case. The opinion you provided was instrumental in helping us secure a high six figure settlement for our client.

I look forward to the opportunity to work with you in the near future on other cases.

With best regards, I remain,

Very truly yours,



H. PHILIP GROSSMAN

HPG/lab

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101 South Fifth Street  
Louisville, Kentucky 40202-3103  
Phone: 502.589.1001  
Fax: 502.589.7333  
firm@ffgklaw.com



MotleyRice

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Licensed in SC  
DIRECT DIAL 843.216.9142  
DIRECT FAX 843.216.9004  
PDoolittle@motleyrice.com

Mr. Stan Smith  
1165 North Clark Street  
Suite 600  
Chicago, Illinois 60610

Dear Stan:

I received your report in the MacQueen case and sincerely appreciate the same. I also received a copy of your book and I cannot tell you how much I truly find your text to be informative, understandable and intuitive. It was very kind of you to send me a copy and especially kind of you to have signed the same. As soon as I complete my very first book, I will be glad to send you a copy.

With kind regards, I remain

Sincerely yours,

Paul J. Doolittle

PJD/mkl  
(dictated, but not read)

www.motleyrice.com

Motley Rice LLC  
Attorneys at Law



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ATTORNEYS AT LAW

IKE ALLEN LAWS, JR.  
TIMOTHY W. MURDOCH

IKE ALLEN LAWS, III  
HUGH RICHARDSON LAWS

Mr. Stan V. Smith, Ph. D.  
1165 North Clark Street  
Suite 600  
Chicago, Illinois 60610

Re: ***Estates of Amber Dawn Decoteau and Jessica Renee Cantrell  
v. Sanderson Trucking and Chris Sanderson - Newton County CV-2004-25-3***  
**Your File No.: 19790**  
**My File No.: 18868 & 18869**

Dear Stan:

Enclosed please find an article that appeared in our Spring 2005 *ATLA Docket* which is a magazine for Arkansas trial lawyers. I thought that you would enjoy reading it since you were mentioned in the article. I appreciate you and your entire staff and could not have obtained close to the dollar amount that I obtained without your help.

Yours truly,

LAWS & MURDOCH, P.A.

By 

Hugh R. Laws

HRL:bc  
Enclosure

# Loss of Life Damages, Evidence and Observations

*Durham v. Marberry*, and Just How Definite is Dicta Anyway?

Article Recommended  
SMITH P. 13

by Christopher D. Anderson, Esquire

**S**o you have an Arkansas tort case involving the loss of life, do you? I ask you, "What is the dollar value of the decedent's 'loss of life' worth?" Don't know? Let's skip this question and go on to the next. "How are you going to prove the dollar value of the decedent's 'loss of life' at trial?"

The morning of trial, before you make a single presentation, the person off the street who is now one of your jurors would likely think that he can't put a dollar value on a person's loss of life. It's incalculable. He might think that the decedent's life was worth all of the money in the world. Or your juror might be inclined for any number of reasons to award a low dollar figure. It's an incalculable amount after all, and he's asked to award money to wrongful death statutory beneficiaries anyway. While you would rather be on the "all" side rather than the "nothing" side at the end of trial, plainly the estate and justice would be served well with a significant

verdict somewhere between the two extremes.

To get a sense of direction, read and study Ark. Code Ann. §16-62-101, *Hedonic Damages in Arkansas: Using Loss of Life Damages to Increase Settlement Value in Wrongful Death Cases*, ATLA Docket, Spring 2003, by C.C. "Cliff" Gibson, III, Esq., and most importantly *Durham v. Marberry*, 356 Ark. \_\_\_\_, \_\_\_\_ S.W.3d \_\_\_\_ (2004) [as of this writing no pagination has been published] along with the remainder of this article. From these sources you will likely find yourself choosing among different approaches for your presentation as basically outlined by Mr. Gibson. You could present witnesses to talk about the decedent, his life, etc. and argue the value of the damages to the jury — the argument approach. It's really also the argument approach to suggest that the decedent's life is worth "more than" any number of analogies or even to compare the value of the decedent's life to some other value. You might refine that approach, and in addition to information about the decedent, you present a per diem, or more appropriately, a per annum argument to the jury. You would propose a yearly value for the decedent's loss of life and use an economist to discount per annum amounts to present value (although you won't find any such requirement in the statute) or use the economist to provide the jury with simple mathematical tools to calculate a final number based on their factual findings. You may also present an economist using the "willingness to pay" economic model. With any of these approaches, you must decide both how and whether to present evidence of loss of the decedent's earning capacity, being mindful of avoiding duplicate claims for the wrongful death statutory beneficiaries and the estate.

ues for "loss of life" are reached from case to case with very different people. The value of one decedent's life is worth as much as another's and correlates nicely with the ideal concepts that "all men are created equal" or "all men are equal in the eyes of God."

At its heart, the "willingness to pay" model reflects a societal assessment of risk analogous to accepted insurance quantification of risk. Without citation necessary, insurance companies evaluate practical life risks in determining how much to charge for insurance premiums. Young drivers get a discount for taking driver education. Life insurance quotes have different rates for smokers versus nonsmokers. Health insurance applications ask about existing medical conditions. They are in the insurance business to make money in part by actuarially quantifying risks of loss and then figuring out how much of an insurance premium they have to charge to make money. Like the "willingness to pay" model, the actuarial process is not an exact science. Neither has to be an exact science to create an important industry or methodology or even accepted as economic expert testimony. The Arkansas Supreme Court has recognized such over the years and has precedent for accepting economic expert testimony for damages for guidance that were once deemed "incalculable."

In Arkansas case law, regularly accepted economic testimony concerning loss of earning capacity was not always regularly accepted. Numerous older opinions such as Simon and Gilbert find that earning capacity loss is unknowable. The cases repeat that we don't know how long a person will actually work in his life or what his earnings will be next week, next year, or as he reaches the end of his working days. Yet, economic testimony based upon continuation of historical earnings and work habits is regularly accepted testimony providing guidance to juries everyday as indications of future losses. Such testimony does the math for the jury to compute current values for anticipated losses of future earnings and like any other testimony, the jury is free to accept or reject such calculations based upon the circumstances of the case. See *Bell v. Estate of Bell*, 318 Ark. 483, 885 S.W.2d 877 (1994); *Williams v. First Security Bank of Searcy*, 293 Ark. 388, 738 S.W.2d 99 (1987); *B & F Engineering, Inc. v. Cotroneo*, 309 Ark. 175, 830 S.W.2d 835 (1992).

For Arkansas purposes, the "willingness to pay" model for "loss of life" damages is closer to the accepted economic testimony for loss of earning capacity than it is to Pennington's "list of factors" for "mental anguish" damages based upon great differences in the objective ability to quantify what people pay to save a life versus an utter inability to even grasp a dollar figure for or to quantify "mental anguish." With certainty we can define the presence of one person or discern that death rates change with the addition and usage of some safety device that costs x dollars. To the contrary, we can't objectively, physically or medically measure the presence of "mental anguish." We don't pay money for anything to prevent more than normal grief with the death of a loved one. The objective ability to quantify and place a dollar value to save a life justifies different Court consideration for the "willingness to pay" model. If there

were not accepted methodologies, billions of dollars invested and industries created to insure against the consequences of death, "loss of life" and mental anguish damages might be practically the same and justify the same legal treatment. However, the reality is that Pennington's factors for mental anguish are precisely the result of a lack of such a rubric.

Here are a few practical considerations that you should consider:

1. If you believe that the Court went out of its way to give an indication of its views on "loss of life" damages and you believe the plain language of the Clark & Sons passage, then the safer approaches are the "argument approach," "more than," "comparative" and "per annum" routes. Be ready to fight for the "willingness to pay" model. There are ample cases and Arkansas lower court decisions supporting its use.
2. Strongly consider having a person represent the estate who is not also a statutory beneficiary at trial. You are less likely to have a jury wander into concerns about where money goes for the estate and whether the same people are being awarded two sums instead of one.
3. Don't go through all of this work and fail to give a number for loss of life damages for the jury to consider. Jurors need some reasonable guidance on a number.
4. Look for the best friend, confidant, or fiancée to present at trial. Did the decedent have a journal or diary that you can authenticate? These are more likely to pinpoint the decedent's hopes and aspirations for the future and thereby personalize the decedent's loss of life.
5. If the decedent had a will, the named executor is one of the decedent's more trusted people. Consider what the beneficiaries of the will might add.
6. Ask for a verdict form for the estate which gives line items for funeral expenses, conscious pain and suffering, and "loss of life" damages.
7. If you employ a "willingness to pay" expert, employ a legal fiction that the decedent would have accepted his life's value equally with other members of society. Better yet, if there is a witness who could testify to the decedent's acceptance of equality with others, you should add that testimony.
8. Regardless of whether you use a "willingness to pay" expert or not at trial, consider using Stan Smith or Michael Brookshire as consultants to guide you through loss of life considerations.
9. This is a great area for a focus group or groups to give you feedback on your presentation and acceptance of the method you've chosen. •





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Stan Smith, PhD.  
Corporate Financial Group  
1165 North Clark Street, Suite 600  
Chicago, Illinois 60610

Re: *Brown v. Dorsey et al.*  
Superior Court of Gwinnett County  
Case No. 02-A-12722-7  
CGL Case No.: 2184-10

Dear Stan:

4th Largest Award in U.S.

Thank you for your help in achieving a jury award of \$726,136,398.00 in the above referenced case. Lawyers Weekly has listed the award in its list of the top 10 jury awards of 2004! Your testimony was pivotal in explaining to the jury the value of lost wages and benefits, household services and enjoyment of life. I look forward to working with you on our other cases.

Sincerely,

Casey Gilson Leibel P.C.

*G. Weiss.*  
Guy H. Weiss

GHW/elp

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Stan V. Smith, Ph.D.  
CORPORATE FINANCIAL GROUP, LTD.  
1165 North Clark Street  
Suite 600  
Chicago, IL 60610

Re: Stanley Boim, et al. v. Quranic Literacy Institute, et al.

Dear Stan:

I just wanted to take this opportunity to express our heartfelt appreciation for your invaluable assistance and your expert testimony in the above-referenced case. Without your help, we would not have been able to achieve the outstanding result we did -- a \$156 million judgment against supporters of the Hamas terrorist organization. This verdict is an important victory in the war against terrorism.

Very truly yours,

  
Richard M. Hoffman *1cmd*

RMH:cmd

**HAYDEN E. HANNA**  
ATTORNEY AT LAW  
312 E. PEACH ST.  
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Dr. Stan V. Smith, President  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 600  
Chicago, IL 60610  
Fax: 312-943-1016

**Re: Stovall v. Krause Construction Company, LLC**

Dear Dr. Smith:

I want to express my gratitude to you for a job well done in the *Stovall* wrongful death case. The quality of your damages report, your friendly and helpful support staff, and your exceptional performance at the defendant's discovery deposition significantly strengthened my position in settlement negotiations. I look forward to our next case together.

Sincerely,

  
Hayden E. Hanna



A D A M S K I & C O N T I

Stanley Smith, Ph.D.  
Corporate Financial Group  
1165 N. Clark St.  
Suite 600  
Chicago, Illinois 60610

Re: Van Roeyen Expert Testimony

Dear Stan:

At the conclusion of the Van Roeyen jury trial, I must compliment you on your terrific contributions to the case.

You are a remarkable, skilled, informed, and talented expert witness. During the last 32 years, I have participated in over a thousand contested hearings and trials. Without question, you are the most relaxed, comfortable, and instructive witness that I have ever examined. You have my unconditional endorsement. I would be pleased to speak directly with anyone who is considering hiring you.

Sincerely,  
*G. Adamski /cs*

HARRIS PALUMBO\* POWERS & CUNNINGHAM

A PROFESSIONAL LIMITED LIABILITY COMPANY

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MEDICAL NEGLIGENCE  
PERSONAL INJURY  
WRONGFUL DEATH

OUR FILE NUMBER

2840-002

Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Ste. 600  
Chicago, Illinois 60610

Re: *Addelia v. Catholic Healthcare West, et al*

Dear Dr. Smith:

I would like to again thank you for the time and effort you spent on this case. Your involvement helped get this case resolved in a matter favorable to the Alice and her family. They, and I, very much appreciate your hard work. I look forward to an opportunity to work with you in the future.

Very truly yours,

HARRIS PALUMBO POWERS &  
CUNNINGHAM, P.L.L.C.



Frank I. Powers

FIP/sbl

---

**From:** Sona Shah [mailto:sona\_shah@yahoo.com]

**To:** Stephanie Uhl

**Cc:** Ken McCallion, McCallion Law Office

**Subject:** Re: Shah

Hi Stephanie

I greatly appreciate your emailing me the damages analysis of my claims. Despite all the hassles with the fax, etc we finally got it. I'm also very grateful for all your hard work in researching and producing the report. For years as we fought this lawsuit, I never knew how to quantify damages. Because the suit means more to me to establish liability to prevent employees from receiving this kind of abuse, liability has been my focus. Working with you has taught me a new aspect of my case. You were extremely competent, patient, friendly and professional. It was a pleasure working with you.

---

Sincerely,  
Sona Shah

Plaintiff

**VERDICTSEARCH TOP 100 VERDICTS OF 2004**

Case	Amount Status	Type Description	Name Court, Docket, Date	Plaintiff's attorney(s) Firm	Defense attorney(s) Firm
1	\$1,620,000,000 Case settled for an undisclosed amount.	Fraud Insurance agent continued to collect premiums on lapsed policy.	Whittaker v. Southwestern Life Insurance Co. Mason Co., Ala., Civ. Ct. CV-02-4124/2004	Jack M. Smith and Brian P. Strongth, Cochran, Cherry, Ovens & Smith, Rustosa, Ala.	Bruce F. Rogers, Bainbridge, Kern, Rogers & Smith Birmingham, Ala.; George W. Walker III, Copeland, Franco, Sorwe & Gill, Montgomery, Ala.
2	\$1,251,580,000 Verdict overturned. JMOL granted. Appeal pending.	Antitrust Cattle producers claimed Tyson manipulated prices through contract buying.	Pickett v. Tyson Fresh Meats Inc. M.D. Ala. A88 1028 2/22/2004	David Domino, Omaha, Neb.; Joe R. Whistley Jr., Whitley Drake, Birmingham, Ala.	Thomas Green, Mark Hopeson and William Baxmgartner, Skidley Austin Brown & Wood, Washington and Chicago
3	\$1,013,363,000 Appeal pending.	Products Liability Woman who took diet drug combination fen-phen died of lung disease.	Coffey v. Wyeth Jefferson Co., Texas, Dist. Ct. E-107234 5/4/2004	John M. O'Quinn, Richard H. Lumback and Thomas W. Pirtle, O'Quinn, Lumback & Pirtle, Houston	William D. Sims Jr., Vinson & Elkins, Dallas; Timothy Atkinson and Peter K. Bleasley, Arnold & Porter, Denver and Washington
4	\$776,138,388 Appeal dismissed.	Wrongful Death Sheriff and deputies conspired to assassinate sheriff-elect.	Brown v. Dorsey Gwinnett Co., Ga., Super. Ct. 02A-12722-7 11/19/2004	Steven K. Leibel, Casey Glenn Leibel, Atlanta	Not defended
5	\$581,000,000 Appeal pending.	Tobacco Jury ordered tobacco industry to fund smoker-cessation programs.	Scott v. The American Tobacco Company Inc. Orleans Parish, La., Dist. Ct. 00-3461 5/21/2004	Ross M. Herman, Herman, Herman, Katz & Cohen, New Orleans	Charles F. Bay, Adams and Reese, New Orleans; Gary B. Long, Shook, Hardy & Bacon, Kansas City, Mo.
6	\$582,000,000 Award is on Michelson's counterclaim.	Intellectual Property Inventor of spinal fusion implant claimed plaintiff breached license agreements.	Medtronic Sofamor Danek Inc. v. Michelson N.D. Tenn. 01CV2375 10/12/2004	Lee Bearman, Baker, Donelson, Bearman, Caldwell & Berkowitz, Memphis, Tenn. (for Medtronic)	Robert Krupka, Kirkland & Ellis, Los Angeles; Marc Marciano and Stan Gibson, Jaffer, Mangels, Butler & Marciano, Los Angeles (for Michelson)
7	\$452,000,000 Net is \$37.8 million. Judge reduced award to \$190,476.	Products Liability Controller sent improper signals, causing gas to enter boiler, resulting in explosion.	Kansas City Power & Light Co. v. Allen-Bradley Corp. Jackson Co., Mo., Cir. Ct. 01-CV-20787 3/5/2004	Randall E. Hendricks and Kirk T. May, Rouse Hendricks German May, Kansas City, Mo.	Steven P. Sanders, Lisa A. Larkin and Lucy T. Unger, Williams Venker & Sanders, St. Louis
8	\$349,000,000 Reduced to \$150 million. Appeal pending.	Products Liability Driver, now paraplegic, claimed Ford Explorer rollover-prone and roof not crashworthy.	Buell-Wilson v. Ford Motor Co. San Diego Co., Calif., Super. Ct. CJC 800838 2/3/2004	Dennis A. Schoville and Louis G. Arnell, Schoville & Arnell, San Diego	Ronald E. Cabanias, Cabanias, Smith, Toole & Wiggin, Maitland, Fla.; Anthony E. Sonnett, Yukovich & Sonnett, Los Angeles
9	\$346,211,159 Court-ordered mediation pending.	Contracts Cardiologist claimed suspension of privileges was malicious.	Poliner v. Texas Health Systems N.D. Texas 3-00-CV-1007-0 2/2/2004	Charita Aldous, Aldous & McDougal, Dallas; Michael Logan and Martin Zaner, Kane, Russel, Coleman & Logan, Dallas	Lee Burlington and Sherree McCall, Quinn & Roby, Dallas
10	\$187,001,583 Various claims thrown out. Net is \$40,573,952.	Shareholder Derivative Suit Founder claimed transaction with investor resulted in substantial losses and dilution of his interest.	Kellman v. Cell Tech International Inc. Lane Co., Ore., Cir. Ct. 02-0374-CV 8/23/2004	Bruce Gully Moore, Moore & Associates, Eugene, Ore.	James H. Eldley and Erick J. Haynie, Perkins Cole, Portland, Ore.; Jeffrey J. Matthews, Moore & Associates, Eugene, Ore.
11	\$181,000,000 Appeal expected.	Banking Architect of fraudulent securitization program caused bank to close.	Federal Deposit Insurance Corp. v. Bakrebo S.D. W.Va. 02-1067 12/6/2004	John G. Turner III and Robert B. Bell, Mullin Hoard & Brown, Amarillo, Texas	Jeffrey Derrell, Houston
12	\$156,000,000 \$22 million verdict was trebled by statute.	Anti-Terrorism Act Family of teen shot in Israel settlement sued U.S. charities supporting Hamas.	Selm v. Quranic Literary Institute N.D. Ill. 03 C 2905 12/3/2004	Stephen J. Landas, Widman, Harrold, Allan & Dixon, Chicago	John M. Seal, Chicago

PLUS VERDICTS #64 AND #91



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Michael R. Strom  
John P. Sieben  
☆☆Scott J. Hertogs  
Chad C. Alexander

Dr. Stan V. Smith, Ph.D.  
President  
Corporate Financial Group, Ltd.  
1165 North Clark Street  
Suite 600  
Chicago, Illinois 60610

Re: Kochsiek

Dear Stan:

I received your December 17 letter and thank you very much. Your work and the work of your staff is just wonderful. You folks do a great job and of course, I fully intend on continuing to utilize your excellent services in future cases. In fact, I have a new case involving the wrongful death of a 13-year old which I will be engaging you on soon.

Furthermore, I believe that since you and I first met in connection with the Clare case, I have strongly urged my partners to utilize your services which I understand they have done with some regularity.

I want to wish you and your staff a very Happy Holiday Season and again, thank you very much for everything.

Best personal regards,

FOR THE FIRM:

Michael S. Polk  
mpolk@siebenpolklaw.com

MSP:ldt

★Also admitted in Wisconsin  
Certified as civil trial specialists  
by the National Board of  
Trial Advocacy and the  
Minnesota State Bar  
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◆ Selected by their peers as

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Stan V. Smith, PhD  
Corporate Financial Group, LTD  
1165 N. Clark Street, Suite 650  
Chicago, IL 60610

Re: Grant v Sears Roebuck et al  
File No. 01-10300-NI

Dear Stan:

Once again, I cannot thank you enough for your assistance in the Grant case. Towards the end of discovery, we received a motion for summary disposition on liability and threshold injury as well as a motion to strike your testimony from the defense counsel. At the time of the hearing, the Court only had enough time to address motion for summary disposition which was denied. The Court then asked if we wanted to know how he was "leaning" on the motion to exclude your testimony. It was at this time that the Judge disclosed that he had ruled on a similar motion involving your company, your testimony and your methodology some seven years prior. At that time he had struck your testimony as he didn't "think it would be helpful to the jurors".

Needless to say, defense counsel left the courtroom pretty confident that they would strike your expert opinion regarding hedonic damages from the case. I attended the subsequent hearing to exclude your testimony and after significant and, at times, heated oral argument, the Court reversed its prior position and decided to allow your testimony. This was a major turning point in the case.

Shortly thereafter, defense counsel asked to facilitate the matter, which we did on the eve of trial. The matter ended up settling for a significant, yet confidential, amount which was due in large part to the Court's decision to admit your methodology on hedonic damages.

I just can't thank you enough for, not only your expertise in this area, but the professionalism shown by you and your office staff on each and every case we've had with you. It is always a pleasure.

Sincerely yours,

SMITH & JOHNSON, ATTORNEYS, P.C.

  
Timothy P. Smith

TPS:wmw

REEVES, CHAVEZ, ALBERS & BACA, P.A.

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FRANK N. CHAVEZ  
KELLY P. ALBERS  
CAROLYN J. BACA  
CARALYN BANKS  
DEAN B. CROSS

BETTY R. PARKER, M.A.  
Finance Director

CARALYN BANKS  
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Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 6000  
Chicago, IL 60610

*Re: Damato et al. v. MMCI, et al.*

Dear Stan:

This letter is to serve as a follow-up to your October 15, 2004 correspondence regarding the aforementioned matter. I would have liked to have gone to trial in this case but am happy that this particular case settled.

We were willing to settle the case for higher than I would have liked simply because of the possibility of potential punitive damages and the extended period in which the decedent languished prior to her death. Under other circumstances, I anticipate that we would have settled the case for much less. Again, I believe that your analysis of the economic value to the decedent's life and cost to her family was useful in establishing a baseline for damages which was used in discussion with Plaintiffs. At some point, I am hopeful that we will go to trial on one of these cases and your evaluation of the claim will be necessary.

I do hope that you are not freezing; it has even been cold in Las Cruces the last week.

Thank you again for your prompt attention to this case and others and the professional manner in which you and your staff conduct business.

Sincerely,

REEVES, CHAVEZ, ALBERS  
& BACA, P.A.

By

  
CaraLyn Banks, Esq.

CB/jbc  
Enclosure.

# CRAIG, KELLEY & FAULTLESS

*Attorneys at Law*

*In The Historic Fort Harrison*

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*Attorneys:*  
David W. Craig  
William J. Kelley II  
Scott A. Faultless

Stan V. Smith, Ph.D.  
CORPORATE FINANCIAL GROUP, LTD.  
1165 North Clark Street, Suite 600  
Chicago, IL 60610

RE: Williams v. Kroger

Dear Dr. Smith:

I am sorry that I missed your earlier telephone call. I just wanted to let you know that it was a pleasure for my office to work with your office on the Robert Williams case. Over the past twenty years I have had occasion to work with numerous economists as well as other experts – I felt that your office was the most prompt, courteous and professional office I've ever worked with. I certainly won't hesitate to use you in the future nor will I hesitate recommending you to others.

The settlement of the Williams case is confidential – that is to protect both our client as well as the defendant. I can say, however, it was a very significant settlement and one which will provide Robert Williams financial security for the rest of his life. Certainly your assistance in this case helped us reach such a satisfactory result for our client.

Yours very truly,

CRAIG, KELLEY & FAULTLESS



David W. Craig

DWC/lr

**MUTH AND SHAPIRO, P.C.**  
**ATTORNEYS AND COUNSELORS AT LAW**

ANDREW S. MUTH\*  
DOUGLAS B. SHAPIRO

OF COUNSEL  
BARRY J. GATES

\*ALSO ADMITTED IN OHIO

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LEGAL ASSISTANT  
VIRGINIA WANZECK, R.N.

Stanley Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 North Clark Street, Ste. 600  
Chicago, IL 60610

RE: Isabella Kandisbrat

Dear Dr. Smith:

I happy to inform you that the jury awarded over 4 million dollars in economic damages in our case. Indeed, they entered your exact figures year-by-year on the jury form. Thanks for all of your help.

Very truly yours,

Muth and Shapiro, P.C.



Douglas B. Shapiro

DBS/wrs

**ROBERT L. SIMPKINS**

ATTORNEY AT LAW

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**AMY NEGLEY**  
OFFICE MANAGER

Dr. Stan V. Smith, Ph.D.  
Corporate Financial Group  
1165 N. Clark St., Suite 600  
Chicago, IL 60610

**RE: Christopher Webster**

Dear Stan:

As you know, we have settled our case for 1.5 million. This is the third case which you have assisted me on through the years. Your services have been very instrumental in us obtaining the settlement which we have, and your testimony has been extremely professional and also persuasive.

You have my permission to use this letter in any way that you see fit. Thanks again for your excellent assistance and I look forward to working with you in the future.

Very truly yours,

ROBERT L. SIMPKINS LAW OFFICE

By:

  
Robert L. Simpkins

RLS/adp

# DOLAN & SHANNON

ATTORNEYS AT LAW  
A PROFESSIONAL CORPORATION

Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 North Clark Street, Suite 600  
Chicago, Illinois 60610

RE: Donald Mullaney v. Village of Bridgeview

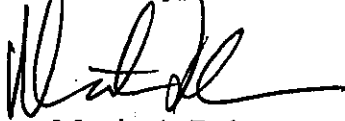
Dear Mr. Smith:

A brief note to thank you for your hard work and participation in our recent AAA arbitration on behalf of the plaintiff Donald Mullaney. As you know, the three-panel arbitrators rendered an award of \$1.5 million. This figure is outstanding. As you will recall, the defendant offered \$600,000 prior to the start of the hearing.

Your testimony and detailed report helped convince the arbitrators that Mr. Mullaney's lost wages and benefits were significant. The panel sided with our figures in awarding him over \$500,000 in lost wages and benefits. Further, your qualifications, ease testifying and explaining your opinions was far more convincing than the presentation of the defense financial consultant.

It was a pleasure working with you and your office and we look forward to doing so again in the future.

Sincerely,



Martin A. Dolan  
MAD:bg

# GOODMAN ACKER

ATTORNEYS & COUNSELORS AT LAW  
Professional Corporation

\*GERALD H. ACKER  
\*\*BARRY J. GOODMAN  
STANLEY J. FELDMAN  
TIM SULOLLI

\*ALSO ADMITTED IN DC  
\*\*ALSO ADMITTED IN FLORIDA  
www.goodmanacker.com

Corporate Financial Group, Ltd.  
Attn: Stan V. Smith, Ph.D.  
1165 N. Clark Street Suite 650  
Chicago, IL 60610

**Re: Sarah Matejckik, et al v Dr. Richard Schubatis, et al**

Dear Mr. Smith:

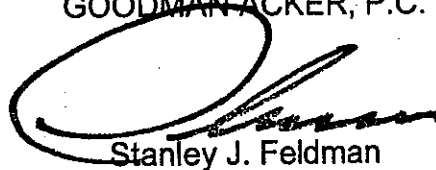
I am pleased to report that the above-referenced medical malpractice action has been resolved through a favorable settlement. The settlement was in large part made possible due to your professional contributions and expertise offered in this case. On behalf of my client, Sarah Matejckik, I would like to extend to you my sincere thanks for making this possible.

I look forward to the next occasion when we might have opportunity to work together.

Should you have any questions in the interim, please feel free to contact me. We will now about the process of closing our file.

Very truly yours,

GOODMAN ACKER, P.C.



Stanley J. Feldman

SJF/cr



**NIX  
PATTERSON  
& ROACH, LLP**

- Harold W. Nix
- 
- C. Cary Patterson
- 
- Nelson J. Roach
- 
- Edward L. Hohn
- 
- Jeffrey J. Angelovich
- 
- Alexandra V. Boone
- 
- Michael B. Angelovich
- 
- D. Neil Smith
- 
- Karen Kronenberg
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- Bradley E. Beckworth
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- Brady Paddock
- 
- Keith L. Langston
- 
- M. Elizabeth Francis
- 
- Anthony K. Bruster
- 
- R. Brandon Moore
- 
- M. Chad Trammell
- 
- R. Daniel Sorey

Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 600  
Chicago, IL 60610

Re: **Sedric Davenport, et al v. Lance Gray, et al**  
**Monroe County Circuit Court No. CIV-2002-106(y)**

*Hedonic Damages*

Dear Stan:

Thank you for testifying on behalf of the Estate of Sedric Davenport with respect to loss of life damages in the above matter. Your testimony was invaluable to the outcome of this case. As you know, the Estate of Sedric Davenport was awarded \$1,000,000.00 for loss of life damages. Sedric's parents, Samuel and Denise Davenport, were each awarded \$250,000.00 for their past and future mental anguish. Your services were instrumental in the resulting \$1.5 Million Dollar verdict in this case. \*

Again, thank you very much for your assistance. I look forward to working with you on other matters in the future.

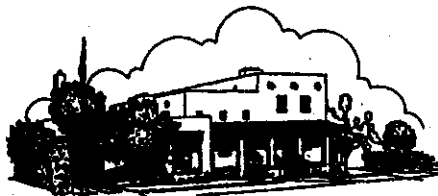
Sincerely yours,

Brady Paddock

:kg

2900 St. Michael Dr., Suite 500  
•  
Texarkana, TX 75503  
•  
(903) 223-3999  
•  
Fax (903) 223-8520  
•  
Daingerfield, TX  
•  
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## CUNNINGHAM LAW FIRM

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JAMES P. CUNNINGHAM\*  
MATTHEW B. CUNNINGHAM

\*Certified Personal  
Injury Specialist

*Practice emphasis:*  
Personal Injuries  
Wrongful Death  
Vehicle Accidents  
Defective Products  
Professional Negligence  
Insurance Litigation

Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 N. Clark St., Suite 600  
Chicago, IL 60610

Re: Discua et al. vs. Southwest Gas, et al.

Dear Stan:

I am happy to inform you that we have achieved a settlement on behalf of Daniel and Joshue Discua, and their parents. This occurred as a result of the concerted efforts of numerous knowledgeable and caring individuals. You should take comfort in the fact that your assistance now allows these severely injured children to maximize their recovery and achieve their highest potential. Jim and I feel that during the course of this case we assembled the best experts in the country.

We understand that the remaining amount owed to you for work done in this case totals \$4,288.83. A check for this amount will be forwarded to you within the next couple of weeks. At this juncture, you can go ahead and close your file in this matter. Thanks again for all of your assistance.

Sincerely yours,

  
Matthew B. Cunningham

MBC:kac

6 Rue Monet  
Jackson, N.J. 08527  
732-370-4390

Walter H. Cramer

Mr. Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 600  
Chicago, IL 60610

Dear Stan:

I want to thank you for handling the economic part of my case before the Federal Victims Compensation Fund. I felt very fortunate to have you and Bob Anderson in my corner during such a difficult period of time. Your expertise was clearly exhibited on the day of my hearing. I feel blessed that we had you in our corner and can't thank you enough. I would also like to thank Stephanie, as she took a lot of my telephone calls in your absence and was very helpful. Again, I want to thank you for all that you have done for the entire Cramer Family.

Best Regards,



September 11, 2001

Victim Compensation  
Fund

**DAVID N. GILLIS**  
*Attorney At Law*  
405 Tombigbee Street  
Jackson, Mississippi 39201

Telephone (601) 969-5911  
Facsimile (601) 960-0943

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1165 North Clark Street, Suite 600  
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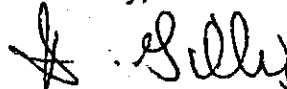
Re: Harold Ivory v. Mississippi Valley Gas Company; In the Circuit Court of  
the First Judicial District of Hinds County, MS; No. 251-01-378CIV

Dear Dr. Smith:

The above captioned lawsuit filed by our clients, Harold Ivory and his wife Marilyn Ivory, has been settled. Please find enclosed herein my check made payable to Corporate Financial Group, Ltd., in the amount of \$2,332.66. Also enclosed herein please find a copy of your invoice dated September 8, 2002.

James Lever and I thank you for your report calculating the value of losses incurred by Harold Ivory following his motor vehicle accident. As a result of your report, we both feel that we were able to obtain a greater settlement than we otherwise would have been able to. Thanks again for your work in this case.

Sincerely,



David N. Gillis

DNG:jg  
Enclosure

MOTHERWAY & NAPLETON  
*Attorneys at Law*  
A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

NICHOLAS J. MOTHERWAY  
ROBERT J. NAPLETON

JOHN M. SALETTA  
DANIEL T. MADIGAN  
KEVIN J. GOLDEN  
NICHOLAS T. MOTHERWAY

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E-MAIL: mn@mnlawoffice.com

Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 N. Clark Street  
Suite 600  
Chicago, IL 60610

RE: Foley v. Ingalls, et al.  
Our File No. 99-1

Dear Stan:

I am pleased to report that yesterday the jury returned a verdict in favor of Hannah Foley and awarded her 16 million dollars.

Stan, it was such a pleasure to work with you and present you as a witness on behalf of the Foley family. Your testimony made a very favorable impact upon the jury, and played a significant role in the successful outcome which was achieved. We look forward to working with you on future cases.

The Foley family thanks you.

Very truly yours,



Nicholas J. Motherway

NJM:bw  
VIA FAX

*Attorneys at Law*

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STEPHE W. DRINKARD  
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JULIA A. IRE BEASLEY  
RHONE JONES  
ROBERT L. PITTMAN  
LABARRON N. BOONE  
ANDY D. BIRCHFIELD, JR.  
RICHARD D. MORRISON  
C. GISEN VANCE

J. P. SAWYER  
C. LANCE GOULD  
JOSEPH H. AUGHTMAN  
DANA G. TAUNTON  
J. MARK ENLEHART  
CLINTON C. CARTER, III  
BENJAMIN E. BAKER, JR., III  
DAVID E. BYRNE, III  
TED G. MEADOWS  
GERALD E. TAYLOR, JR., III  
DAVID F. MICELLI  
FRANK WOODSON  
KENDALL C. DUNSON  
J. PAUL SIZEMORE, III

SCARLETTE M. TULEY  
CHRISTOPHER E. SANSPREE  
ROMAN ASHLEY SHAUL, III  
LARRY A. DOLSTON, JR., III  
D. MICHAEL ANDREWS  
RONALD AUSTIN CANTY  
MELISSA A. PRICKETT  
W. RODGER SMITH, III, III  
JOHN E. TOMLINSON  
KIMBERLY R. WARD  
NAVAN WARD, JR.

\*ALSO ADMITTED IN ARIZONA  
\*ALSO ADMITTED IN ARIZONA  
\*ALSO ADMITTED IN FLORIDA  
\*ALSO ADMITTED IN GEORGIA  
\*ALSO ADMITTED IN MINNESOTA  
\*ALSO ADMITTED IN MISSISSIPPI  
\*ALSO ADMITTED IN NEW YORK  
\*ALSO ADMITTED IN OHIO  
\*ALSO ADMITTED IN OKLAHOMA  
\*ALSO ADMITTED IN SOUTH CAROLINA  
\*ALSO ADMITTED IN TENNESSEE  
\*ALSO ADMITTED IN TEXAS  
\*ALSO ADMITTED IN WASHINGTON, D.C.

Mr. Stan V. Smith, Ph.D.  
1165 North Clark Street, Suite 600  
Chicago, Illinois 60610

**RE: *Amandia Byrd (Leroy Jeffery, Jr.) v. Beverly Enterprises, Inc., et al.***  
***Civil Action No. 251-02-683***

Dear Stan:

Please let this letter confirm that the referenced matter has been resolved. I just wanted to take the opportunity to thank you for your assistance in this case. Your input into the case was critical for us in reaching a resolution that was favorable for our clients. I sincerely look forward to working with you again in the near future.

Sincerely,

BEASLEY, ALLEN, CROW,  
METHVIN, PORTIS, & MILES, P.C.

  
J.P. Sawyer

/lbr



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ROBERT J. GOLDEN

Email: [rgolden@dowdanddowd.com](mailto:rgolden@dowdanddowd.com)  
Direct Line: (312) 762-9518

CORPORATE FINANCIAL GROUP, LTD.  
1165 North Clark Street  
Suite 600  
Chicago, IL 60610

Attn: Stan Smith

RE: Thomas Goodwin v. KENT A. DOLEZAL,  
SCHNEIDER NATIONAL CARRIERS,  
INC. and Raymond Burton  
D/A: 11/08/01  
Our File: 5409-24009

*Defense*

Dear Stan:

To confirm and supplement Jeannine's telephone message of last week, be advised the *Thomas Goodwin v. Schneider National Carriers* lawsuit has been settled by agreement of parties.

On behalf of the firm and client, I would like extend my appreciation to you for your assistance and efforts in this matter's defense. What I believe to be a very favorable case resolution was achieved, in no small part, due to your analysis and critique of plaintiff's economist.

In connection with the lawsuit's resolution, please forward your final invoice for services rendered at your first convenient opportunity.

Additionally, per your prior request, find enclose a copy of your case-related discovery deposition transcript.

WISCONSIN OFFICE

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575 LEE STREET • DES PLAINES, IL 60016 • (847) 827-5117 • TELECOPIER (847) 827-0075

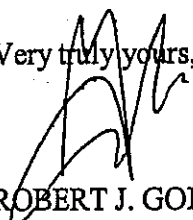
DOWD & DOWD, LTD.

CORPORATE FINANCIAL GROUP, LTD.

Page Two

Again, many thanks for your help ....

Very truly yours,



ROBERT J. GOLDEN

RJG/cv





**Sieben Polk  
LaVerdiere  
& Dusich**  
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◆☆☆Michael R. Sieben  
◆☆☆Michael S. Polk  
◆☆☆Richard A. LaVerdiere  
☆☆Bernie M. Dusich  
◆Thomas R. Longfellow  
Michael R. Strom  
John P. Sieben  
☆☆Scott J. Hertogs  
Brian T. Mak

Dr. Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 North Clark Street  
Suite 650  
Chicago, Illinois 60610

Re: Heinsch v. A.P.I., Inc., et al.

Dear Stan:

On behalf of Ken and Carol Heinsch and their family, I wanted to drop you a note to thank you for your wonderful report and testimony in the Heinsch matter. As you know, the case was resolved during the second day of trial in the sum of \$2.75 Million Dollars. Your deposition testimony a week ago was excellent and you handled yourself beautifully. I appreciate the thoroughness of your reports and the manner in which you present your data, findings and opinions. I have found it a pleasure to have now had the opportunity to work with you on some very compelling cases.

Please compliment your staff on a job well done and we look forward to working with you in the future.

Thank you again.

Best personal regards,

FOR THE FIRM:

Michael S. Polk  
mpolk@siebenpolklaw.com

MSP:ldt

◆ Also admitted in Wisconsin  
☆☆ Certified as civil trial  
specialists by the National  
Board of Trial Advocacy  
and the Minnesota State  
Bar Association



◆ Selected by their peers as

LEADING MINNESOTA  
ATTORNEYS

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*170 E. Griffith, Suite 304  
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E Mail: atyperkins@aol.com



Mailing Address  
P.O. Box 21  
Jackson, Mississippi 39205-0021

Stan Smith, Ph.D.  
Corporate Financial Group, LTD  
1165 N. Clark Street, Suite 650  
Chicago, Illinois 60610

Re: *Tennin v. Ford Motor Company*  
Hinds County Circuit, Cause No. 251-02-96CIV

Dear Dr. Smith:

It has been a delightful pleasure working with your extremely professional staff and having you testify in my case against Ford Motor Company. Other attorneys in the courtroom have inquired about your services and I have taken the liberty of forwarding your *curriculum vitae*. I can think of no other economist I would want on my side than you and your most efficient staff.

Thanks for your professionalism, expertise, and being ever so accomodating. I will call on you again in the future.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Felecia Perkins'.

Felecia Perkins  
Attorney at Law

LAW OFFICES OF

**BELL,  
FLECHAS &  
GAGGINI, P.A.**

1900 Lakeland Drive  
Suite 921  
Jackson, Mississippi 39216

JAMES D. BELL  
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edflechas@AOL.com  
geraldgaggini@AOL.com

Stan Smith  
1165 North Clark St., Ste 600  
Chicago, IL 60610

Re: Your services as an economist

Dear Mr. Smith:

I want to thank you for your professional services as an economist and expert witness in the Jones vs. Sig Ep case. All of your work was very prompt and reasonably priced. You have an excellent professional staff that is easy to work with. As a witness your testimony was simple and easy to understand for the jury. You are a very credible and well prepared witness. I highly recommend you to anyone who needs an expert economist.

Sincerely,



James D. Bell

JDB:jb

THOMPSON, POTTS & DONOVAN, P.C.

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600 Central Plaza, Suite 201

P. O. Box 2799

Great Falls, Montana 59403-2799

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Curtis G. Thompson

Steven T. Potts

Daniel Donovan

E-Mail:

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Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Ste. 600  
Chicago, IL. 60610

Re: Palomino v. Tyson, et al

Dear Dr. Smith:

This is to advise that agreements have been reached which fully settle this case. The terms of settlement are confidential. Notwithstanding that confidentiality, I believe the collective result will allow for proper quality care of Hazel Palomino.

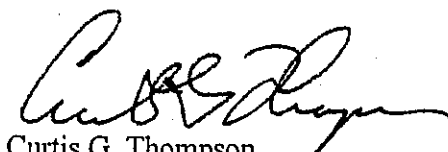
For myself and on behalf of Hazel's family, we extend our heartfelt thanks for your assistance in this case. The case was complex and challenging. Without your assistance, we could not have achieved this fine result which will definitely make a favorable difference in the quality of Hazel's life.

I hope this letter finds you well. If you have any questions, or wish to discuss this, please do not hesitate to call. Again, we thank you for your fine assistance.

Very truly yours,

THOMPSON, POTTS & DONOVAN, P.C.

By



Curtis G. Thompson

Direct e-mail: [cgthompson@mcn.net](mailto:cgthompson@mcn.net)

P.S. Happy Easter

# MONTE, SACHS & BOROWSKY

COUNSELLORS AT LAW, P.A.

THOMAS D. MONTE, JR.  
*NJ and NY Bar*  
ROBERT A. SACHS  
*NJ Bar*  
*Certified Civil Trial Attorney*  
FRANK E. BOROWSKY, JR.  
*NJ and PA Bar*

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*Please reply to New Jersey*

MICHELLE A. MONTE  
*NJ Bar*  
STEPHEN A. RUDOLPH  
*NJ and PA Bar*  
KEITH M. McWHIRK  
*NJ and PA Bar*  
FRANCINE M. CHILLEM  
*NJ and NY Bar*  
ROBERT W. HEYM  
*NJ and NY Bar*  
KATR. BYNON  
*NJ and NY Bar*  
HEATHER P. SCHLISSERMAN  
*NJ Bar*  
Of Counsel  
THOMAS WARNE  
*NJ Bar*

Stan Smith  
Corporate Financial Group  
1165 North Clark Street, Suite 600  
Chicago, IL. 60610

Re: Wisniewski v. Whiting Turner Construction Company, et al  
Our file no.: 56563

Dear Mr. Smith:

Please be advised that the above referenced matter settled on March 17, 2003 for a sum of \$4.5 million. We appreciate your efforts in assisting us in attaining this result.

Thank you for your attention to and courtesies in this matter. Please feel free to contact me with any additional questions or concerns.

Very truly yours,

  
KEITH M. McWHIRK

KMM/js

E

Eardley Law Offices

Corporate Financial Group Ltd  
Stan V. Smith PhD  
1165 N Clark Street  
Suite 600  
Chicago IL 60610

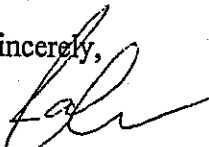
RE: Mike Victor v Paul Cares and Justine Hunter

Dear Dr. Smith:

Thank you for all your help in our case, tried to a successful verdict from 2/3/03 to 2/21/03. Your analysis of the economic and the non-economic damages was very helpful to me in presenting our case to the jury. The Judge and the Jury were obviously interested in your testimony. As a result of my hard work and your's, the jury returned what our court reporter informed us was one of only 7 plaintiff verdicts in her 10 years working with Judge Kolenda. The number of plaintiff verdicts in Kent County is low due to the fact most "good" cases settle, combined with a very conservative jury pool which typically finds for the defense. In our case, we had the facts on liability, as the verdict attests, and the jury found for Mr. and Mrs. Victor in an amount at the higher end of my 19 years of Kent County personal injury experience.

Thank you for all your assistance. I will certainly use you again, and in fact have already disclosed you on a new case where my client has permanent injuries and significant economic and non-economic losses. I will be sending you a package of materials in that case in the near future.

Sincerely,

  
John F. Eardley

# Beasley, Allen, Crow, Methvin, Portis & Miles, P.C.

JERE LOCKE BEASLEY  
J. GREG ALLEN  
MICHAEL J. CROW  
THOMAS J. METHVIN  
J. COLE PORTIS  
W. DANIEL MILES, III  
STEPHEN W. DRINKARD  
R. GRAHAM ESDALE, JR.  
JULIA ANNE BEASLEY  
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KATEM L. MARTIN\*  
WILLIAM R. DAVIS  
CHRISTOPHER E. SANSPREE\*  
ROMAN ASHLEY SHAUL\*\*  
LARRY A. OOLSTON, JR.\*\*  
D. MICHAEL ANDREWS\*

RONALD AUSTIN CANTY  
MELISSA A. PRICKETT  
W. ROGER SMITH, III\*\*  
WILLIAM G. O'REAR JR.  
JOHN E. TOMLINSON  
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NAVAN WARD, JR.  
\*ALSO ADMITTED IN ARIZONA  
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\*ALSO ADMITTED IN FLORIDA  
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\*ALSO ADMITTED IN MINNESOTA  
\*ALSO ADMITTED IN MISSISSIPPI  
\*ALSO ADMITTED IN NEW YORK  
\*ALSO ADMITTED IN OKLAHOMA  
\*ALSO ADMITTED IN SOUTH CAROLINA  
\*ALSO ADMITTED IN TENNESSEE  
\*ALSO ADMITTED IN TEXAS  
\*ALSO ADMITTED IN WASHINGTON, D.C.

Mr. Stan V. Smith, Ph.D.  
1165 North Clark Street, Suite 600  
Chicago, Illinois 60610

*Re: Bernice Jackson (for David Sandifer) v. Pine Crest Facilities, Inc.  
Civil Action No. 2002-0069*

Dear Stan:

As you are aware by now, we resolved the referenced matter at mediation last week. I just wanted to take the opportunity to thank you for your assistance in this case. Your input into the case was critical for us in reaching a resolution that was favorable for our clients. I sincerely look forward to working with you again in the near future.

Sincerely,

BEASLEY, ALLEN, CROW,  
METHVIN, PORTIS, & MILES, P.C.

  
J. P. SAWYER

JPS/lmb

cc: Ms. Teresa Gober



Michael S. Allred  
Ottawa E. Carter, Jr.  
Kathleen H. Eiler  
William M. Quin, II\*  
Matthew A. Taylor

\*Also licensed in Louisiana

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Of Counsel: Edwin Y. Hannan  
W. David Ross

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Facsimile: 601-713-3259  
E-mail: [talf@allredlaw.com](mailto:talf@allredlaw.com)

Stan V. Smith, Ph.D  
CORPORATE FINANCIAL GROUP, LTD.  
1165 N. Clark Street, Suite 600  
Chicago, IL 60610

RE: Eric Scott Pope, et al. v. Attala County, et al

Dear Stan:

Please accept my apology for failing to respond to your letter dated July 29, 2002 regarding your testimony at the above referenced trial before now. With respect to your letter, however, Mike and I both agree that your report was extremely useful and of the highest quality. Your testimony was thorough, clear and compelling. We believe your testimony played a significant role in the court's favorable ruling with regard to the non-economic damages portion of the case. We look forward to working with you in the future.

With kind regards, I am

Sincerely,

THE ALLRED LAW FIRM

OTTOWA E. CARTER, JR.

OEC:gmm



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(1906-1983)

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BRAD J. PATTEN  
M. TYLER SMITH  
ROBERT A. WEBER, JR.  
SCOTT A. WALLACE

Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 600  
Chicago, Illinois 60610

Dear Dr. Smith:

I enjoyed working with you in regard to our recent wrongful death claim and greatly appreciate your accommodating a tight time schedule yet providing a comprehensive evaluation and report on hedonic damages for use in our case. Following receipt of your report, we achieved settlement of the case through mediation. We look forward to working with you in the future.

With best regards, I am

Sincerely yours,



M. Tyler Smith

MTS/sjc

GIBSON & HASHEM, P.L.C.

A Professional Limited Liability Company

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119 South Main Street

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HANI W. HASHEM  
PAUL W. KEITH

Telephone: 870/367-2438  
Facsimile: 870/367-8306  
E-Mail: ccgiii@ccc-cable.net  
Legal Assistant: Linda Byford

Mr. Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 N. Clark Street  
Suite 600  
Chicago, IL 60610

RE: Edwards vs. Harper, et al  
Ashley County Circuit Court No. 01-109-2

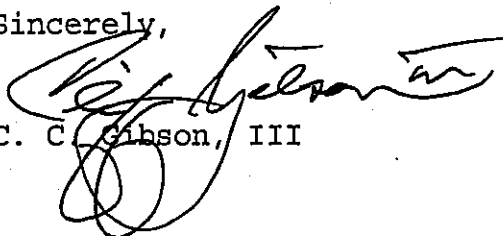
Dear Dr. Smith:

I just wanted to drop a line to you to tell you how much we have enjoyed working with your staff and yourself in the subject wrongful death action. While the settlement we reached is confidential, I can say without hesitation or condition that the services you rendered substantially enhanced the recovery we ultimately made in this matter. I hasten to add that the materials provided by your quite capable staff to us for use in dealing with the Daubert motion of the defendants was of immeasurable value to our effort made in successfully resisting that motion.

I have one final comment. I have never dealt with such a friendly and cooperative staff as that of your office. They are equally capable and always willing to do what it takes to get the job done. Please express my heartfelt thanks to each and every member of your staff for their help in getting us to a successful conclusion of our client's claims in this matter.

With my very best regards to you and every member of your staff, I remain,

Sincerely,



C. C. Gibson, III

CCG/l sb

*CHARLES N. SIMKINS, P.C.*  
**ATTORNEY AT LAW**  
200 N. Center Street  
Northville, Michigan 48167-1416  
(248) 349-6030; Facsimile (248) 349-8982

Charles N. Simkins

Anthony J. Garczynski



Stan V. Smith, Ph.D.  
PRESIDENT  
CORPORATE FINANCIAL GROUP LTD  
1165 N. Clark St.  
Suite 650  
Chicago, IL 60610



RE: Mike Swade v. Denise LeBloch

Dear Dr. Smith:

I wanted to write and thank you very much for your tremendous work on behalf of Denise LeBloch, and we have been able to reach a settlement in this case based, in part, upon the results of your work. As a result of your work, we were able to reach a settlement by which Denise LeBloch was awarded full and complete title in the Burr Road property, so that the Judgment can be recorded in the Kane County Register of Deeds, and she was also awarded about \$30,000 worth of furniture, that had been held in storage.



It is my impression that she is very pleased with the result, and it was my clear impression that she was extraordinarily pleased with all of your work and effort in connection with this case, as I certainly was.



Stan, I am always proud to work with you, and may I say that you did an extraordinary job in this case, in that you were able to take what appeared to be complicated financial issues, and reduce them to something that you were able to explain in a report, and that could have been easily explained to the Judge.

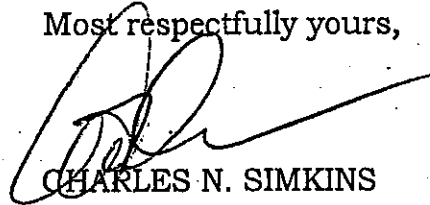


Page Two

In closing, please accept my best wishes and prayers to you and your family for your good health, happiness, and success in all of your endeavors.

As always, I remain,

Most respectfully yours,

A handwritten signature in black ink, appearing to be 'C. N. Simkins', written over the typed name.

CHARLES N. SIMKINS

CNS/tlg

LAW OFFICES OF

**RONALD KIRK GOULDING**

134 NORTH LA SALLE STREET · SUITE 1515 · CHICAGO, ILLINOIS 60602  
PHONE (312) 726-0345 FAX (312) 377-1771

Stan V. Smith  
Corporate Financial Group, Ltd.  
1165 N. Clark Street  
Suite 600  
Chicago, IL 60610

Re: Hyde v. Khan

Dear Stan:

Thank you, once again, for your assistance in connection with the above-referenced case, which has now been settled.

Brad and I were most impressed by the thorough professionalism and cooperation of your entire staff. We will not hesitate to contact you in the future, or to recommend you to others, when the occasion arises.

Sincerely,



Ronald Kirk Goulding

RKG/my  
Encl.

# RUTHERFORD ♦ RUTHERFORD & BETTERS WORTH

A PROFESSIONAL LIMITED LIABILITY COMPANY

DANIEL R. RUTHERFORD†  
S. TYLER RUTHERFORD  
JAMES S. BETTERS WORTH  
†Bd. CERT. TX. CIV. TRIAL &  
PERSONAL INJURY LAW

825 S. ST. MARY'S ST.  
SAN ANTONIO, TEXAS 78205-3408  
TEL. (210) 225-4200  
FAX (210) 225-4495

Mr. Stan Smith  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 600  
Chicago, IL 60610

Re: Cause No. 00-CVT-000620D2; *Joe Morin and Adela Morin vs. Helmerich & Payne, Inc., et al.*

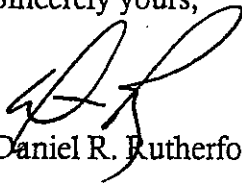
Dear Stan:

It has been a distinct pleasure to work with you in the last few years, and I have found you and your office to be most efficient, professional and knowledgeable.

I especially want to thank you for your fine work during depositions and personal appearance on the witness stand. As I have said many times, you are the best informed and best-prepared expert witness I have had the pleasure to work with.

As you know, we settled the Morin case for an amount well in excess of what anyone felt we could. I attribute that success in large part to your efforts at analyzing his economic situation. Of no less consequence was your bulletproof testimony during depositions.

Sincerely yours,



Daniel R. Rutherford

# TITOLO LAW OFFICE

---

Dr. Stan V. Smith Ph.D.  
Corporate Financial Group, Ltd.  
1165 N. Clark Street  
Suite 650  
Chicago, IL 60610

Re: Client : Cheryl G. Knee

Dear Dr. Smith:

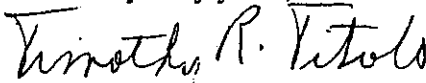

I just wanted to extend an extreme level of thanks for your participation in the Knee v. G.B. Supply case. I was horrified that the World Trade Center had been attacked on September 11, 2001. However, I became more concerned when I found out that you were en route from Chicago to Las Vegas to testify when the attack occurred. Within the hour, I found out your plane had been grounded in Colorado Springs, which is some 1,000 miles from Las Vegas. I did not anticipate you would be able to testify until you contacted me, on the road from a rental car, to advise me that you were driving in. I believe it took you 12 hours to drive to Las Vegas and you were able to testify, and we did receive a very favorable verdict plus pre-judgment interest.

I cannot believe the lengths to which you have gone in cases in the past and especially this one.  
Your compassion and dedication to your work is inspirational.

Please accept my kind regards.

I remain,

Very truly yours,

   
Timothy R. Titolo

TRT/sc

Dictated by the writer,  
signed and mailed in his  
absence to avoid delay

---

9510 WEST SAHARA AVENUE, SUITE 130, LAS VEGAS, NEVADA 89117

PHONE: 702.869.5100 FAX: 702.869.5111

Visit our website at [www.TitoloLawOffice.com](http://www.TitoloLawOffice.com)

E-Mail: [Injury@TitoloLawOffice.com](mailto:Injury@TitoloLawOffice.com)

McLEOD & CANAN, P. A.  
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ROBERT L. (MAC) McLEOD II  
PATRICK T. CANAN  
ALLYSON B. CURRIE

43 CINCINNATI AVENUE  
ST. AUGUSTINE, FLORIDA 32084

TEL: 904.824.9402  
FAX: 904.824.9269  
email: mcleodca@bellsouth.net

Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 600  
Chicago, Illinois 60610

Dear Stan:

I am sorry I have neglected to get back to you sooner. The preparation for this trial and a storm of negotiations ultimately resulting in a resolution of the case has kept me pretty taxed, along with other cases that are approaching trial.

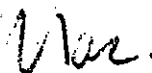
Upon getting back from Chicago, I had a long talk with Mike who had already engaged in some serious conversations with his wife about his "life of litigation" that has been ongoing for about five years now. Essentially, Mike and Patti were wanting to resolve the action short of trial and although he has accepted what I believe to be far less than what he would have yielded by trial, he is satisfied with the outcome and even more satisfied with the fact that he no longer has a life that is dedicated to a law suit.

Your help in this case was tremendous and your deposition was one of the most professional I have seen by an expert in my nineteen years of practicing law. I definitely hope to use you in the future on both economic and human suffering damages.

Obviously, I have not provided to you the settlement terms in the Gardner case as one of the terms of settlement was confidentiality. I will tell you that it was satisfactory only, but one in which Mike made the call based upon issues and circumstances collateral to the suit or the suit's value. Simply put, he wanted it over with and was willing to take less than what could have occurred at trial.

Stan, thanks once again for helping me; I look forward to working with you in the future. I believe I have found an expert on these issues that understands the contours of the economics of human suffering.

Sincerely,



Robert L. McLeod, II





AGUILAR LAW OFFICES, P.C.  
ATTORNEYS AT LAW

ESTEBAN A. AGUILAR  
GILBERT ARRAZOLO  
KAREN J. MEYERS

*Also Members Texas Bar*

To Whom It May Concern:

I am writing this letter to highly recommend Stan V. Smith as an expert witness. As you may know, Stan has achieved certain notoriety by virtue of the studies and work he has done on valuing loss of enjoyment of life damages.

I had occasion to use Stan V. Smith as an expert witness for me in the case of ***Ronald and Lucy Smith vs. Ingersoll-Rand Company***. This case was filed in the United States District Court for the District of New Mexico and resulted in a \$22 million dollar verdict. Because the case was in Federal Court, Stan's testimony on the value of life was limited to a certain degree. Nonetheless, Stan was allowed to testify at trial regarding the elements that would form the basis for an award of loss of enjoyment of life damages, and testified as Plaintiffs' economic expert for Ron and Lucy Smith's other economic damages.

In addition to the Ron and Lucy Smith's case, I have retained Stan Smith in other cases. He is intelligent, astute and makes a persuasive witness. By all accounts juries like him. He is well prepared and does an excellent job of explaining economic concepts to juries.

Yours very truly,

**AGUILAR LAW OFFICES, P.C.**

By: 

Esteban A. Aguilar

EAA/lr

Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 N. Clark St., Suite 600  
Chicago, IL 60610

RE: Phillip Buchanan

Dear Stan:

Enclosed is the check for the balance due for your review of the information necessary for the mediation. This was a very large case with very serious injuries and permanency on behalf of my client. We used Resolute Systems as our mediator. This organization brings in retired Common Pleas, Court of Appeals and Supreme Court judges to be mediators. When we began the negotiations, the other side brought up the issues of "hedonic damages" and that this would be inadmissible. I then proceeded to pull out of my briefcase, the case Lewis vs. Alfa <sup>(\*)</sup> Laval Separation, Inc. out of the Fourth District Court of Appeals (Lawrence County). The Judge (Mediator) was impressed and we continued on with our negotiations. The case was eventually settled that day for an undisclosed figure, but I can tell you that it did exceed seven figures.

Thank you for your expert analysis of my client's financial losses. It was very helpful in the negotiations and settlement.

Sincerely,

*John W. Allen*

John W. Allen  
Attorney at Law

JWA/rlb

(\*) Ohio appellate ruling stating my model on loss of enjoyment of life meets the Daubert test.

LAW OFFICES  
*Franklin and Hance, P.S.C.*

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HOPE F. BROOKS

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FAX (502) 637-1413

Dr. Stan Smith, Ph.D.  
Corporate Financial group, Ltd.  
1165 N. Clark Street  
Suite 650  
Chicago, IL 60610

**RE: *Brian Dudley***

Dear Stan:

Trust this letter finds you in good health. We are pleased to inform you that the jury ruled in favor of our clients, Mr. and Mrs. Dudley in the above-styled case. We would like to take this opportunity to express our appreciation for your time, effort and commitment to this case. We could not have done this without your support and assistance. Please find enclosed a copy of the report in the Courier Journal Newspaper.

It has been a great pleasure working with you and on behalf of all at Franklin & Hance, P.S.C., wishing you the best during this Holiday Season.

Sincerely,



Michael R. Hance

MRH/cs

Enclosure

# Teen's death costs hospital \$9 million

By KIM WESSEL  
The Courier-Journal

The parents of a 17-year-old boy who died two years ago after a tonsillectomy at Baptist Hospital East were awarded more than \$9 million by a Jefferson Circuit Court jury yesterday.

After hearing two weeks of testimony, the jury found that the hospital's medical staff was negligent in its care of Brian Dudley, whose condition deteriorated within hours after his operation.

The jury, made up of 10 men and two women, found in favor of the doctor and anesthesiologists who performed the surgery, deciding that they had not been negligent.

But after deliberating for less than three hours, jurors slapped

the hospital with \$4 million in punitive damages — believed to be one of the biggest such awards in a medical negligence case in Kentucky.

Brian's parents, Ronald Keith and Parnell Dudley, broke down in tears when the verdict was announced.

"We don't want this to happen to anybody else," Ronald Keith Dudley said in an interview.

Winfrey Blackburn Jr., one of the attorneys representing Baptist Hospital East, said he believes the verdict was "excessive."

And in a statement released yesterday the hospital said: "We were very disappointed in the verdict and will be reviewing

See TEEN'S  
Page 5, col. 1, this section

Continued from Page One

the testimony to determine whether to appeal. This has been difficult for everyone involved and was a very complex case with much conflicting testimony. Our heartfelt sympathies go out to the Dudleys at this very difficult time."

The Dudleys' attorney, Michael R. Hance, said his clients had filed suit in an effort to learn exactly what happened on Nov. 24, 1998, when their son, a junior at Waggener High School, went to Baptist Hospital East to have his tonsils removed. Within about six hours of the operation, Brian stopped breathing; he died the next day.

The Dudleys sued Baptist Healthcare System Inc., Dr. Stanley Chmiel, who performed the operation, and Williams & Wagner Anesthesiologists.

But the jury attributed 100 percent of the fault in the case to Baptist Hospital, and awarded the Dudleys almost \$2.4 million for the loss of Brian's ability to earn money; more

than \$2.5 million for the loss of his love and affection; \$250,000 for his pain and suffering; and \$19,422.05 in medical and funeral expenses.

Including the \$4 million in punitive damages, the Dudleys were awarded a total of \$9,187,921.05.

In an interview, Hance said this case wasn't about money — it was about ensuring better training of the hospital staff.

"This is not a cause for celebration," he said. "But hopefully, this statement by the jury will help make a difference."

Bassett Law Office, P. C.

Attorneys at Law

16 West Lorena Ave.

Wood River, Illinois 62095

Merle C. Bassett  
Rene Bassett Butler

Area Code 618  
Telephone 254-0141  
Fax (618) 254-0144

Mr. Stan V. Smith  
Corporate Financial Group, Ltd.  
1165 N. Clark Street  
Suite 600  
Chicago, IL 60610

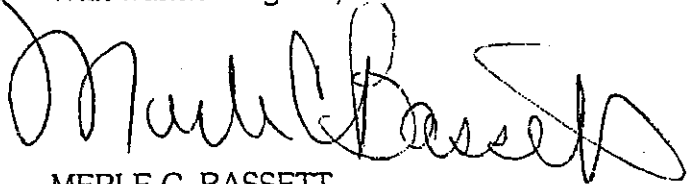
RE: St. John

Dear Stan:

As you are aware, we have very, very successfully completed a settlement of this case, just prior to the time of going to trial. Once again, we feel that your report contributed to the rather large settlement that our client received. As we are bound by a confidentiality agreement, we cannot disclose the figures that are involved. But needless to say, as far as the settlement amount is concerned, there are a number of zeros and commas that follow the first numeral (which is larger than 1). Therefore, without violating the terms of the confidentiality agreement, we can indicate to you, that our client was satisfied and your evaluation helped. We keep coming back to you for your services. You may not realize this, but our relationship goes back to 1988, and I have yet to use you where I don't feel that your services contributed a substantial percent of increase to the final settlement.

We will continue to use you in the future.

With warmest regards,



MERLE C. BASSETT



RENE BASSETT BUTLER

# SARLES & OUIMET

ATTORNEYS AND COUNSELORS

CHICAGO

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820 WEST JACKSON BOULEVARD  
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CHICAGO, ILLINOIS 60607-3024

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Stan V. Smith, Ph.D.

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1165 North Clark St., Suite 600

Chicago, Illinois 60610

370 FOUNDERS SQUARE

900 JACKSON STREET

DALLAS, TEXAS 75202-4436

TELEPHONE (214) 573-6300

FACSIMILE (214) 573-6306

Re: Carol Tizes, et al. v. Toyota Motor Corporation  
Index No. 96-023870 (Nassau County, N.Y.)

Dear Stan:

Once again, we would like to extend our thanks and appreciation to you and your staff for the first rate analysis performed under the extremely tight deadline we were compelled to impose upon you. Within one week of producing your damage analysis, Toyota thought it best to settle the matter. This excellent result was in large part due to your efforts. Thank you again for the wonderful work you performed.

Very truly yours,  
SARLES & OUIMET

By: 

PATRICK M. OUIMET

PMO/le

c:\1638\Tizes\1609.

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GLEN A. CHENEY  
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REIDSVILLE, GEORGIA 30453  
E-Mail: cheney@g-net.net

TELEPHONE (912) 557-4606

TELECOPIER (912) 557-4909

Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 650  
Chicago, IL 60610

RE: Cannady v. Cooper, et al.  
Superior Court of Colquitt County, State of Georgia

Dear Stan:

I spoke with Ruth about this matter the other day, and I wanted to draft you a letter thanking you for your assistance on the Cannady Case. As you recall, Rick Cannady was killed in an accident in Moultrie, Georgia. Liability was very questionable in the accident. Prior to your report and deposition, the Defendants seemed very confident. They knew there was a possibility of a defendant's verdict and didn't feel that any plaintiff's verdict would be substantial.

However, your deposition established that Defendants faced a very substantial verdict. The Defendants then began talking real money. Finally, after they obtained a copy of your deposition and reviewed your testimony, we were able to settle this case for an amount five times greater than the offer that was pending prior to your deposition.


I am sure that if you had not portrayed the value of Rick Cannady's life in such a convincing and effective manner, there would have been no effective settlement negotiations and this case would have gone to trial. The settlement we achieved after your testimony not only compensated the Cannady family, it prevented them from having to relive the trauma of Rick's death at a trial.

I sincerely appreciate your work in this matter and the Cannady family sends you their thanks for assisting them in their time of need.

I look forward to working with you again in the future.

Sincerely,

**GLEN A. CHENEY, P.C.**



Gerald W. Bassett

FOSTER,  
SWIFT,  
COLLINS &  
SMITH, P.C.

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John L. Collins  
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Allan J. Claypool  
Gary J. McRay  
Robert J. McCullen  
Stephen J. Jurnu  
William K. Fahey  
Stephen O. Schultz  
William R. Schulz  
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Scott A. Storey  
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Charles E. Barbieri

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Scott L. Mandel  
James B. Croon  
Michael D. Sanders  
Sherry A. Stein  
Brent A. Titus  
David J. Houston  
Brian A. Kaser  
Robert E. McFarland  
Stephen J. Lowney  
Kenneth T. Brooks  
Patricia A. Calore  
Louis K. Nigg  
Kevin T. McGraw

Michael J. Dominiano  
Jean G. Schrokak  
Glen A. Schmiede  
Michael W. Puerner  
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Matt G. Hrebec  
Mark H. Canady  
Eric E. Doster  
Stephen J. Rhodes  
Melissa J. Jackson  
Steven H. Lasher  
Nancy L. Kahn  
Deanna Swisher  
Mark J. Burzych

Thomas K. Meagher  
Douglas A. Mielock  
Scott R. Forbush  
Peter R. Albertins  
Scott A. Chernich  
Matthew W. Collins  
Christopher A. Ballard  
Rebecca S. Davies  
Andrea J. Roe  
Jennifer M. Van Horn  
Anne M. Skilton  
Toree S. Randall  
John C. Schlinker  
Barbara J. Oyer

Michael K. Huber  
Jess A. Bahs  
Geoffrey D. Harrison  
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Claire V. Groen  
Joel W. Baar  
Jennifer A. Kildea  
John P. Nicolucci  
Nicole M. Bowman

Of Counsel  
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Lawrence B. Lindemer  
John W. Ester  
David VanderHaagen  
Donald E. Martin  
Norman D. Hawkins  
Paul J. Millenbach

Walter S. Foster  
1878-1961  
Richard B. Foster  
1908-1996

Writer's Direct Dial (517) 371-8219



Mr. Stan V. Smith  
President of Corporate Financial  
Group, Ltd.  
1165 N. Clark Street, Ste 650  
Chicago, Illinois 60610

Re: Matuga v Three Rivers Area Hospital

Dear Mr. Smith:

As you know, the jury entered its verdict in favor of Dr. Matuga on February 9, 2000. With regard to our claim for wage loss, which you presented to the jury through your expert testimony, we were awarded the total amount of \$3,744,112.00, which is exactly the amount of money you calculated with regard to Dr. Matuga's net loss of income to age 70 for full-time employment.

On behalf of Dr. Matuga, I would like to thank you for all of your assistance in this case. I believe that the fact that the jury awarded exactly what you had testified to exemplifies your credibility and expertise.

Thanks again for all of your help.

Very truly yours,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

David H. Aldrich  
DHA/pmb

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# JAMES J. ROCHE & ASSOCIATES

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Of Counsel:  
Ellen N. Roche

Mr. Stan Smith  
Corporate Financial Group, Ltd.  
1165 North Clark Street  
Chicago, Illinois 60610

Re: Salvatore Paczkowski v. Luse Asbestos Removal et al.

Dear Stan:

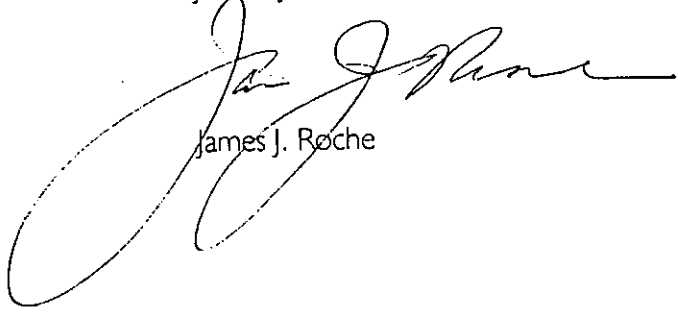
Words cannot express my appreciation with the job you did which resulted in a verdict for our client Salvatore Paczkowski, Jr. in the amount of \$ 2,058,202.

The jury gave me twenty percent (20%) of what I asked for in pain and suffering and loss of a normal life, but gave us eighty percent (80%) of future lost wages and past lost wages. Of the \$2.1 million dollar verdict \$ 1,250,000 was a result of your direct testimony.

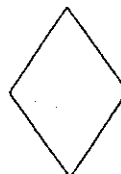
After the trial, the jurors informed me that they thought that your professionalism showed through in your cross-examination and that was a large reason that they returned the verdict that they did.

As always, thank you for your professionalism and I am looking forward to next time we work together.

Very truly yours,  
JAMES J. ROCHE & ASSOCIATES

  
James J. Roche

JJR.mym



**TOMPKINS AND McMASTER**

ATTORNEYS AND COUNSELORS AT LAW

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**COLUMBIA, SOUTH CAROLINA 29202**

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JOHN GREGG McMASTER  
HENRY DARGAN McMASTER\*  
GEORGE HUNTER McMASTER\*\*  
FRANK BARNWELL McMASTER  
BRYAN P. STIRLING

OF COUNSEL  
JOSEPH D. McMASTER .

\*CERTIFIED MEDIATOR  
\*\*ALSO ADMITTED IN TEXAS

FRANK G. TOMPKINS  
1874-1956  
FRANK G. TOMPKINS, JR.  
1908-1973  
ELIZABETH F. ELDRIDGE  
1894-1975

CHARLESTON OFFICE  
(803) 723-0080

CONWAY OFFICE  
(803) 248-0043

PERSONAL AND CONFIDENTIAL

Stan V. Smith Ph.D.  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 650  
Chicago, IL 60610

RE: Beulah Kareem v. S.S.J.C., Inc.

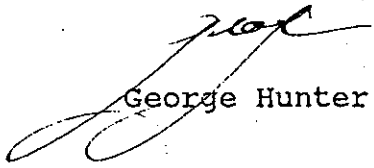
Dear Stan:

Your testimony was extraordinary. Please note, in the twenty-five years I have been presenting similar cases, I have never seen a more commanding witness with a complete understanding of his science.

Your participation in this trial may make it a landmark here in South Carolina.

With kindest regards, I remain

Yours very truly,

  
George Hunter McMaster

GHM/mmb

Charles N. Simkins  
M. Martha Simkins  
Anne T. Craig

Attorneys at Law  
200 N. Center Street  
Northville, Michigan 48167-1416

Telephone: 248/349-6030  
Telefax: 248/349-8982

Robert B. June  
Rebecca G. Simkins  
Kathy A. Hosten



Stan V. Smith, Ph.D., President  
Corporate Financial Group, Ltd.  
1165 North Clark St., Suite 650  
Chicago, Illinois 60610

RE: Heimberger

Dear Dr. Smith:

I want to thank you very much for your tremendous help in resolving the Heimberger case in the amount of 2.2 million dollars. As you know, this case involved a "mild" traumatic brain injury, and as a part of my preparation, I asked you to do a report regarding the quantification of the denial of social pleasure and enjoyment for Mr. Heimberger. I sent a copy of that report to the attorneys for the Defendants, and they responded by filing a motion to exclude your testimony under Georgia law. The Judge scheduled a facilitation which was not successful in resolving the case, and the Judge ordered a hearing on the issue of the admissibility of your testimony, and at my insistent request, the Judge agreed to allow you to be present and actually testify at that hearing.

Your testimony during the hearing was very clear, succinct and helpful in explaining for the Court exactly what you were intending to offer by way of testimony. As you know, Judge Forsling had a number of questions for you, which I thought you answered in a very clear and educational way. Following that hearing, the Judge took the motion under advisement, but I am sure that the defense attorney could tell, from the four and one half hour hearing, and the way that the Judge was questioning you and commenting on your ultimate testimony, that she would ultimately deny the Defendants' motion to strike your testimony and allow you to testify. That was the impression that I had as well.

Following that hearing, the Court ordered the matter back to facilitation, at which time the Defendants increased their offer by increments, finally to 2.2 million dollars, which was sufficient to settle the case on behalf of Mr. and Mrs. Heimberger.

I am convinced that your testimony, and the way that the Judge received that testimony and commented upon it at the evidentiary hearing played a role in the Defendants' decision to increase their offer of settlement by \$700,000 from what it had before the evidentiary hearing.

I want to thank you very much for your expertise in this case.

In closing, please accept my best wishes and prayers to you and your family for your good health, happiness, and success in all of your endeavors.

As always, I remain,

Most respectfully yours,

A handwritten signature in black ink, appearing to read "Charles N. Simkins".

CHARLES N. SIMKINS

CNS/dg

**BYRD & ASSOCIATES**  
Attorneys at Law  
427 EAST FORTIFICATION STREET  
JACKSON, MISSISSIPPI  
Corner of Congress & Fortification  
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Wats 1-800-748-8617 Fax (601) 354-1254

ISAAC K. BYRD, JR.\*  
SUZANNE G. KEYS\*\*  
KATRINA M. GIBBS  
FELECIA PERKINS  
PRECIOUS T. MARTIN  
ROBERT G. CLARK, III

Mailing Address:  
Post Office Box 19  
Jackson, MS 39205-0019

\*Certified National Board of Trial Advocacy  
\*Licensed in Illinois  
\*\*Licensed in Wisconsin

Mr. Stan V. Smith  
Corporate Financial Group, Ltd.  
1165 N. Clark Street  
Suite 650  
Chicago, IL 60610

RE: J. C. Johnson, et al. vs. Kansas City Southern Railway  
Company, et al.  
Circuit Court Cause No. 251-96-90CIV

Dear Mr. Smith:

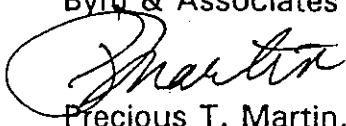
*\$4.5 million total*

You will be pleased to know that the jury awarded Mr. Johnson 3.5 million dollars and awarded Mrs. Johnson 1 million for their injuries and damages sustained in this accident.

We all appreciate and thank you for your truth and honesty in your trial testimony and look forward to working with you again.

Sincerely,

Byrd & Associates

  
Precious T. Martin, Esq.  
Attorney at Law

/jha

cc: Mr. & Mrs. J.C. Johnson



*Paul Snow and Associates*  
*A Professional Law Corporation*

*419 S. State Street, Suite A-100*  
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*Board Certified — Civil Trial Practice*  
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*106 Lillian Lane*  
*Chauvin, LA 70344*  
*(504) 594-7631*

Dr. Stan V. Smith  
Corporate Financial Group, Ltd.  
1165 North Clark Street, Suite 650  
Chicago, Illinois 60610

Re: Expert Testimony

Dear Stan:

I am writing you this letter to let you know how much my clients and my lawfirm appreciate your services as an economist.

Your ability to answer questions on cross-examination are the best that I have ever seen of any expert witness. I have been practicing personal injury law for 25 years and I have never had an occasion to meet a more qualified and knowledgeable expert.

The true test of any expert witness is how well he/she handles cross-examination. Your ability to handle "cross-examination" is worth your weight in gold!

On behalf of the families that I have represented in the past, we greatly appreciate your assistance in helping juries do the right thing.

With best wishes and kindest personal regards, I remain

Sincerely yours,

PAUL SNOW & ASSOCIATES

PAUL SNOW

PS/tdc

THE LAW OFFICES OF  
DOCKINS SIMON & TEEUWISSEN

Halbert E. Dockins Jr.  
Pieter Teeuwissen  
Anthony R. Simon  
Melvin L. Pace

ATTORNEYS AND COUNSELORS AT LAW

840 East River Place • Suite 500  
Jackson, Mississippi 39202  
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Telecopier (601) 969-2741

Dr. Stan V. Smith, Ph.D  
Corporate Financial Group  
1165 N. Clark Street, Suite 650  
Chicago, IL 60610

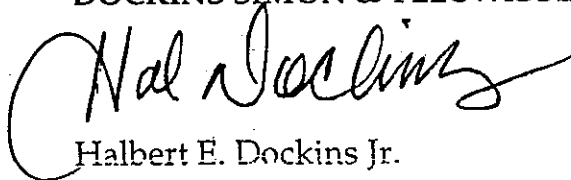
Dear Stan:

Congratulations on your receipt of the Ph.D in economics from the University of Chicago. I would love to have a copy of your dissertation, so if you would send me the copy cost, we would forward it on to you.

I have always felt that you were the finest expert I have ever had the pleasure to be acquainted with, and I look forward to working with you in the future, and please give me a call or stop by when you are in the area.

Keep up the good work.

Sincerely,  
DOCKINS SIMON & TEEUWISSEN



Halbert E. Dockins Jr.

HEDjr/bcj

STATE OF INDIANA  
HUNTINGTON CIRCUIT COURT  
56TH JUDICIAL CIRCUIT  
HUNTINGTON, INDIANA



HUNTINGTON COUNTY COURTHOUSE  
ROOM 301  
HUNTINGTON, INDIANA 46750

COURT OFFICES  
(219) 358-4814  
FAX (219) 358-4813

---

MARK A. McINTOSH

JUDGE

Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 N. Clark Street  
Suite 650  
Chicago, IL 60610

Dear Doctor Smith:

It comes as no surprise to me that you have been awarded a Ph.D. in Economics.

I still consider your testimony in my courtroom as one of the highlights of my tenure as Judge of the Huntington Circuit Court.

Without overdoing it, I would say to you that your testimony as an expert was the finest I have ever heard.

I look forward to meeting with you again and perhaps at some time having you testify in my courtroom. Congratulations on your outstanding achievement. I salute you with my highest compliments.

Respectfully,

Mark A. McIntosh, Judge  
Huntington Circuit Court

MAM/ajs

# Jury Awards \$25 Million For Leg Loss

## Man Involved in Accident With Road-Milling Machine

Stan Smith testified regarding both lost earnings and loss of enjoyment of life.

BY SCOTT SANDLIN  
Journal Staff Writer

A former Albuquerque man who lost his leg in an accident involving an asphalt milling machine won a verdict totaling more than \$25 million Tuesday from a federal jury in Santa Fe.

The jury, after hearing more than three weeks of testimony before U.S. District Judge Martha Vázquez, deliberated for two days before returning the verdict late Tuesday — nearly \$10 million in compensatory damages to Ron Smith and his wife, Lucy, and \$17.4 million in punitive damages against manufacturer Ingersoll-Rand.

The verdict was an early birthday present for Smith, who turns 38 this week. The Smiths now live in Las Cruces.

The accident occurred April 5, 1993, while Smith, a mechanic working for Cutler Repairing of Lawrence, Kan., was working on a repaving project on Gregg Street in Las Cruces.

Cutler's milling machine, also called a cold planet, uses a drum with big teeth to cut up asphalt.

In Smith's case, the machine's right front wheel backed over his right foot and leg. Doctors amputated his leg above the knee, and Smith has undergone at least three surgeries.

Smith sued industrial equipment manufacturer Ingersoll-Rand Co. of Woodcliff Lake, N.J., claiming design defects in its milling machine — particularly a design that did not include mirrors so oper-

ators could see the sides of the mammoth machine — were responsible for his injuries.

He sought money damages for trauma, pain and suffering, lost wages and other losses.

The jury awarded Smith \$8,529,465.20 in compensatory damages.

Lucy Smith, 33, was awarded \$1,279,192.51 for loss of consortium.

Under New Mexico's comparative negligence standard, the jury found Smith 20 percent responsible, Cutler 30 percent and Ingersoll-Rand 50 percent responsible. Cutler wasn't named as a defendant because under New Mexico law the only remedy against Smith's employer was workers' compensation.

That means the total compensatory damages will be reduced to the amount for which Ingersoll-Rand is liable.

But the Smiths stand to receive the full \$17,460,000 the jury awarded in punitive damages against Ingersoll-Rand if the amount isn't reduced in post-trial motions. Those must be submitted within 10 days of the judgment.

Bill Robinson of Richmond, Va., lead attorney for Ingersoll-Rand, said the company's position was that the machine was not defective and that Smith's injuries were due to other causes, including operator error, employer errors and mistakes by Smith himself.

But the Smiths' attorney, Ericson

See JURY on PAGE D2

# Jury Awards \$25 Million For Leg Loss

from PAGE D1

Aguilar of Albuquerque, said the jury was sending a message that a company with \$2 billion in net profits in 1996 "has repeatedly injured people with these machines."

He said there are 24 models nationwide of the same milling machine that injured Smith. The jury heard evidence of six other accidents involving industrial machines manufactured by Ingersoll-Rand with similar visibility problems, Aguilar said.

At least two were fatal.

Aguilar said Ingersoll-Rand has not recalled any of the machines about which the jury heard testimony.

Aguilar said Smith is currently unemployed. Smith can't get a job because he's an amputee — despite the American With Disabilities Act, Aguilar said.

"He's trained as a diesel mechanic, and that's what he knows, so one part of the evidence is that if that he's going to have to go back to school and get a degree and try to do something else," Aguilar said.



ANDREY FILIPOWICZ  
Attorney at Law  
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RITA ELIZABETH SEELIGSON  
OF COUNSEL

Stan V. Smith, Ph.D.  
Corporate Financial Group, Ltd.  
1165 North Clark  
Chicago IL 60510

*Commercial  
Damages  
\$ 7.8 MM*

RE: Electronic Bank Card Systems v. Bankcard America, Inc.,  
Case Number 93 C 5510

Universal Bancard@ Systems, Inc. v. Bankcard America Inc., et al.  
Case Number 93 C 1969

Dear Stan,

I would like to take this opportunity to thank you for your assistance and service as our expert witness on the economic damages issues in the two above captioned and related cases.

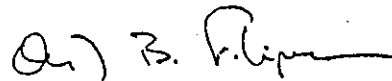
I believe that your services as our expert witness on behalf of defendant and counter-plaintiff Universal Bancard Systems Inc., helped lead to a "come from behind" victory for that client, on Universal's counterclaim for breach of contract and related claims for violation of the federal anti-racketeering statutes, commonly known as RICO.

The issues in that case were far from simple, and involved a complex fraudulent scheme within the bankcard industry. I am convinced that your economic analysis and computation of our client's lost profits and ancillary damages formed an important part of the presentation of evidence which led the jury to award Universal an aggregate verdict in the amount of \$7.8 million.

Your service in that case, and in the current Francis case were built on the foundation of your earlier service as an expert witness on behalf of Western Bankcard Services Inc.

It is my experience that economic damages arising from fraud in commercial cases present issues and concepts which many juries cannot absorb as readily as those that are presented in personal injury cases. For that reason your role as an explainer and educator in these complex commercial cases has been invaluable.

Sincerely,



Andrey B. Filipowicz

ABF/abm

SMITH & JOHNSON, ATTORNEYS

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PAUL T. JARBOE  
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JOSEPH E. QUANDT  
TIMOTHY P. SMITH  
MATTHEW D. VERMETTEN

BARBARA A. ASSENDELFT  
OF COUNSEL

\* ADMITTED DISTRICT OF COLUMBIA  
\* ADMITTED STATE OF MINNESOTA  
+ ADMITTED STATE OF WISCONSIN

Stan V. Smith  
Corporate Financial Group, Ltd  
1165 North Clark Street, Suite 650  
Chicago IL 60610

Re: Perez vs Cherry Ke, et al

Dear Stan:


The Perez case settled before filing suit for \$825,000. There's no question that the settlement obtained was due in large part to the help of your office and the other vocational and neuropsychological experts on this case. The impact of our settlement brochure in this mild traumatic brain injury case left no doubt in the adjuster's mind that, if we were to go to trial on this claim, they would be facing the top experts in the country. Because of your reputation and the quality of your work product, this matter resolved just short of policy limits.

Your company's services on this and all other files with this office has been outstanding. Please feel free to use all or portions of this letter for your own marketing purposes or to use this office as a reference if the need arises. Please know that we are always prepared to give an honest, truthful, and enthusiastic reference of the extraordinary work you do with regard to economic and hedonic damages.

Please accept this office's best wishes to you and your staff for a happy and healthy 1997 and continued success in all your endeavors.

Sincerely yours,

SMITH & JOHNSON, ATTORNEYS, P.C.



Timothy P. Smith

TPS:pma  
Enclosure

KIRKLAND & ELLIS  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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1999 Broadway  
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312 861-2000

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655 Fifteenth Street, N.W.  
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202 879-5000

To Call Writer Direct  
312 861-2337

Mr. Stanley V. Smith  
President  
Corporate Financial Group, Ltd.  
Continental Bank Building  
Suite 650  
1165 North Clark  
Chicago, Illinois 60610

Dear Stan:

I have been intending for some time to thank you in writing for your help in the Sandoval v. Simmons case which was settled this past September after more than five years of litigation.

Although I had only recently become involved in the case at the time of the February 1985 liability trial, I distinctly recall that your work, along with that of others, in valuing the portfolios held by various trusts was a significant aspect of our presentation.

I am, of course, extremely familiar with your unstinting efforts during our preparation for the damages trial. Even though the court's rulings essentially limited plaintiffs' damages to any "opportunity cost" loss, there was still significant divergence in the parties' view of the potential damage recovery. As I am sure you will recall, plaintiffs' claim was that they were entitled to approximately \$48 million in "opportunity cost" damages. Your willingness to value numerous different portfolios, using at least two different methodologies, put us in a position to refute those claims with far more realistic amounts. I was confident that both the methodology and the conclusions that you reached would be far more persuasive to the court than the plaintiffs' presentation.

The fact that the case eventually settled for a figure extremely close to what you estimated to be the measure of "opportunity cost" loss to the trust only confirms the correctness of your methodology and thoroughness of your work.

Finally, I personally appreciate the fact that you have made yourself available to me on numerous occasions to answer questions not directly related to the work you had undertaken with regard to the Sandoval litigation. I view you as one of my most reliable resources, and I look forward to working with you again in the near future.

Sincerely yours,



Jean Reed Haynes

JRH:emm

*For  
Defense*

*\$3.0 Million*

**EDWARD RICCI & ASSOCIATES, PA**  
**A T T O R N E Y S A T L A W**

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DIEGO C. ASENCIO  
NEAL COLVIN  
EDWARD M. RICCI

PARALEGAL STAFF:  
JANICE C. DEVELLE, C  
JOSEPH L. VACCARO

Gerald D. Schackow, Esq.  
112 Northwest 33rd Court  
Gainesville, FL 32607


**RE: Stan Smith**

Dear Jerry:

I apologize for not getting back to you sooner but I have been involved in a lengthy trial that did not conclude until last Friday. I suggest you talk directly with Stan Smith at his office in Chicago. He can be reached at 312/943 - 1551

When Stan testified for me in a wrongful death of a child action in Florida, ~~we were able to convince the trial judge that Stan's testimony met a reasonable interpretation of less of services to parents.~~ You will have to make your own judgment as to whether you concur in this assessment. In any event, Stan is an excellent dispassionate witness and has great jury appeal. I wish you good luck.

Sincerely,



EDWARD M. RICCI

EMR/jvl

# REAUD, MORGAN & QUINN

LAWYERS

WAYNE A. REAUD, P. C. \*  
GLEN W. MORGAN  
CRIS E. QUINN  
JOSEPH C. BLANKS  
ALTO V. WATSON, III  
\* A PROFESSIONAL CORPORATION

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409/838-9941  
SOUTH COUNTY  
409/727-6642  
FAX 409/833-8236

Mr. Stanley Smith  
Corporate Financial Group  
Continental Bank Building  
1165 N. Clark Street  
Chicago, Illinois 60610

Re: Perkins v. Wilson

Dear Stanley:

Enclosed please find a copy of your deposition. It was a pleasure meeting you and I hope to see you again soon.

As you know our wrongful death case settled here in Texas and your testimony was not needed. The amount is sealed, and I cannot divulge it. However, I believe your testimony was very enlightening to the Defendants as to the actual amount of damages that they could be exposed to and I believe that your testimony lurched them into a settlement posture. You're a leader in your field; keep up the good work.

Very truly yours,

REAUD, MORGAN & QUINN, INC.

By 

Alto V. Watson III

AVW/kps

Enclosure

ELLIOTT AND McCLURE

*Attorneys at Law*

104 NORTH DIXIE HIGHWAY, P.O. BOX 710

MOMENCE, ILLINOIS 60954

ROGER C. ELLIOTT  
THOMAS E. McCLURE  
PAUL F. MICHEL

TELEPHONE  
815/472-2634  
815/472-2635

Stanley V. Smith  
Corporate Financial Group, Ltd.  
1165 North Clark  
Suite 650  
Chicago, Illinois 60610

Dear Stan:

Just a brief letter. You appeared in court yesterday in the J. D. Sloop vs. ICG Railroad case and testified on behalf of our client, J. D. Sloop. I observed most of your testimony and I thought you handled yourself very, very well. I was most impressed. You didn't give any ground, and I thought you gave very forceful and forthright answers to the questions that were posed by both attorneys.

I explained to you that I have a client that is having trouble with a bank administering her trust. The accounting statements received from the bank are presently being examined by our own CPA. After we have heard from the CPA, I may be interested in retaining your services. With this in mind, if you haven't heard from me by the first or second week in January, please give me a call.

Again, I want to congratulate you on your excellent performance yesterday.

Thanking you in advance for your time and cooperation, I remain,

Very truly yours,



Roger C. Elliott  
Attorney at Law

RCE/njm

RICCARDO D. ARCARO, P.C.  
ATTORNEY AT LAW  
18501 WEST TEN MILE ROAD  
SOUTHFIELD, MICHIGAN 48075-2663

(313) 569-4910 OFFICE  
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(313) 569-6925 FACSIMILIE

Mr. Stan V. Smith  
President  
Corporate Financial Group, Ltd.  
1165 North Clark Street  
Suite 650  
Chicago, Illinois 60610

Re: Anuszkiewicz vs. Montgomery Ward & Co., et al.

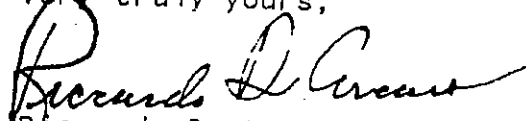
Dear Mr. Smith:

Greetings. Please accept my heart felt and profound appreciation for the extraordinary effort you put forth in analyzing and describing for the ladies and gentlemen of the jury the economic losses sustained by Mr. and Mrs. Anuszkiewicz. Your testimony resulted in the jury adopting your analysis and awarding more than \$4,000,000.00 in damages.

I have been practicing personal injury litigation for approximately fifteen years. I have participated in hundreds of trials, many of which involved economic loss analysis. In no case have I seen more persuasive testimony than that which you provided. Your demeanor and manner while testifying was quintessentially persuasive. Your response to cross-examination questions was sincere, informative and obviously well received by the ladies and gentlemen of the jury.

I look forward to having the opportunity to work with you in the future. With kind regards I am,

Very truly yours,

  
Riccardo D. Arcaro

RDA/sm

LAW OFFICES  
BONAR, INCORVAIA, GLANCY & LIUZZI

A PROFESSIONAL CORPORATION

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VIRGINIA G BONAR  
JOEL L INCORVAIA  
CYNTHIA J GLANCY  
MICHAEL D LIUZZI  
ANNA M. MUELLER

Mr. Stan V. Smith  
Corporate Financial Group, Ltd.  
1165 North Clark Street, Suite 650  
Chicago, Illinois 60610

Re: Donald W. Shaw v. Maurice Schiff, M.D., et al.  
Our File No. 1712.01

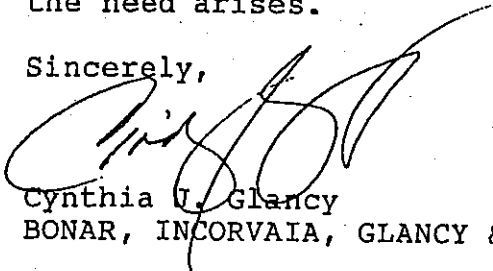
Dear Mr. Smith:

I am writing to thank you for your valuable assistance as an expert on behalf of Donald Shaw. I am very pleased to confirm that Mr. Shaw's lawsuit was settled in his favor. The information you provided regarding Mr. Shaw's hedonic damages was a key part of our settlement negotiations.

It was a pleasure to work with both you and your staff, who were consistently well organized, responsive and very personable. The written material you provided also was most helpful.

Again, thank you for your assistance and your willingness to come to San Diego to testify on Mr. Shaw's behalf if that had been necessary. I look forward to working with you in the future, if the need arises.

Sincerely,



Cynthia J. Glancy  
BONAR, INCORVAIA, GLANCY & LIUZZI

CJG:sm  
23/1712:23



# Richard Schechter, P.C.

Attorney at Law

Richard Schechter\*

2010 Summit Tower, 11 Greenway Plaza, Houston, TX 77046  
(713) 623-8919 • FAX (713) 622-1680

David J. Salinsky

Mr. Stan V. Smith  
President  
Corporate Financial Group, Ltd.  
First Chicago Bank Building  
1165 North Clark Street, Suite 650  
Chicago, Illinois 60610

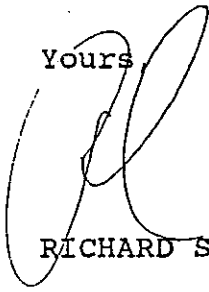
Dear Mr. Smith:

I just wanted to drop you a line and again thank you so much for all your help on the Hernandez case. I really enjoyed having the opportunity to work with you and I know that the work you did and the testimony you gave were important ingredients in forcing the Defendants to face up to their responsibilities and settle the case.

Beyond just the quality of your work, I wanted to thank you for being so helpful and cooperative in the case. So often expert witnesses are difficult to deal with and hard to coordinate. Working with you was such a pleasant change from the norm.

Again, I thank you very much for all your help in the case. If there is ever anything that I can do to be of assistance to you, please do not hesitate to let me know. With kindest regards I remain,

Yours,



RICHARD SCHECHTER

RS/dg

*Piccione, Keeley & Associates, Ltd.*

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PATRICK C. KEELEY

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TELECOPIER  
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LYNN R. CONRAD  
MARK W. TADER

TELEPHONE  
312/653-8000

Stanley V. Smith  
Corporate Financial Group, Ltd.  
1165 North Clark Street  
Suite 650  
Chicago, IL 60610

Re: Sean O'Connor, et al., vs. Pinto Trucking, et al.  
Cook County Case No. 82 L 25275

Dear Mr. Smith:

Just a brief note to let you know that I felt that your deposition went very well. During the twelve years of taking depositions, I have not had an expert witness testify as candidly and as clearly as you have, particularly on the complex and in some ways esoteric subject matter.

The conservative nature of your testimony as well as the way you address counsel's sometimes damaging and leading questions is not only impressive but refreshing.

Finally, I find your model to be not only interesting but truly a useful tool in guiding the jury in its effort to quantify an otherwise difficult item of damage. I look forward to dealing with you in the future and thank you for your efforts to date.

Very truly yours,

PICCIONE, KEELEY & ASSOCIATES, LTD.

  
Patrick C. Keeley

PCK/amw

OCO/SmithL1

**SHERMAN AND ALLEGRETTI**

ATTORNEYS AT LAW

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JOSEPH P. ALLEGRETTI

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219-933-0161

Mr. Stan V. Smith, President  
CORPORATE FINANCIAL GROUP LTD.  
First Chicago Bank Building  
1165 North Clark Street, Ste 650  
Chicago, Illinois 60610

RE: John Brock, Administrator of the  
Estate of Donna J. Brock vs.  
Southlake Limousine and Coach Inc.  
Cause No. 45D01-8903-00207

Dear Stan:

I am pleased to advise you that the jury entered a plaintiff's verdict in the amount of 1.5 million dollars. I attribute a large part of our success to your economic analysis and impressive in-court presentation. I particularly liked the way you did not talk down to the jury as some expert witnesses do. Yours was the finest expert witness testimony I have ever encountered.\*

Thanks for all your help.

Best regards,



A handwritten signature in black ink, appearing to read 'BDS', with a long horizontal flourish extending to the right.

BARRY D. SHERMAN

BDS/dlt

(\* Testified as to Society and Companionship Loss, Net Wage Loss and Household Services Loss.

Bassett Law Office, P. C.

Attorneys at Law

16 West Lorena Ave.

Wood River, Illinois 62095

Merle C. Bassett  
Gerald W. Bassett

Area Code 018  
Telephone 254-0141

Mr. Stanley V. Smith  
Corporate Financial Group, Ltd.  
1165 North Clark St., #650  
Chicago, IL 60610

Re: Eva Ferguson vs. Dr. T. Bruce Vest, et al

Dear Mr. Smith:

Just a report to let you know the outcome of the malpractice trial in the above entitled matter at which you testified.

After a 13 day trial, the jury returned a verdict in favor of the plaintiff for \$2,332,000.00. As you are aware, in your testimony, you stated that you appraised the loss of the value of the household services from the date of the injury to the time of trial at some \$11,000.00 and the loss of the quality of life or hedonic reduction to time of trial at \$125,000.00 for a total of \$136,000.00. We rounded that off in our request to \$135,000.00. The jury, however, awarded \$200,000.00. For the loss of services and the hedonic damages over her resulting life expectancy of 20 years, you had testified to a total figure of \$882,000.00. We rounded that off to \$880,000.00 in our request and the jury ignored us and placed it at the exact figure you had testified to of \$882,000.00.

In discussing the matter with the members of the jury after their verdict had been reported, we asked them their opinion of your testimony. They said that you made a very impressive witness as well as giving them a fixed point of reference to focus upon in their allocation of damages to the plaintiff. Certainly, the results would be proof of the fact that they did do this in arriving at their verdict.

I also can assure you that the opposition, in the form of two lawyers who specialize in defending malpractice cases almost exclusively, was probably the most formidable opponents that you could have in this field. They, prior to the rendition of the verdict, poo-pooed the idea that a 63 year old woman with injuries to the urinary and vaginal tract would get anything over a million dollars. Needless to say, their surprise was shown at the results from the jury which was out only 2½ hours.

March 20, 1989  
Page 2

We do appreciate your efforts and naturally we expect to use you again and again in the future.

Sincerely,



MERLE C. BASSETT

# MCKINNON LAW FIRM

Laura J. McKinnon  
Bonnie Brown-Oglesby  
George D. Oleson



Sunny Carreras  
Administrator

Archie Lantz  
Social Security Specialist

Lance Langdon  
Chief Investigator

740 Lollar Lane  
P.O. Box 1127  
Fayetteville, AR 72703  
501/521-1555  
601/521-4812 Fax

616 W. "B" Street  
P.O. Box 2031  
Russellville, AR 72801  
501/967-5555  
501/967-5172 Fax

Mr. Stan V. Smith  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 650  
Chicago, IL 60610

RE: Teresa & Charles Fuson v. St. Paul Fire and Marine  
Insurance, et. al.

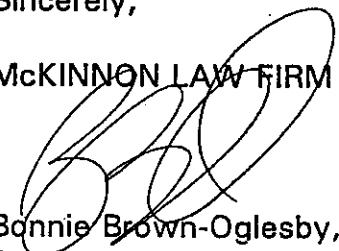
Dear Mr. Smith:

Enclosed please find an evaluation of your excellent services. Our client was awarded \$1,046,760 in a structured settlement. I have enclosed the press release that appeared on the front page of the Northwest Arkansas Times on February 20, 1997.

Again, we deeply appreciate your professional and invaluable assistance.

Sincerely,

MCKINNON LAW FIRM



Bonnie Brown-Oglesby, RN  
Attorney at Law

cc: Mrs. Teresa E. Fuson

## TRIALS AND SETTLEMENTS

### **Negligence**

#### **Snowplow - Head Injury**

##### **Injuries alleged:**

Lacerated spleen requiring surgery and mild closed head injury

##### **Name of case:**

Bean v. MDOT, et al.

##### **Court/case no.:**

Isabella County, Court of Claims

##### **Name of judge:**

Paul Chamberlain

##### **Jury demand:**

A jury was demanded in the Circuit Court action against the driver of the state-owned snowplow. The Court of Claims case against MDOT, as the owner of the snowplow, was to be heard by Judge Chamberlain, sitting as a Court of Claims judge without a jury.

##### **Amount of settlement:**

\$700,000 (present value); \$1,390,997.45 (structured)

##### **Date:**

April 1996

##### **Attorney for the plaintiff:**

Loren E. Gray

##### **Attorney for the defendant:**

Withheld

##### **Name/city of most helpful experts:**

Neuropsychologist - Maureen Levine, Mt. Pleasant; neuropsychologist - Thomas Van Den Abell, Kalamazoo; defense IME physician - Stan Smith, Chicago, hedonic damages; vocational consultant - Roy Welton, Grand Rapids; neuropsychologist - Dr. Jan Caputo, Alma (treating counselor)

##### **Insurance carrier:**

TIG

##### **Highest offer:**

Settlement amount; mediation was \$200,000; both parties rejected

### **Other useful information:**

The plaintiff, a seventh grader at the time of the incident, was injured over the Christmas holidays when a state-owned road grader violated a stop sign and pulled into the immediate path of her vehicle. She sustained internal injuries requiring surgery. The closed head injury was not discovered at that time; however, she did receive a blow to the head and there was some question of loss of consciousness. She started having problems in school and required a tutor for some classes. She was an excellent student before the accident, even though it was only grade school.

The plaintiff has since graduated from high school and is presently enrolled in a junior college, where she is taking a reduced load. Her symptoms greatly manifested themselves during her junior and senior year in high school, as her teachers testified to a definite impairment in her ability to take tests. She received excellent grades in her daily work and failing grades in her testing. Her limitations on college entrance examinations, etc., were of great assistance in establishing the full impact of her injury on her future earning potential and growth.

The plaintiff's case was deliberately delayed to allow maturity and better documentation of the effect of the closed head injury. The settlement amount was enhanced because the plaintiff had, in essence, two bites of the apple through a jury determination of damages, as well as the judge's independent findings through the Court of Claims suit. The plaintiff matured into a charming, attractive young lady with much jury appeal, which also elevated the settlement figures.

It was not until her junior year in high school that the plaintiff overcame her period of denial and acknowledged her disability. She had refused counseling prior to that time but is presently progressing nicely in her ability to deal with the mild cognitive deficit.

# Northwest Arkansas TIMES

Court: Abortion protesters  
can confront patients

**A10**

Lady 'Backs lose crucial  
conference game

**B1**

High: 60  
Low: 55  
Scattered  
Showers  
Weather A12.

Today is the 51st day of the  
year. There are 314 days left.  
Sunrise: 6:10 a.m.  
Sunset: 8:21 p.m.

Deaths / A2    FYI / A2    Region / A2  
Opinion / A4    Comics / B7    Classified / B8

**E-MAIL US!** mail@nworktimes.com

Volume 131, No. 238

Fayetteville, Arkansas • Internet — <http://www.nworktimes.com>

3 Sections, 32 Pages — 25¢ in Washington Coun

## Lawsuit settled against WRMC, local surgeon

By MAYLON T. RICE

*Times Staff Writer*

A 1994 medical malpractice suit filed by an Evansville woman and her husband against Fayetteville surgeon Dr. C.R. Magness and Washington Regional Medical Center was settled for over \$1 million in a mediation hearing last week in Bentonville.

Teresa Fuson of Evansville was awarded \$1,046,760 in a structured settlement, according to attorney Laura McKinnon of the McKinnon Law Firm of Fayetteville.

Circuit Judge Kim Smith signed Wednesday an order dismissing the complaint with prejudice. The suit was preparing to go to trial in Washington County Circuit Court this year, according to documents.

"This was one of the largest medical malpractice settlements in Northwest Arkansas," McKinnon said.

On Nov. 30, 1992, Fuson underwent gastric bypass surgery at Washington Regional Medical Center under the care of Magness.

During the surgical procedure, a 16 centimeter piece of laparotomy radiopaque tape cut from a laparotomy pad sponge was stapled to her stomach and inadvertently left inside Fuson

■ See Suit / A9

## Suit

■ Continued from A1

following surgery.  
A routine X-ray taken several hours after the surgery to check the patency of the gastric tube revealed

the foreign body left following the procedure.

The following day, Fuson underwent a laparotomy for the retained sponge by Magness. A third laparotomy for a sephrenic abscess was performed 14 days later, according to the court file.

Fuson has had subsequent

surgeries "and has been in constant abdominal pain," McKinnon said. "She still needs at least one more surgery in the future that we know of," McKinnon said.

McKinnon said the structured settlement will net Fuson, 35, approximately \$1,000 a week for life.

Judge Sidney H. McCollum of Bentonville heard the mediation between the Fusons, WRMC and Magness.

Dale Garrett of the Bassett Law Firm represented Washington Regional Medical Center and its insurance carrier, St. Paul Fire and Marine Insurance Company.

STEVEN P. SABRA  
MATTHEW M. ASPDEN\*1026 COUNTY STREET  
SOMERSET, MA 02726  
Tel. (508) 674-0890  
Fax (508) 679-5998

Stan V. Smith, President  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 650  
Chicago, IL 60610

Re: Anthony Ribeiro, Individually and in his  
capacity as Administrator of the Estate of  
Lorraine P. Ribeiro  
Vs. John Gardner Kuniholm, et al  
C.A. No. 92-02144

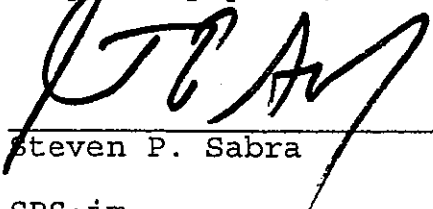
Dear Mr. Smith:

I acknowledge receipt of your letter dated February 10, 1997 along with your evaluation form which I have completed.

I am happy to report to you that Governor Weld appointed Bernadette an Associate Justice of the Fall River District Court on January 10, 1997. Therefore, I am responding to your letter on her behalf. The outcome on the Ribeiro matter was excellent and we believe that your report helped persuade the insurer to significantly increase their offer from \$300,000.00 to \$550,000.00. I enclose a copy of a Trial Report that was published recently in the Massachusetts Lawyers Weekly for your file.

We were pleased with your work on this case. I have already recommended your firm to another lawyer in Massachusetts.

Very truly yours,



Steven P. Sabra

SPS:jm  
Enclosure  
dic. 2/23



## COGAN &amp; McNABOLA

Mark E. McNabola  
Michael P. Cogan

Mr. Stan Smith  
Corporate Financial Group, Ltd.  
1165 N. Clark St.  
Suite 650  
Chicago, IL 60610

Alice E. Dolan  
Karen A. Enright  
Jody B. Klemer

Thomas R. Canham\*  
Deborah H. Cogan\*\*  
*Of Counsel*

\* Admitted in AZ & NV  
\*\* Admitted in NY

RE: Buckman v. Columbus et al.  
Our File No: 94-66

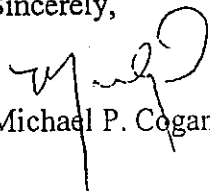
Dear Mr. Smith:

With your help, we have successfully settled Mr. Buckman's claim for the sum of \$2,400,000.00. Needless to say, this result could not have been obtained without your participation in the litigation process. On behalf of both Mr. Buckman and myself, you have our most sincere appreciation.

It has been a pleasure working with you and it has been, for me, a great learning experience. Your willingness to help will hopefully ensure that neglect such as that which occurred in this case does not happen again.

Once again, thank you for your learned contribution.

Sincerely,



Michael P. Cogan

MPC:dec

# Corporate Financial Group, Ltd.

Economics / Finance / Litigation Support

Stan V. Smith, Ph.D.  
President

## EVALUATION OF SERVICES

To help us continue to provide the best possible service, would you be so kind as to complete and return the following evaluation of our services.

	5 = excellent	or	much higher than average
Rating	4 = very good	or	above average
Scale	3 = good	or	average
	2 = inferior	or	below average
	1 = poor	or	much lower than average

How would you assess:

Circle

1. The reputation of our firm, before we performed any services for you? 1 2 3 4 5
2. Our handling of your initial inquiry when you contacted us regarding your case? 1 2 3 4 5
3. The quality and usefulness of the initial materials we sent you regarding our firm and our services? 1 2 3 4 5
4. Subsequent communications with our firm including courtesy, promptness, helpfulness of staff? 1 2 3 4 5
5. The quality of our written analysis or report? 1 2 3 4 5
6. The quality of deposition testimony? 1 2 3 4 5
7. The quality of trial testimony? 1 2 3 4 5
8. The timeliness of our work? 1 2 3 4 5
9. The degree to which we met our promise to provide you with Premier Quality service? 1 2 3 4 5
10. The value of the services we provided for the fees charged? 1 2 3 4 5
11. The overall impact of our work on your case result? 1 2 3 4 5

We welcome any comments and/or criticisms. You may use this space, or the other side of this form, or write a separate letter to us.

*are the BEST!! You guys*

YOUR IDENTITY AND RESPONSES ON THIS FORM WILL NOT BE DISCLOSED TO ANYONE. We may include your response with others in a statistical summary that may be disseminated and is available upon request. You may fill in your name here SOLELY FOR OUR OWN USE, or you may remain anonymous.

*Timothy P. Smith*

# VEDDER PRICE

VEDDER, PRICE, KAUFMAN & KAMMHOLZ  
222 NORTH LASALLE STREET  
CHICAGO, ILLINOIS 60601-1003  
312-609-7500  
FACSIMILE: 312-609-5005

STANLEY B. BLOCK  
312-609-7505

A PARTNERSHIP INCLUDING VEDDER, PRICE, KAUFMAN & KAMMHOLZ, P.C.  
WITH OFFICES IN CHICAGO AND NEW YORK CITY

Mr. Stan V. Smith  
President  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 650  
Chicago, IL 60610

Dear Stan:

Thanks for your outstanding work in connection with the recently concluded arbitration matter in which you appeared as an expert witness on behalf of our client.

As you know, this matter had its challenges.

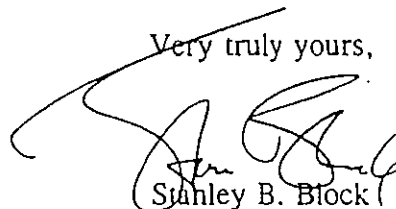
Your consultation was incisive and very helpful.

The analyses prepared by you and your staff were timely, responsive and persuasive.

As a testifying expert, your professional, sincere and clear presentation of your opinions was most impressive and undoubtedly contributed to the excellent results.

Thanks again for your assistance.

Very truly yours,



Stanley B. Block

SBB:kas

## TRIAL REPORTS

### Motor Vehicles

**Negligence — Improper Merge**

**Onto Highway**

**Injuries alleged:**

Wrongful death

**Name of case:**

Ribeiro v. Kurniholm et al.

**Court/case #:**

Bristol County Superior Court, No. 92-02144

**Tried before judge or jury:**

Mediation

**Name of mediator:**

Camille F. Sarrouf

**Special damages:**

Medical expenses, approximately \$6,000

**Amount of settlement:**

\$550,000

**Highest offer:**

\$300,000 prior to second mediation session

**Most helpful experts:**

Prof. Stan V. Smith, Chicago, Ill.

**Insurance carrier:**

Withheld

**Attorney for plaintiff:**

Bernadette L. Sabra and Steven P. Sabra, Somerset

**Attorney for defendant:**

Withheld

### Other useful information:

This wrongful death case involved a 62-year-old grandmother who died when she lost control of her vehicle after being struck by the defendant's vehicle which was merging onto the highway. The decedent, who was not wearing a seatbelt at the time, was ejected from the vehicle when it rolled over several times. The plaintiffs' theory was that the defendant was negligent in that he did not merge carefully into traffic and cut in front of the decedent's car which had the grandchildren were in the vehicle at the time of the accident but were unharmed as they had seatbelts on.

The decedent was airlifted to Boston from Fall River but died within approximately one hour of the accident as a result of multiple head and internal injuries. Medical expenses did not exceed \$6,000. Economic damages were relatively low, given the decedent's age, modest income and anticipated retirement date. The plaintiffs engaged an expert on the issue of value of loss of life and other non-economic factors which bolstered the plaintiffs' position and settlement demand. Prior to the presentation of this expert's report, the offer had been \$300,000. After a second mediation attempt and the introduction of the expert's report valuing non-economic damages at more than \$1 million, the case was settled for \$550,000. The case was further complicated by the fact that the decedent was survived by her husband and seven adult children who were the heirs at law for recovery



# STEVENS & ASSOCIATES

*Attorneys and Counselors at Law*

111 WEST JACKSON BOULEVARD, 14TH FLOOR, CHICAGO, ILLINOIS 60604

PHONE: (312) 786-2244  
FACSIMILE: (312) 786-1331

Mr. Stan Smith  
Corporate Financial Group, Ltd.  
1165 North Clark Street  
Chicago, Illinois 60610

Re: Professional Services  
*Gober v. Soztneps, et al.*

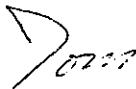
Dear Stan:

Reflecting upon the above-referenced matter, I want to reiterate the importance of your contribution to its resolution. Corporate Financial Group had, from its entrance into the case, demonstrated more than skill in the analysis of hedonic and other economic losses. Its staff was professional and responsive. Persons with whom I spoke took accountability for meeting deadlines and the workproduct created. In aggregate, the effect was to provide a service of high technical and logistical quality.

I look forward to our next association and, during the interim, will pass your name along to others who may have similar need. Otherwise, please call if I can be of any assistance to you.

Sincerely,

*Stevens & Associates*



K. Thomas Stevens

enc.  
TS/pw

*Law Offices*

**R. F. WITTMAYER, LTD.**

1635 N. ARLINGTON HEIGHTS ROAD

SUITE 104

ARLINGTON HEIGHTS, IL 60004

TELEPHONE (847) 577-1123

FAX (847) 577-2827

Mr. Stan V. Smith  
Corporate Financial Group, Ltd.  
1165 N. Clark Suite 850  
Chicago, IL 60610

RE: Krupica v. Milton Industries, Inc., et al.  
Case No. 91 L 14843  
Our File No. 8-01279C

Dear Stan:

I thought you would be interested to know the result in the above-captioned case, in which you recently testified on behalf of our client, Thomas Krupica. The jury returned a verdict in Mr. Krupica's favor in the amount of 2.4 million dollars. Furthermore, about 75% of the verdict (1.8 mil.) was awarded for past and future loss of earnings, based upon your analysis and trial testimony.

Thank you for your excellent work in this case on behalf of Mr. Krupica, and I look forward to working with you again in the future.

Yours sincerely,

R. F. WITTMAYER, LTD.

Ronald F. Wittmeyer, Jr.

RFW:ld

KELLY, HENKEL, DAVID & MISSAD, P.C.

ATTORNEYS AT LAW

312 EAST FULTON STREET

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NICHOLAS B. MISSAD

BELDING OFFICE  
318 SOUTH BRIDGE  
BELDING, MICHIGAN 48809  
PHONE (616) 794-0056

SEND ALL MAIL TO  
GRAND RAPIDS OFFICE

Mr. Stan V. Smith  
Corporate Financial Group, Ltd.  
1165 N. Clark St., Suite 650  
Chicago, IL 60610

Re: Feutz v. Sherman

Dear Stan:


I recently settled the above-captioned case involving a closed head injury following mediation in Kent County Circuit Court for Defendant's policy limits of \$500,000. You will recall that you were endorsed as an expert witness in this case and testified by deposition in preparation for the mediation hearing.

Prior to taking your deposition in this case, defense counsel had offered \$10,000 to settle this case. After taking your deposition, defense counsel relayed it to me that he had reviewed the largest verdicts and settlements in the State of Michigan for 1995 and noted you had testified in two of the cases. Given this observation by defense counsel, I believe that once you were endorsed to testify the Defendant seriously considered the threat of your testimony and agreed to pay policy limits. This was particularly helpful since it was questionable whether or not the Plaintiff could endure the rigors of a trial in this case.

I thank you again for your help and assistance in this matter and I will look forward to working with you in the future.

Very truly yours,

KELLY, HENKEL, DAVID & MISSAD, P.C.



By Michael F. Kelly

MFK/plm/svs.le  
Enclosure



CLARK, PERDUE, ROBERTS & SCOTT CO., L.P.A.

TRIAL LAWYERS 471 East Broad Street Suite 1400 Columbus, Ohio 43215 614-469-1400 FAX 614-469-0900

Dale Kent Perdue  
Paul O. Scott  
Edward L. Clark  
Douglas S. Roberts  
Glen R. Pritchard  
Robert W. Kerpasack  
D. Andrew List  
Brian W. Palmer  
Jami S. Oliver  
Paul J. Unger

Stan V. Smith  
Corporate Financial Group, Ltd.  
1165 North Clark Street  
Suite 650  
Chicago, IL 60610

Re: *Mylon Yoder Arbitration*

Dear Stan:

Enclosed please find my evaluation of your services.

I gave you a "5" on all matters as I do not have any criticisms of your work that I can think of.

However, I wanted to emphasize that one of the things I like best about working with you and your firm is your availability to the client (that's me), and your willingness to discuss the case by phone. Today I find many experts who do not seem to have the time to engage in meaningful dialogue so that they have a full understanding of the nuances of the case. Such experts--many of whom are quite highly regarded and excellent in their field--seem not to have the time for this. For my part, I want every expert in my case to have a certain level of information about the various issues being litigated, whether or not it impacts directly on their testimony. Over the years, I have found that the defense will try out their theory, no matter what it is, on any witness they can get their hands on. You have always been willing to engage in these discussions.

Keep up the good work, and I look forward to working with you in the future.

Thank you.

Sincerely yours,

Edward L. Clark

ELC:jmr





Corporate Financial Group, Ltd.  
c/o Mr. Stan V. Smith, President  
1165 N. Clark Street, Suite 650  
Chicago, IL 60610

VIA FAX (312) 943-1016

Re: My Client: Thomas J. Kirila  
Date of Loss: 12/21/91  
Automobile Accident  
Defendant: CNA Insurance Companies UIM Claim

Dear Mr. Smith:

As I discussed over the phone yesterday with your assistant please find enclosed a copy of the award made by the arbitration panel. The total policy limits were further paid by the CNA Insurance Company.

The Arbitrators accepted the report prepared by your office but only made a general award with no breakdown on the specific amounts for each part of the case. However, I feel your report helped out in getting an award approximately three times higher than what was there best offer prior to trial. I also think it is interesting to note that the award was a unanimous decision. Even the Arbitrator selected by the insurance company agreed on the amount of the award.

Thank you for your assistance on this case. I will be looking forward to working with you again. I remain,

Sincerely yours,

Ronald James Rice

RJR:iwp

THOMAS J. KIRILA v. CNA INSURANCE COMPANY  
UIM ARBITRATION, TRUMBULL COUNTY, OHIO

) ARBITRATION AWARD

It is the unanimous award of the arbitrator's that THOMAS J. KIRILA is hereby awarded the sum of One Million One Hundred Ten Thousand and 00/100 Dollars (\$1,110,000.00) in damages.

The arbitrator's further set their fees at One Thousand Seven Hundred Twenty-five and 00/100 Dollars (\$1,725.00) each.

  
James L. Pazol, Esq.  
Chairman  
Donald E. Worthing, Esq.  
Martin P. White, Esq.

# BRANCH LAW FIRM

TURNER W. BRANCH  
Admitted to practice in  
New Mexico, Texas,  
Colorado and the District  
of Columbia

MARGARET MOSES BRANCH

BRIAN K. BRANCH  
Also admitted to  
practice in Colorado

ARTHUR M. SOLON  
DOUG VIGIL

FELICIA C. WEINGARTNER

CYNTHIA L. WEISMAN

DANIEL R. SWISS

KEITH T. BELT, JR.  
Also admitted to  
practice in Colorado

SALLY ANN HAGAN  
Also admitted to  
practice in New York  
and Connecticut

REBECCA C. BRANCH

JOHN D. WEBBER

ERIN L. DAILEY  
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and Massachusetts

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Albuquerque, New Mexico 87104

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FAX (505) 243-3534

New Mexico Toll Free  
1-800-562-3456

Nationwide Toll Free  
1-800-828-4LAW

Stan V. Smith  
President  
Corporate Financial Group, Ltd.  
1165 N. Clark Street  
Suite 650  
Chicago, Illinois 60610

Re: Estate of Michele Lee Burgio

Dear Stan:

You guys did an outstanding job. It was better than excellent. We would never have gotten where we did without your help. My completed questionnaire giving your firm all fives (because you did not have sixes) is enclosed.

In sending only my best regards, I remain

Most sincerely yours,

THE BRANCH LAW FIRM

Turner W. Branch

*Please call.  
Best regards.*

TWB/kym  
Enclosure

ATLA LIFE MEM

DURANGO COLORADO OFFICE

102 East 8th Street  
Suite 205  
Durango, Colorado 81301  
(970) 385-7671  
FAX (970) 247-7734

HOUSTON TEXAS OFFICE

808 Travis Street  
Suite 1303  
Houston, Texas 77002  
Phone (800) 243-3545  
FAX (713) 224-1622

WASHINGTON, DC OFFICE

5010 Wisconsin Avenue, N.W.  
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Washington, DC 20016  
(202) 895-2616

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JULIE NICHOLSON-GUIBORD  
ROBERT E. PACKUS, JR.  
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FAX: (517) 655-5888

HARBOR SPRINGS OFFICE  
8470 M-119  
HARBOR SPRINGS, MICHIGAN 49740

OF COUNSEL  
LINDA K. SHINKLE  
NANCY TOLWIN CARNIAK

Mr. Stan Smith  
1165 N. Clark, Ste. 650  
Chicago, Illinois 60610

Re: Huffman v Scott

Dear Stan:

I want to take a moment to express my appreciation and gratitude for your significant contributions to this case. It wasn't until after your deposition that I had learned the Defendants were willing to make a substantial offer prior to going to Chicago for your trial deposition. Upon arriving back in Detroit, Mr. McCarthy advised me that his client would have been willing to pay \$230,000 in full and final settlement of Mr. Huffman's claims prior to the taking of your deposition. The case subsequently settled for \$435,000, \$65,000 short of the full policy due in large part to your testimony.

I look forward to working with you again in the future.

Very truly yours,

POTTER, CARNIAK, ANDERSON & DeAGOSTINO

  
Thomas M. DeAgostino

TMD/sg



LAW OFFICES

GIBBINS, WINCKLER & HARVEY

A REGISTERED LIMITED LIABILITY PARTNERSHIP

500 WEST 13TH STREET  
POST OFFICE BOX 1452  
AUSTIN, TEXAS 78767  
(512)474-2441

\*\*BOB GIBBINS  
\*JAY L. WINCKLER  
\*JAY HARVEY  
STEVE GIBBINS  
SUSAN RUSSELL, R.N.  
WAYNE PROSPERI  
NEIL M. BONAVIDA  
GEOFFREY COURTNEY

INVESTIGATORS:  
DWAIN COFFEY  
REED TECKENBROCK, R.N.  
CURRY TECKENBROCK, R.N.  
TELECOPIER (512)482-8303

\*\*BOARD CERTIFIED  
PERSONAL INJURY TRIAL LAW  
CIVIL TRIAL LAW  
\*BOARD CERTIFIED  
PERSONAL INJURY TRIAL LAW

A-09613

Mr. Stan V. Smith  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 650  
Chicago, IL 60610

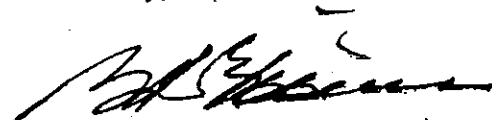
Re: Cause No. 94-CI-04811; *James P. Pocase, et. al. vs. The Frost National Bank of San Antonio*; In the 73rd Judicial District Court, Bexar County, Texas.

Dear Mr. Smith:

I hope this letter finds you in good health. In the third of trial, the Defendants caved in and settled at my demand for \$4.5 million. We are all very pleased with the outcome and we would like to express our sincere gratitude for your professional time and assistance in this case. Your video deposition was very effective at the trial.

I look forward to working with you again in the future. Take care of yourself.

Yours truly,



Bob Gibbins

BG/had

1992  
ATLA  
PRES.

# Family of slain woman, bank reach \$4.5 million settlement in ATM case

## Lawyer says safety should be key issue

By G. LORLA PADILLA  
EXPRESS-NEWS STAFF WRITER

The family of a woman who was abducted from an automatic teller machine, raped, shot in the head and then set afire settled a lawsuit Monday against North Frost Bank for \$4.5 million.

James and Fern Pocase, the parents of Paula Fern Pocase, who was killed March 7, 1993, will receive one-third of the settlement.

Paula Pocase's sons, Justin Allen Maddox, 5, and Jeremy Taylor, 11, will split the other two-thirds when they turn 21. The boys live with their maternal grandparents in Mississippi.

The settlement was reached as a jury trial entered its third week before 11st District Judge John D. Gabriel.

As part of the settlement, the bank made no admission of liability, bank's attorney Tom Sharpe said. Sharpe told the judge the agreement was reached after intensive negotiations began last Thursday.

"This is in the best interest of the children and the grandparents," he said. "The total will more than adequately take care of the children."

Bob Gibbens and Neil Bonavita of Austin, who represented the Pocases, said they hope the suit will send a message to banks.

"The banks are making a lot of money from the ATMs, and they should be paying for security,"

Gibbens said.

Four people testified they had been victims of crime at ATM machines during the last two years. Bonavita said there is more crime committed at ATM locations than the public realizes.

The plaintiffs' lawyers said their clients refused to have a confidential settlement because they wanted the public to know what had happened.

The Pocases said they are happy with the settlement but added no amount of money could compensate them for the loss of their daughter.

"I have never used an ATM, and I never will," Pocase said. "Our daughter was the only one in the family that ever did."

"I hope after this banks will make it safer (for ATM customers).

ers)," his wife added. "I don't want anybody to go through what I went through or what our daughter went through."

According to court records, Paula Pocase, 24, was abducted from an ATM at a Frost Bank location in the 1200 block of N.E. Interstate 410.

Pocase, who was a student at a trade school, was on her way to her parents' apartment nearby when she was abducted from the drive-through ATM and taken behind the bank building. She then was raped and shot in the head. Gasoline was poured over her body and she was set afire.

Two men have been charged with capital murder and face trial next year before 187th District Judge Terry McDonald.



ROBERT MCKERDY / AP/WIDE WORLD

James and Fern Pocase, parents of homicide victim Paula Pocase, and the woman's two sons, Justin Maddox (left) and Jeremy Taylor, have received a settlement in a lawsuit filed over her death.

### ZIP CODE BLOTTER

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*Attorneys at Law*

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*200 N. Center Street  
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*Stephen J. Kirksey  
Danielle McCluskey-Schink  
Robert B. June*



Mr. Stan V. Smith, President  
Corporate Financial Group, Ltd.  
1165 North Clark St., Suite 650  
Chicago, Illinois 60610

Dear Stan:

With regard to the Grady Canty settlement, it was in the amount of \$700,000. Under Michigan Law, if we had obtained a jury verdict of \$1.4 Million dollars, the Defendants would have gotten credit for all of Mr. Canty's wage loss benefits from the Ford Motor Company, social security benefits, and health care benefits, and that package would have amounted to between \$600,000 and \$700,000, and after the credit, Mr. Canty would have been left with about \$700,000. That is why we made the settlement.

In terms of your evaluation of services form, on all of our cases that we have ever worked with you, and with your office, I would answer each of the items 1-11 as being a 9, which is extraordinary. If you would like to quote me in any of your material in this regard, or if you would like for me to write any type of special letter that you might want to use in your marketing or anything like that, please know that I would do it, truthfully and honestly whenever you wanted.

As you know, I am a strong believer in the use of economists of all types in any litigation and trials, because I believe that the jury needs something from an authority figure to tell them about the damages and economics, and not just the lawyer. Your testimony has always been awesome and a great help to the juries in our cases.

In closing, and as always, please accept my best wishes and prayers to you for your good health, happiness and success in all of your endeavors.

As always, I remain,

Most respectfully yours,

*Charles N. Simkins*

CHARLES N. SIMKINS

CNS/lao

SEMMELMAN & BERTUCCI, LTD.

ATTORNEYS AT LAW

191 EAST DEERPATH, SUITE 301

LAKE FOREST, ILLINOIS 60045-1972

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ANDREW A. SEMMELMAN  
JAMES J. BERTUCCI  
DOUGLAS RALLO  
DAVID A. SEMMELMAN  
GRETCHEN E. FISHER

Mr. Stan Smith  
Corporate Financial Group  
1165 North Clark Street  
Chicago, IL 60610

RE: GRAVES v. USA, No. 93 C 6722

Dear Mr. Smith:

I am writing to advise you that the case of Graves v. United States of America, in which you agreed to act as a testifying expert witness, has settled. There will, therefore, be no need for you to appear and testify at trial or otherwise assist in this matter.

As you know, your expertise was very important and helpful in bringing about a successful resolution of this case. I found you to be not only highly qualified, but articulate, sincere and a joy to work with. Your efforts on behalf of my client and I were instrumental in achieving the most preeminent goal of our legal system -- justice. You should be proud to have undertaken this endeavor and I hope you will remain committed to participating in these matters when you are called upon by plaintiffs in the future.

Once again, thank you for your help.

Sincerely yours,

  
DOUGLAS RALLO

DR:kb



CICHOCKI & ARMSTRONG, LTD.

ATTORNEYS AT LAW  
AT&T CORPORATE CENTER  
SUITE 5030

227 WEST MONROE STREET  
CHICAGO, ILLINOIS 60606-5018  
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OAK PARK, ILLINOIS 60302-2812  
(708) 386-8400  
FACSIMILE (708) 386-8413

FACSIMILE (312) 580-0904

JON A. DUNCAN

FILE NO.

Mr. Stan V. Smith, President  
Corporate Financial Group, Ltd.  
1165 North Clark Street, Suite 650  
Chicago, IL 60610

*Re: Estate of Mary Beth Duncavage*

Dear Mr. Smith:

Enclosed please find our evaluation of services which I have filled out pursuant to your request.

The report which you provided to us was very useful in supporting our damage claim to the Circuit Court of Cook County in this case. As you know, we submitted your report in written form as part of a damages memorandum which we submitted to Judge Berman. Because of the procedural circumstances of our case, our damages were subject to a statutory cap of \$1,850,000. Your report and the information which you provided to us was critical in providing the factual basis for Judge Berman to award us the statutory maximum.

The Appellate Court affirmed Judge Berman's ruling last August. I am enclosing for your information a copy of the opinion of the Appellate Court in this case.

Thank you again for the assistance which you provided in helping us obtain this judgment on behalf of the Duncavage estate.

Very truly yours,



Jon A. Duncan

JAD/ac  
Enclosure

*Simkins & Simkins, P.C.*

*Attorneys at Law*

*Charles N. Simkins  
M. Martha Simkins  
Anne T. Craig*

*200 N. Center Street  
Northville, Michigan 48167*

*Telephone: 810/349-6030  
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*Stephen J. Kirksey  
Danielle McCluskey-Schink  
Robert B. June*



Mr. Stan V. Smith  
President  
Corporate Financial Group, Ltd.  
1165 North Clark St., Suite 650  
Chicago, Illinois 60610

Re: Lawsuit in the Berrien County Circuit Court  
entitled Kathleen Kechkaylo v Gerig's Trucking and Leasing,  
Inc.

Dear Mr. Smith:

I wanted to write and let you know that Tuesday,  
February 9, 1995, after a six week trial, and seven hours of  
deliberations, the jury in this case returned a verdict in  
favor of Mr. and Mrs. Kechkaylo in the amount of \$3.4 million  
dollars. Having been a trial lawyer for almost 20 years, I  
know that there is a certain combination of things that must  
come together to result in a large verdict, which are:

1. A fairly decent case;
2. Well credentialed and experienced medical treaters  
and experts who care about the Plaintiff;
3. Luck;
4. God's will;
5. A defense attorney who infuriates the jury.

I wanted to write and tell you that your testimony  
in the case was extraordinarily helpful for the jury in trying  
to understand the issues in connection with the case, and  
that I was very proud to have you as a part of this case.

In closing, and as always, please accept my best wishes  
and prayers to you for your good health, happiness and  
success in all of your endeavors.

I remain,

Most respectfully yours,

*Charles N. Simkins*  
CHARLES N. SIMKINS

DANIELLE MCCLUSKEY-SCHINK

CNS/lg

# Simkins & Simkins, P.C.

Attorneys at Law

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Anne T. Craig  
Stephen J. Kirksey  
Danielle McCuskey-Schink



Professor Stan V. Smith  
Corporate Financial Group, Ltd.  
1165 North Clark St., Suite 650  
Chicago, Illinois 60610

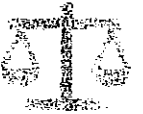


Re: Nancy Burns - Your trial testimony

Dear Mr. Smith:



To paraphrase from Dr. Martin Luther King, "At last, at last, thank God almighty, you've testified at last." As you know, over the past three or four years in Michigan, it has been a long, difficult and steady struggle to try and get some judge to allow you to testify regarding the quantification of the loss of enjoyment of life. One of the things that I have seen in terms of the initial questions by a judge regarding hedonic damages, when the judge actually questions the lawyer, is that the lawyer, like me, does not have sufficient understanding of hedonic damages or how it is done to be able to answer the judge's questions. You may remember that it was at least four or five times that I kept saying to Judge Washington, when he was asking me questions, that I was practically begging him to talk to you directly, because I knew that I could not answer the questions the way the judge was asking them. Finally, when Judge Washington agreed to question you directly, the way that you were able to answer the questions, clearly and succinctly for the judge, made it much easier for him to agree to have you testify in the case. I know that if I would have tried to answer the judge's questions at that point, I would not have been able to give the same answers as you did, and we might have had a problem getting you qualified to testify. I think that in the future, in Michigan, you should almost insist to your Plaintiffs' attorneys that if, on the day of trial, there are any questions that the judge is asking to the lawyer, that the lawyer should do what I did, and sort of insist, to the point of almost pleading the 5th amendment or something, that the Judge talk to you directly.



I stand, as one who goes back to the days of having to fight to get neuropsychological testimony admitted into

Professor Stan V. Smith

Page Two

evidence, and is now in the forefront of having to fight to get hedonic damages testimony and testimony regarding Quantitative EEG into evidence, that it was absolutely thrilling for me to have the judge agree to let you testify, and then your testimony was absolutely awesome. I think that in the first ten or fifteen minutes of your testimony, the jury was a little bored, and I am certainly not saying this as a criticism at all, but really as a compliment because you took them from thinking they were going to hear about plain old economics, to a discussion that literally had them on the edge of their seats. From my vantage point, I was looking right at them as you were testifying, and as you were talking about the charts and things and it was just mind blowing to me to watch you make economics come alive so that it had meaning to the lay people who were the members of our jury.

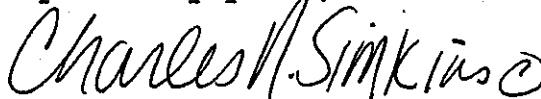
In the closing argument, I told the jury that you were just there to provide them with some guidelines, and not to tell them what to do, and I again felt a real connection with the jury during closing when I was talking about your work. You are a tremendously compelling witness and there is no question in my mind but that your testimony played a major role in this verdict of \$3,800,000 for this woman who was not knocked out, had normal neurological status and had what the doctors called a "mild" head injury.

I thank you for adding your prestige, wisdom and credibility to our case.

In closing, and as always, please accept my best wishes and prayers to you and your family for your good health, happiness and success in all of your endeavors.

I remain,

Respectfully yours,



CHARLES N. SIMKINS

CNS/lao

*Simkins & Simkins, P.C.*

*Attorneys at Law*

*200 N. Center Street  
Northville, Michigan 48167*

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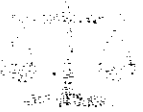


Via Facsimilie

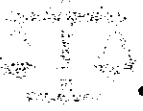


Professor Stan V. Smith  
Corporate Financial Group, Ltd.  
1165 North Clark St., Suite 650  
Chicago, Illinois 60610

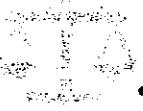
Re: Nancy Burns



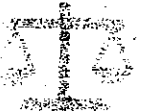
Dear Professor Smith:



In great part due to your help, on November 2, 1994, the jury returned a verdict in the amount of \$3,750,000.00 for Nancy Burns, and \$300,000.00 for Gerald Burns. By the time that we have finished totaling up the interest, costs and attorney fees, I expect that the actual judgment will be somewhere in the neighborhood of \$4,500,000.00. More details to follow.



This verdict underscores what I always teach at seminars, and that is that if a Plaintiff's lawyer uses the best consultants in the world, like yourself, that the use of such renowned consultants will cover over the lawyers inadequacies.



Thank you for everything.

As always, I remain,



Most respectfully yours,

*Charles N. Simkins*  
CHARLES N. SIMKINS



CNS/Ig

Michigan Lawyers Weekly  
333 South Washington  
Suite 300  
Lansing, Michigan 48933

Attn: Trials and Settlements

NAME OF CASE: NANCY BURNS AND GERALD BURNS v DAVID LEE SARSON, AND MARTIN LEASING COMPANY, jointly and severally,

COURT: GENESEE COUNTY CIRCUIT COURT

NAME OF JUDGE: VALDEMAR L. WASHINGTON

TYPE OF CASE: TRUCK/CAR CRASH

TYPE OF INJURIES: MILD TRAUMATIC BRAIN INJURY, SIX (6) FRACTURED RIBS, FRACTURED PELVIS AND KNEE INJURY REQUIRING ORTHOSCOPIC SURGERY

ATTORNEY FOR PLAINTIFF: CHARLES N. SIMKINS, STEPHEN J. KIRKSEY AND ANNE CRAIG

DEFENSE ATTORNEY: GEORGE STEEL AT HARVEY, KRUSE, WESTEN AND MILAN

MEDIATION AWARD: \$950,000.00

HIGHEST OFFER PRIOR TO TRIAL: \$500,000.00

HIGHEST OFFER DURING TRIAL: \$600,000.00

INSURANCE COVERAGE: \$975,000.00 PLUS VERY COLLECTABLE DEFENDANT

JURY VERDICT: **\$3,750,000.00 FOR NANCY BURNS, REDUCED BY 5% FOR COMPARATIVE NEGLIGENCE, AND \$300,000.00 FOR GERALD BURNS.**

**INTERESTING FACTS**

At the scene, Plaintiff was noted to be conscious, awake, alert and oriented, and during an eight (8) day stay in the hospital, was not diagnosed as having a traumatic brain injury. All neurological signs were normal, as was the CT scan of the brain. The initial diagnosis or impression of traumatic brain injury was made by an occupational therapist.

A very interesting feature of this case is that the court allowed the testimony of Mr. Stan Smith of Chicago, Illinois on the issue of Hedonic Damages, or quantification of the value of the loss of enjoyment life.

LAW OFFICES

GIBBINS, WINCKLER & HARVEY

A REGISTERED LIMITED LIABILITY PARTNERSHIP

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(512)474-2441

INVESTIGATORS:  
DWAIN COFFEY  
REED TECKENBROCK, R.N.  
CURRY TECKENBROCK, R.N.

TELECOPIER (512)482-8303

\*\*BOB GIBBINS - 1992  
\*JAY L. WINCKLER  
\*JAY HARVEY  
STEVE GIBBINS  
SUSAN RUSSELL, R.N.  
WAYNE PROSPERI

President  
of ATLA

\*\* BOARD CERTIFIED  
PERSONAL INJURY TRIAL LAW  
CIVIL TRIAL LAW

\* BOARD CERTIFIED  
PERSONAL INJURY TRIAL LAW

Mr. Stan Smith  
1165 N. Clark Street, Suite 650  
Chicago, Illinois 60610

Dear Stan:

You were so very kind to send me the information about the heart test. I will discuss that with my physician in due course.

I am sending my dear friend, Tom Henderson, the Executive Director of ATLA a copy of this letter about your pointing out that you have been reading that the defense bar was assisting in writing a manual for Federal judges. You feel positive that ATLA is or will be mounting some sort of counter to this project and would like to help in the area of economic evidence. I really appreciate that because you have been the best economic expert that I have ever had; and your specialty in hedonic damages has made a lot of difference.

As a matter of fact, Stan, I just settled the Holmes case which you gave your deposition on a week ago Saturday. It was going to trial in November and they caved in and settled for \$4.75 million which I think you would be very pleased about. I thought you were an excellent witness and your specialty in hedonic damages made a lot of difference, I'm sure.

As to this defense bar writing a manual for Federal judges, I appreciate your concern, and particularly for example, that the loss of enjoyment of life testimony might be evidence that the manual recommends it be excluded. We can't let that happen. I am also sending a copy of this letter to Larry Stewart, our current President, requesting that he try to put together a strong counter to this project through ATLA. I am also telling Larry and Tom Henderson that I think you would be an excellent expert for this project on economic evidence which could make a lot of difference and that you are willing to do it at your own time and expense.

As to whether there is any way you could contribute to making sure our manual, assuming that it is going to be done, contains sane and sensible recommendations, I would strongly recommend that Larry and

Mr. Smith  
Page 2

Tom get in touch with you and send you a copy to add to the matter on economic evidence and to review the whole manual since it affects all Plaintiffs' attorneys and certainly your main specialty regarding "the loss of enjoyment of life" testimony.

I am also pointing out to Tom and Larry that you are a founder of the group called The National Academy of Economic Arbitrators and that you have also pointed out that other members of the group would be willing to help if necessary.

I am asking Tom and Larry to get in touch with you immediately on this matter and to let you know where ATLA is and/or is going in response to the defense bar assisting in writing a manual for Federal judges.

In conclusion, thank you again for the brochure you sent me which I got on heart check. I will certainly read it and keep in shape.

Your friend,



Bob Gibbins

cc: Mr. Tom Henderson  
Executive Director, ATLA  
1050 31st Street, NW  
Washington, D.C.

Mr. Larry Stewart  
44 West Flagler Street, Suite 1900  
Miami, FLA 33130-1808

## Notable Settlement

CASE TYPE: *wrongful death*  
CASE: *Holmes v. Torch Operating Co.,*  
*93-33783 (Dist. Ct., Harris Co., Texas)*  
WINNING ATTORNEY: *Bob Gibbins of*  
*Houston's Gibbins, Winckler & Harvey*

ON SEPT. 16, Torch Operating Co. agreed to pay \$4 million and SW Consultants Inc. agreed to pay \$750,000 to the family of an oil worker who was electrocuted in a May 1993 accident. Daniel Holmes died while cleaning debris around an oil well in LaGrange, Texas, when the rake he was using contacted a high voltage wire in the mud, says plaintiffs' attorney Bob Gibbins. The money will go to Mr. Holmes' widow, daughter and mother. [E]

# THE NATIONAL LAW JOURNAL

THE NEW YORK LAW PUBLISHING COMPANY

The Weekly Newspaper for the Profession

PRICE, \$3.00 - MONDAY, OCTOBER 24, 1994

\*\*\* Stan V. Smith testified as to the present value of lost earnings, household services, and loss of society and companionship, at deposition.



Roger A. Christ  
Attorney At Law  
1817 Ibson Drive  
Powell, Ohio 43065

---

Stan V. Smith  
President  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 650  
Chicago, Illinois 60610

re: Pennington

Dear Dr. Smith:

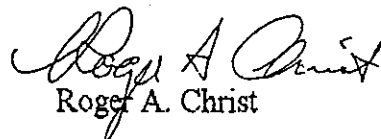
Under letter of March 23, 1994, you stated that my case settled and that it was not to my satisfaction. Actually, this misstated the fact. I was disappointed that my clients decided to settle this case as I was looking forward to trying the case based on your testimony.

Also, I am attaching your questionnaire. I was very pleased with your service and thought it was worth every penny. I particularly appreciated receiving a copy of your book, and was impressed when you sent case law to support your right to testify.

I am confident your report was instrumental in settling this case. Defendant believed it had no risk and would "roll the dice" at trial, until Defendant realized that Plaintiff would blackboard substantial damages and even a verdict in a small percentage of the amount claimed would be significant.

I cannot express how much I appreciated your office's assistance in this matter. You and your staff were very professional upon every contact. I look forward to meeting you on my next case.

Very truly yours,

  
Roger A. Christ

**HUNTINGTON CIRCUIT COURT**

MARK A. MCINTOSH, JUDGE

ROOM 301 - COURTHOUSE

HUNTINGTON, IN 46750

358-4814 (219)

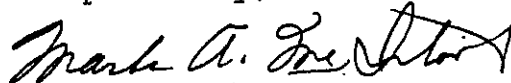
Corporate Financial Group Limited  
Mr. Stan V. Smith, President  
1165 North Clark Street  
Suite 650  
Chicago, IL 60610

Dear Stan:

I heartily appreciated your updated Curriculum vitae and your three part series on spotting bias in evidence concerning economic damages.

You would be surprised how many times I have reached for your book and used it and appreciated it greatly.  
Looking forward to seeing you again.

Respectfully,



Mark A. McIntosh, Judge  
Huntington Circuit Court

MAM/ajs

KINSON & WALLACE, P.C.

ATTORNEYS AT LAW  
COURTHOUSE OFFICE PARK  
SIX COURTHOUSE LANE  
CHELMSFORD, MA 01824-1724

FAX (508) 970-0216

(508) 970-0676

Mr. Stan Smith  
Corporate Financial Group  
1165 N. Clark Street, Suite 650  
Chicago, IL 60610

RE: DENISE VINAL, ET AL  
VS. NEW ENGLAND TELEPHONE & TELEGRAPH COMPANY  
MIDDLESEX SUPERIOR COURT CIVIL ACTION NO: 91-0564

Dear Mr. Smith:

Your video tape testimony was accepted into evidence by the Trial Court in the Commonwealth of Massachusetts in the above referenced case. Your testimony was most helpful to the plaintiff and the cooperation with plaintiff's counsel which you exhibited throughout the entire case was excellent.

We wish to thank you for your assistance and wish you luck in the future.

Sincerely,



Edward F. Wallace, Esquire

EFW:bw



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OF

WILLIAM D. MEILY

22 Clay Street  
Dayton, Ohio 45402

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Telefax (513) 461-3299

Stan V. Smith, President  
Corporate Financial Group, Ltd.  
1165 N. Clark Street  
Suite 650  
Chicago, IL 60610

*Failure to  
honor Insurance  
Coverage*

RE: Prudential v. Trent

Dear Stan:

I am enclosing herewith a copy of your Evaluation of Services. As you can see I think you and your staff performed in an exemplary fashion.

My only concern was that I attempted to use you in essentially a contract case and by doing so I basically tried to fit a 'square peg into a round hole'. Nevertheless, I truly believed it enhanced the settlement value of this case.

By the way, and per your request, the total value of the settlement package is between \$170 - \$180,000.00 and in addition thereto the Trent's were reinstated to their former Prudential "fee for service" insurance policy. Although the latter may have suppressed the monetary end of the settlement package I believe it was best for the Trent's to get out of their HMO and back into the fee for service carrier. Essentially, no other fee for service carrier would have taken them based upon Mr. Trent's triple bypass.

I appreciate the services you performed and will most certainly use you again. Your accessibility is noteworthy and of substantial value to the individual practitioner.

Again, I thank you for your assistance.

Very truly yours,

William D. Meily

WDM/wr

Enclosure

cc: Mr. and Mrs. Robert Trent

GARY EDWARD ORR  
DAVID A. DVORAK  
D. MICHAEL RICKGAUER

2515 EAST WASHINGTON STREET  
EAST PEORIA, ILLINOIS 61611  
FAX (309) 699-7224

Mr. Stan V. Smith  
President  
Corporate Financial Group, Ltd.  
1165 N. Clark St.  
Ste. 650  
Chicago, IL 60610

RE: Gibson, et al. v. Musil

Dear Stan:

The jury returned a verdict totalling \$1,305,000.00 in the Gibson case on October 13, 1993, the day after you testified. The verdict for the wrongful death claim was \$1,200,000.00. \$100,000.00 was awarded to Belevia for her personal injuries. \$5,000.00 was awarded to Sandy Gibson for his personal injuries. I am told that the wrongful death verdict was the largest wrongful death verdict returned in Central Missouri to date.

Your testimony was excellent: clear and credible. I spoke to the jurors afterward and learned that they adopted your analysis and awarded the approximately \$1,000,000.00 that you testified to in economic losses, in addition to several hundred thousand in loss of consortium.

Thank you for your extraordinary responsiveness and willingness to help me in every way you could in this case.

With warmest regards,

ORR, DVORAK & ASSOCIATES, LTD.,

By: 

David A. Dvorak

DAD/kb

kdgb881.ltr

BARBER AND BARBER  
ATTORNEYS AT LAW  
200 SOUTH MCKENNA - P. O. BOX 518  
POTEAU, OKLAHOMA 74953  
TELEPHONE: (918) 647-8681  
FAX: (918) 647-9881

RUSSELL V. BARBER

BELVA BROOKS BARBER

Mr. Stan Smith  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 650  
Chicago, Illinois 60610

Re: McGill vs. Kansas City Southern  
Case No. C-92-582, LeFlore County, Oklahoma

Dear Stan:

Enclosed is our Trust Account check #871 in payment of your invoice for expert witness fees in the McGill case. I have been in the business for ten years, and you are the best expert witness that I have seen in the courtroom. Your testimony has a significant impact on a jury due to your sincerity and your ability to articulate complex economic theories into simple layman's terms that a jury can understand.

Defense counsel apologized to the jury in his closing argument for his attempt at cross examination of you. He admitted to the jury that he simply did not like you and let his personal feelings get in the way of presenting his case. I think you simply intimidated him as you were obviously smarter than he was. The jury returned a verdict of \$250,000.00 for Mrs. McGill.

Thank you again for your assistance. I hope that I have a chance to use your services in the future.

Very truly yours,

BARBER AND BARBER

  
Belva Brooks Barber

BBB/lrv  
Enc.  
2/4561/1019.01

*PS - Received my calculator in yesterday's mail. Thanks so much for remembering! B*



# NEW HAMPSHIRE TRIAL LAWYERS ASSOCIATION

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State Delegate, Term Exp. 1994

R. DAVID DePUY  
State Delegate, Term Exp. 1995

Stan V. Smith  
1165 N. Clark Street, Suite 650  
Chicago, IL 60610

Dear Stan:

Thanks so much for your participation in our CLE Program "Secrets & Strategies of Trial Law." Feedback from participants has been most positive; comments from our member attorneys indicate that your presentation was valued as highly at that of Gerry Spences! You both consistently received high marks for substance and presentation.

Also, as per our conversation, I am enclosing the copy guidelines for our *Trial Bar News*. The deadline for our Spring issue is February 1st. If you have any questions, please do not hesitate to call.

Again, thank you for your outstanding presentation.

Sincerely,

Jennifer Soldati  
Executive Director

Enclosure

JS/cag

Simkins and Simkins

Attorneys at Law

200 N. Center Street  
Northville, Michigan 48167

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Telefax: 313/349-8982

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Telefax: 313/227-5789

Charles N. Simkins

M. Martha Simkins

Thomas R. Hess

Anne T. Craig



Corporate Financial Group Limited  
1165 North Clark Street, Suite 650  
Chicago, Illinois 60610

Attn: Stan V. Smith, President

Re: Janet Bernardino v John L. Novak, et al.

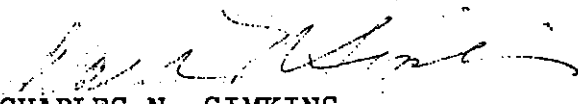
Dear Stan:

I am writing to let you know that thanks in part to your tremendous work, we were able to achieve a settlement in this case in the amount of \$600,000. As you may know, the national average for settlement and verdicts for cases involving "mild" closed head injury is \$11,000, and in all of the cases where we have tried to get your testimony and evidence admitted, our settlements have averaged something in the area of \$500,000 to \$600,000.

In closing, and as always, please accept my best wishes and prayers to you and your children for your good health, happiness and success in all of your endeavors.

As always, I remain,

Most respectfully yours,

  
CHARLES N. SIMKINS

CNS:ms



SPEISER, KRAUSE, MADOLE

&

MENDELSON

A PARTNERSHIP OF PROFESSIONAL LAW CORPORATIONS

2600 NATIONSBANK PLAZA  
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SAN ANTONIO, TEXAS 78205

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(714) 553-1421  
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NEW YORK OFFICE  
TWO GRAND CENTRAL TOWER  
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NEW YORK, NEW YORK 10017  
(212) 681-0011  
FAX: (212) 953-6483

WASHINGTON OFFICE  
1216 18TH STREET, N.W.  
WASHINGTON, D.C. 20036  
(202) 223-8501  
FAX: (202) 223-7253

PLEASE REPLY TO ABOVE OFFICE

Mr. Stan V. Smith, President  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 650  
Chicago, Illinois 60610

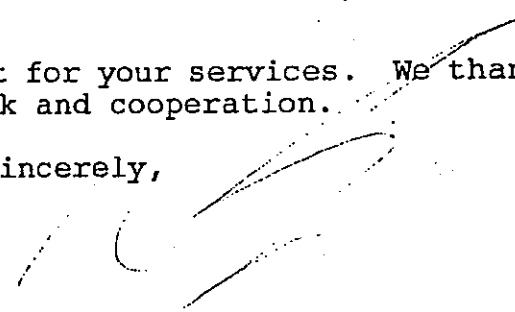
Re: Larry Mark Brown, et al. vs. Coastal States Crude  
Gathering Company, Inc. et al.

Dear Stan:

I am pleased to inform you that the above-referenced cause has  
been settled for \$1,625,000.00.

Please send us a final statement for your services. We thank  
you and your staff for your good work and cooperation.

Sincerely,

  
Randall C. Jackson, Jr.

RCJ:kr

kay/brown/smith.ltr2



*Paul Snow and Associates*

*A Professional Law Corporation*

*512 Court Street*

*Jackson, Mississippi 39201*

*(601) 969-1977*

*Board Certified - Civil Trial Practice*

*National Board of Trial Advocacy*

*Licensed in Mississippi and Louisiana*

Mr. Stan Smith  
Corporate Financial Group, Ltd.  
1165 North Clark Street  
Suite 650  
Chicago, IL 60610

Re: Anderson and Pickett v. Kroger and Super D  
Hinds Circuit Nos. 91-67-160, 161

Dear Stan:

You will recall that you were previously contacted in connection with the above mentioned accident and have been listed as a witness.

We were successful in settling the cases with the insurance companies of Kroger and Super D who illegally sold alcohol to minors. We were able to settle the cases with the insurance companies for a guaranteed total payment of \$4,420,000.

On behalf of our clients, we really appreciate all of your help and assistance in these cases. We would not have been able to successfully conclude this matter without your help.

Thanks again for all of your assistance in this matter. With best wishes and kindest personal regards, I am

Sincerely yours,

PAUL SNOW & ASSOCIATES

Paul Snow

PS/ac

Corr/Witness.ltr

ALVIN W. BLOCK & ASSOCIATES

ATTORNEYS AT LAW  
33 NORTH LA SALLE STREET  
30TH FLOOR  
CHICAGO, ILLINOIS 60602

ALVIN W. BLOCK  
BERNARD N. BLOCK  
JEROME E. BOYLE  
EDWARD A. COHEN  
RAYMOND P. SCHMITZ  
WARD L. ZIELINSKI\*

(312) 346-5656  
FAX (312) 78-BLOCK

JACOB S. GUTHMAN  
(1900-1991)

\*ALSO LICENSED TO PRACTICE IN MICHIGAN

Stan V. Smith  
Corporate Financial Group  
1165 N. Clark Street Suite 650  
Chicago, IL 60610

Re: *Dolan vs. Gawlicki*; 89 C 633; Circuit Court Of Will County


Dear Stan:

I want to thank you for your work on this case. As you know, the jury rendered a verdict for \$1,225,000. This is an exceptionally fair verdict for the wrongful death of a housewife who worked part-time, and whose husband remarried before trial. This may well be a record for a case of this kind in Will County, and it is certainly at the upper end of the range for such awards.

I had to advise the young associate on this case that he should not consider our experience with you representative of expert witnesses generally. Most experts require painstaking preparation with the lawyer, meticulous review of work product and extensive rehearsal before deposition and trial. You, on the other hand, are a consummate professional. Your reports are perfect, your backup is unimpeachable, your office staff is excellent, your credentials are impressive, and you handle yourself extraordinarily well under oath. Unlike most experts, you make my job easy. You are the only expert I will submit for deposition, or put on the stand, without extensive preparation beforehand.

Your work on this case was crucial to our success. We are very grateful to you for your help, and you can be sure we will be working with you again in the future.

Very truly yours,

  
Jerome E. Boyle

JEB/mys

Ernest Hubbell  
Daniel D. Sawyer  
John T. Peak  
G. Michael O'Neal  
Gene C. Napier  
William C. Hopkins  
Christopher H. Leach  
Rick D. Holtscaw  
Bradford C. Kendall

Power & Light Building 25th Floor  
106 West 14th Street  
KANSAS CITY, MISSOURI 64105-1992

816/221-5666

FAX  
816/221-5259

Professor Stanley V. Smith  
First Chicago Bank Building  
1165 N. Clark Street, Suite 650  
Chicago, Illinois 60610

Re: WARRICK v. CSX TRANSPORTATION, INC.

Dear Professor Smith:

We have successfully resolved the above-referenced case. Mr. Warrick and I want you to know that your work was invaluable in obtaining the successful result.

This case was vigorously defended by the CSX Railroad. One defense strategy was to generate an overwhelming amount of litigation and paperwork. In order to counter this strategy, it was important that we manage our litigation resources as wisely as possible. The careful, efficient, timely and professional way in which you and your office conducted your work was one of our greatest assets. After providing you the necessary information we were able to confidently turn our attention to other issues. That our confidence in you was justified is evident in the effective testimony you gave in the case.

Regarding your effectiveness, in a particularly candid moment, defense counsel informed me that you were the subject of discussion at a recent defense bar seminar. He told me that the conclusion reached at the seminar was that there is only one way to handle Stan Smith when he is retained by the opponent. Do not allow him to testify. The defense bar concluded that once the opponent is allowed to present you and your work to the jury, there is little that can be done to diminish your effectiveness.

We are fortunate to have had the opportunity to work with you, and we thank you for your contribution to the successful resolution of this case.

Sincerely,

HUBBELL, SAWYER, PEAK & O'NEAL

*Chris Leach*  
Christopher H. Leach

O'CALLAGHAN & ASSOCIATES, P.C.

ATTORNEYS AT LAW

SUITE 2040

230 WEST MONROE STREET

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CABLE BARRISTER

FAX (312) 236-0541

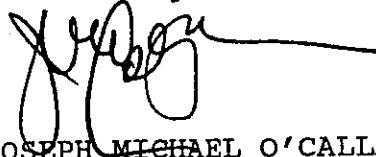
Mr. Stan V. Smith  
CORPORATE FINANCIAL GROUP, LTD.  
1165 N. Clark Street  
Suite #650  
Chicago, IL 60610

Dear Stan:

Thanks again for your help on the Sarka case. Although we didn't get to trial, I think your testimony on the loss of enjoyment of life was quite useful in helping us to obtain a record breaking nearly nine million dollar settlement upon this brain damaged baby case. Your pioneering theories are helping to expand the limits of recovery for the catastrophically injured plaintiff.

Keep up the good work.

Kindest regards,



JOSEPH MICHAEL O'CALLAGHAN

JMO:esk

\$9,000,000

LAW OFFICES OF

*Ned R. Carnall*

*A Professional Corporation*

AND

*S. Daniel Weldy III*

TELEPHONE  
(219) 824-4100

FAX  
(219) 824-8440

124 WEST MARKET STREET  
BLUFFTON, INDIANA, 46714

Mr. Stan V. Smith  
Corporate Financial Group Limited  
1165 North Clark Street  
Suite 650  
Chicago, Illinois 60610

RE: BRIAN DICK WRONGFUL DEATH MATTER

Dear Stan:

I have received your recent correspondence, as well as your form for Evaluation of Services, and thank you for same. I apologize for not responding to your earlier request for evaluation.

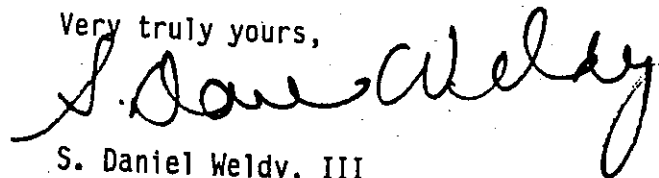
As you can tell from the form, we were extremely happy with both the services of you and your group, as well as the result which we obtained. For your information, we were able to settle the matter for the sum of \$1,000,000.00, believed to be the third highest settlement in the history of Wells County. At the actual settlement conference, the two insurance company lawyers (two trucking companies were involved, and thus two separate insurance carriers) were not able to dispute your "hard figures" on economic losses. I do not think there is much question that your report had a substantial impact on the ultimate settlement figure, as Wells County is known as a very rural and conservative area, and of course, defense counsel were aware of this.

There is no question that in the event we need an Economist in the future we will call upon you immediately. I have also recommended your services to several of my fellow trial attorneys here in the state of Indiana, as well as several defense counsel.

Additionally, I may accept your offer with regard to calling you on an informal basis with regard to economic issues, since because of this settlement, I'll have a few dollars to invest.

Thanks to you and your entire organization, and you have our permission to show this letter to anyone.

Very truly yours,



S. Daniel Weldy, III

SDW:dkm

Enclosures

# State Farm Mutual Automobile Insurance Company

ONE STATE FARM PLAZA  
BLOOMINGTON, ILLINOIS 61710

MICHAEL MISCH  
AUTO CLAIM COUNSEL  
PHONE (309) 766-5658

Stan V. Smith  
President Corporate Financial Group Limited  
1165 N. Clark Street, Suite 650  
Chicago, Illinois 60610

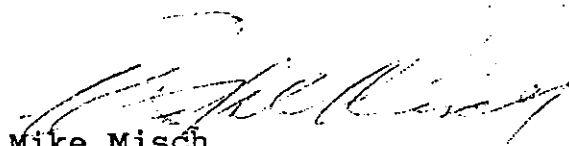
Dear Stan:

I enjoyed the opportunity of meeting you at the ABA Annual Meeting.  
The presentation you prepared on Hedonic Damages was outstanding.  
I feel our session was quite lively and that both sides presented themselves very well.

Thank you for sending me your paper on How to Spot Bias in Plaintiff's Economic Loss Reports. I have taken the liberty of circulating it within our legal department.

Thank you once again for your presentation, your excellent paper, and the pleasure of your company.

Sincerely,



Mike Misch  
Auto Claim Counsel

MM/dds

Stan V. Smith  
Corporate Financial Group, Ltd.  
1165 N. Clark Street  
Suite 650  
Chicago, IL 60610

Re: Cathers

Dear Stan:

Thank you for your letter of July 29, 1992. In response to your questionnaire I was very pleased with the promptness, efficiency and pleasantness of your staff, and the excellent quality of the product which you have provided. This claim involved the United States Government and we were \$500,000 apart for the better part of a year before I received your report. As you now know, the case settled for \$1,500,000 and that \$500,000 was the full amount which had been in controversy. I believe that your report was an important factor in convincing the government to pay the additional \$500,000. Our firm is using you in several cases at the present time and I have already had the opportunity to refer you to several other people and I look forward to working with you in the future. Best regards.

Sincerely yours,

STARK & STARK  
A Professional Corporation

By: 

JOHN A. SAKSON

JAS:sm



RICCARDO D. ARCARO, P.C.  
ATTORNEY AT LAW  
18501 WEST TEN MILE ROAD  
SOUTHFIELD, MICHIGAN 48075-2663

(313) 569-4910 OFFICE  
(313) 473-8137 HOME  
(313) 569-6925 FACSIMILIE

Mr. Stan V. Smith  
President  
Corporate Financial Group, Ltd.  
1165 North Clark Street  
Suite 650  
Chicago, Illinois 60610

Re: Anuszkiewicz vs. Montgomery Ward & Co., et al.

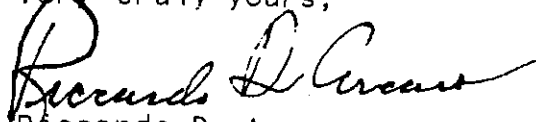
Dear Mr. Smith:

Greetings. Please accept my heart felt and profound appreciation for the extraordinary effort you put forth in analyzing and describing for the ladies and gentlemen of the jury the economic losses sustained by Mr. and Mrs. Anuszkiewicz. Your testimony resulted in the jury adopting your analysis and awarding more than \$4,000,000.00 in damages.

I have been practicing personal injury litigation for approximately fifteen years. I have participated in hundreds of trials, many of which involved economic loss analysis. In no case have I seen more persuasive testimony than that which you provided. Your demeanor and manner while testifying was quintessentially persuasive. Your response to cross-examination questions was sincere, informative and obviously well received by the ladies and gentlemen of the jury.

I look forward to having the opportunity to work with you in the future. With kind regards I am.

Very truly yours,

  
Riccardo D. Arcaro

RDA/sm

JUDE J. KOSTAS  
ATTORNEY-AT-LAW

SUITE 401  
125 EAST STREET  
DEDHAM, MA 02026

617/329-7680

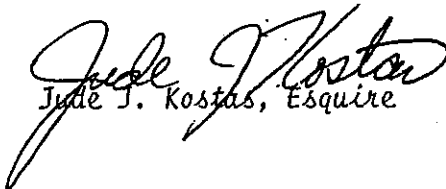
Mr. Stan Smith  
Corporate Financial Group, Ltd.  
Suite 650  
1165 N. Clark Street  
Chicago, IL 60610

RE: John Hanna v. Berkshire Mutual Ins. Co.

Dear Stan:

I just wanted to let you know that we received an award in regards to the above named case in the amount of \$467,500.00. This is one of the highest arbitration awards in this state in some years. I want to thank you once again for your help in this matter and if I may be of any assistance at any time, please let me know. Thank you for a job well done.

Sincerely,

  
Jude J. Kostas, Esquire

JJK/cah

LAW OFFICES  
BONAR, INCORVAIA, GLANCY & LIUZZI

A PROFESSIONAL CORPORATION

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VIRGINIA G BONAR  
JOEL L INCORVAIA  
CYNTHIA J GLANCY  
MICHAEL D LIUZZI  
ANNA M MUELLER

Mr. Stan V. Smith  
Corporate Financial Group, Ltd.  
1165 North Clark Street, Suite 650  
Chicago, Illinois 60610

Re: Donald W. Shaw v. Maurice Schiff, M.D., et al.  
Our File No. 1712.01

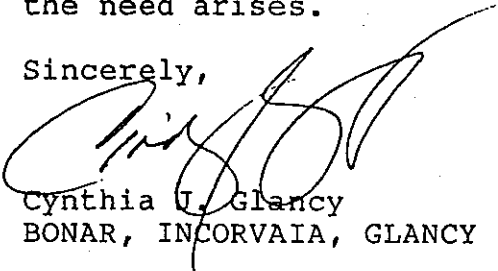
Dear Mr. Smith:

I am writing to thank you for your valuable assistance as an expert on behalf of Donald Shaw. I am very pleased to confirm that Mr. Shaw's lawsuit was settled in his favor. The information you provided regarding Mr. Shaw's hedonic damages was a key part of our settlement negotiations.

It was a pleasure to work with both you and your staff, who were consistently well organized, responsive and very personable. The written material you provided also was most helpful.

Again, thank you for your assistance and your willingness to come to San Diego to testify on Mr. Shaw's behalf if that had been necessary. I look forward to working with you in the future, if the need arises.

Sincerely,



Cynthia J. Glancy  
BONAR, INCORVAIA, GLANCY & LIUZZI

CJG:sm  
23/1712:23

STEPHENSON & MCGHEE

ATTORNEYS

5325 KATY FREEWAY SUITE 610

HOUSTON, TEXAS 77007

(713) 529-1000

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CYNTHIA TREVINO BEHLMER

JACK E. MCGHEE  
BOARD CERTIFIED  
PERSONAL INJURY TRIAL LAW  
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DIPLOMATE-AMERICAN BOARD OF  
PROFESSIONAL LIABILITY ATTORNEYS  
FAX (713) 568-9393

Mr. Stan Smith  
Corporate Financial Group, Ltd.  
1165 N. Clark Street  
Suite 650  
Chicago, Illinois 60610

RE: REAGAN JOSEPH BARTON

Dear Stan,

Today, the case of Joey Barton settled for \$1,725,000 cash paid as follows: \$1,200,000 from Dr. Konjoyan and Park Place Hospital; \$300,000 from Dr. Richardson; \$150,000 from the apartment complex which held the party where the driver of Joey's car got drunk; \$25,000 from the homeowner's insurance of the 1st social host of the party; \$25,000 from the homeowner's insurance of the 2d social host of the party; \$50,000 from Joey's uninsured motorist policy; and \$25,000 from the automobile liability policy of the deceased driver.

Your role was critical in convincing the insurance companies that we were prepared to go the distance. I sincerely appreciate your willingness to study the case in meticulous detail. Because Joey was unemployed, had no dependents, and only had another year at the most to live at home, we believe the result was extremely fair to Shirley.

Joey's death touched many people. The town still remembers the tragedy. I have had the opportunity to lecture to 6 high school classes about a young, popular, all-star, high school senior who left a party early to get home before curfew, only to find himself at the mercy of a drunk driver. My daughter repeatedly tells the story to convince her friends to use "designated drivers." I plan on telling Joey's story to as many who will listen. I must admit, his case had a huge impact on my life.

Thanks.

Sincerely,



JACK E. MCGHEE

FRIEDMAN, DONALDSON & PHILLIPS

ATTORNEYS AT LAW  
420 WEST BROUGHTON STREET  
POST OFFICE BOX 9056  
SAVANNAH, GEORGIA 31412

STANLEY H. FRIEDMAN  
R.B. DONALDSON, JR.  
BOBBY PHILLIPS  
WILLIAM G. BELL III  
JANNA MARTIN  
TODD A. HALL

(912) 232-0015  
FAX 912-238-1764

ATTN: MR. STANLEY SMITH  
Corporate Financial Group, Ltd.  
1165 North Clark Street  
Chicago, Illinois 60610

Dear Stan:

I certainly enjoyed meeting you and I appreciate the testimony which you gave at your deposition. For your information, I believe that the defense counsel were very much impressed with your insight and knowledge. Walter Ballew specifically stated that I had "the best" in the area, meaning the area of forensic economics.

I certainly agree with him. I am enclosing my firm's check

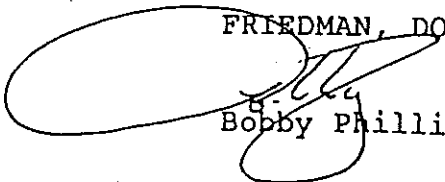
I hope that you will send me a copy of the briefs supporting the admissibility of your testimony. As soon as I have finished my brief, I will provide you with a copy of that.

Once again, I did enjoy meeting with you and look forward to our continued association on this case.

With warm regards,

Sincerely,

FRIEDMAN, DONALDSON & PHILLIPS



Bobby Phillips

BP:ejc

Enc.

*Padberg, McSweeney, Slater & Merg*

*A Professional Corporation*

ATTORNEYS AT LAW

*1015 Locust Street, Suite 800*

*St. Louis, Missouri 63101*

AREA CODE 314 • 621-3787

FAX 621-7396

GODFREY P. PADBERG  
EDWARD P. McSWEENEY  
R. J. SLATER  
CHARLES L. MERZ

RICHARD J. BURKE, JR.  
MATTHEW J. PADBERG \*  
JAMES P. LEONARD \*  
ANTHONY J. SOUKENIK \*  
THOMAS C. SIMON

\* MEMBER MISSOURI  
AND ILLINOIS BAR

Mr. Stan Smith  
Corporate Financial Group  
1165 No. Clark, Suite 650  
Chicago, IL 60610

Dear Stan:

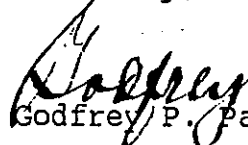
As we advised you by phone, we settled the Martel case. I believe it may be one of the largest settlements to an individual for personal injuries in the St. Louis area. I've obtained a verdict for larger sums, but this is the largest amount ever voluntarily paid, at least to our firm, and we do a substantial amount of personal injury litigation.

Your cooperation, expertise and assistance in this case was invaluable. It is comforting to a trial attorney to have an expert so willing to accomodate a trial schedule. My sincere thanks.

I am enclosing herewith a Memorandum that we prepared to substantiate the admission of "hedonic damages". This has not been addressed in Missouri and it was my belief that the Judge would have allowed you to testify in accordance with your calculation of Steve's reduced value of life.

I look forward to working with you in the future and, again, I very much appreciate the cooperation you demonstrated in this case.

Sincerely,

  
Godfrey P. Padberg

GPP:jlb  
Enclosure

Loren Domke, P.C.  
ATTORNEY AT LAW  
P.O. BOX 021216  
JUNEAU, ALASKA 99802-1216

TELEPHONE (907) 586-1102

Mr. Stan V. Smith  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 650  
Chicago, IL 60610

Re: Wilfred Baptiste

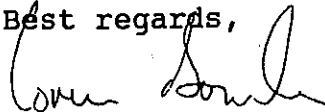
Dear Stan:

With Mr. Baptiste's case concluding, I wanted to write and thank you again for your invaluable assistance.

Over the years, I have had the pleasure of working with a number of expert witnesses in many different fields. Unquestionably, your communication skills to the jury were the best that I have encountered. Your thoughtfulness in staying in touch with the office to determine if we needed you during our rebuttal case also was greatly appreciated.

Stan, once again, I think that you have been far and away the best expert I have had the pleasure to work with over the years. I hope that if ever you get back to Alaska, we will have the chance to meet and take that fishing trip I promised.

Best regards,



Loren Domke

Enclosures

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Charles J. Ballay  
Stephen C. Braud  
Cynthia Davidson

Mr. Stan V. Smith  
Corporate Financial Group, Ltd.  
First Chicago Bank Building  
1165 N. Clark Street  
Suite 650  
Chicago, IL 60610

Re: Roxanne M. Berrera, et al vs.  
Hyundai Motors America  
Corporation  
25th JDC No. 32-724 (B)

Dear Stan:

Immediately after the Berrera vs. Hyundai trial I began a second trial which has delayed my response to you. Perhaps another reason was that the jury returned a verdict in favor of Hyundai finding no defect in its automobile. This obviously upset us quite a bit and we are now trying to determine what action we should take.

Nevertheless, your testimony on hedonic damages was superb. We believe that the jury followed you very well and would have awarded some damages for loss of future enjoyment of life if they had found Hyundai liable. Hyundai's opposing expert to you, Jerome Staller, was totally ineffective. The information you furnished us on him allowed us to make him so.

Hopefully we will have the case overturned on appeal and will get another shot at them. Thank you for the professional courtesies you extended to us.

Very truly yours,

  
Charles J. Ballay

CJB/mag

c: Brian J. Waid



BRIAN F. MAHONEY  
ATTORNEY-AT-LAW

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DEDHAM, MA 02026

617/329-8080

Stan V. Smith  
President  
Corporate Financial Group, Ltd.  
1165 N. Clark Street  
Suite 650  
Chicago, IL 60610

Re: Gorman v. Willinsky  
Norfolk Superior Court  
Civil Action No. 87-050

Dear Stan:

I am pleased to announce that we settled my wife's case today for an amount which I cannot disclose. Because the case was filed in January, 1987, prejudgment interest brought the award of \$879,000.00 to over \$1.4 Million.

Prior to the first mistrial they offered only \$55,000.00. Prior to the second trial in May they offered a mere \$175,000.00. After the trial they offered \$750,000.00, which we did not accept. Our Motion to attach defendant's real estate and defendant's Motion for a new trial are now moot as a result of the settlement.

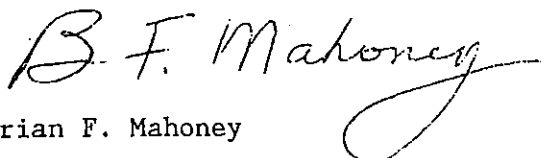
I wish we had more time to talk while you were here, but I wish to extend my thanks to Diane, Trudi and yourself, for your constant attention to our concerns and questions. I was pleased to find out (during your cross exam) that you did thoroughly review all materials we sent you.

The Jury awarded \$476,000 for earning impairment (past & future) and \$228,000 for past and future medicals. It is clear your testimony was believed in its entirety.

The next time I require the services of an Economist, I shall call you at once.

Thank you and best regards.

Very truly yours,



Brian F. Mahoney

BFM/sd

# DELANO LAW OFFICES, P.C.

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Stan V. Smith, President  
Corporate Financial Group, Ltd.  
Suite 650; 1165 North Clark Street  
Chicago, Illinois 606010

Re: Josephine Gron

Dear Mr. Smith:

We are in receipt of your correspondence of May 23, 1991. Thank you very much.

We have dealt with you and your firm frequently enough that I am not certain that our responses can be pigeon holed into the evaluation of services which was attached to your correspondence. Suffice it to say, the occasion of a discovery deposition of one's own expert witness is not a happy experience. The question is usually not whether the opinions of your expert will be damaged to some degree but, rather, the extent of the damage and whether or not the testimony of that expert remains viable following the deposition.

Your professionalism and coolness under fire made your deposition in connection with Mrs. Gron's litigation a pleasurable experience for us. It is difficult to assess exactly what goes into a successful settlement or verdict and to assess the impact of a single area of testimony from among so many areas of evidence. The fact remains in the instant case, however, that this lengthy and protracted litigation concluded within two weeks of your discovery deposition.

We look forward to working with you in future matters.

Very truly yours,

DELANO LAW OFFICES, P.C.



Charles H. Delano

CHD/bsc

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Mr. Stan Smith  
Corporate Financial Group, Ltd.  
1165 North Clark Street  
Suite 650  
Chicago, IL 60610

RE: Gorman v. Willinsky  
Norfolk Superior Court  
# 87-050

Dear Stan:

I would like to thank you for your excellent work on behalf of Pam Gorman.

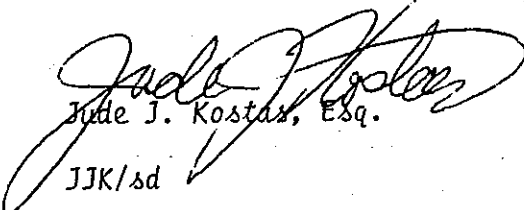
As you know, the plaintiff's husband, Atty. Brian Mahoney, was originally referred to you by his former professor, Thomas Lambert, Jr., A/K/A Tom on Torts.

Although the trial judge did not want us to use Hedonic Damages, and we did not press the issue, your testimony was the cornerstone of the \$879,000 Judgment regarding impairment of earning capacity and future medicals in this malpractice action, in which the highest offer was \$175,000.00.

I recommend that blow-ups of all your charts be used, because most of the juror's eyes were glued to the numbers. Obviously the jurors found you credible and indeed they gave us \$450,000 when we had asked for only \$430,00 in future impairment of earnings.

For our next big case we shall call upon your professional services again.

Best regards,

  
Jude J. Kostas, Esq.  
JJK/sd

HERBERT F. STRIDE  
J. PATRICK CRADDOCK

ROGER J. BOYLAN  
HERBERT L. STRIDE  
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Mr. Stanley V. Smith  
CORPORATE FINANCIAL GROUP, LTD.  
1165 N. Clark Street - Suite 650  
Chicago, Illinois 60610

RE: Shy

Dear Stan:

Here is a copy of the Jury Verdict Reporter for you on Shy. The Jury Verdict Reporter did not use any of the information submitted by our office.

as the defendants wanted it known that paying the 18 million

the defendant attorneys agreement and gave the reporter all the information on the settlement that occurred just prior to the jury verdict being read. In any event, the information. I had listed your phone number and all that, but they did not use any of our information, and the true facts of the case, but the reporter only used what the defendants submitted.

here is a copy for your records.

Anyway,

Take care, and when you are in the neighborhood, stop by and visit us.

Very truly yours,

HERBERT F. STRIDE, LTD.

BY: Millie McManus  
Legal Assistant

# Chicago Daily Law Bulletin

Since 1854

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## \$18 million awarded by jury in medical malpractice case

By JOHN FLYNN ROONEY

A Cook County Circuit Court jury has awarded an \$18 million verdict to a brain-damaged quadriplegic man in a medical malpractice lawsuit.

The verdict was returned Tuesday afternoon against a doctor, while two other defendants, including Oak Park Hospital, were found not liable at the end of the nine-week trial.

The lawsuit, which also involved three other defendant doctors, is expected to settle, said Herbert F. Stride, the attorney representing the estate of Gary L. Shy, 38, of Plainfield. However, the settlement amount will remain confidential because of a secrecy agreement be-

tween the parties, he added.

"Nobody intended this to happen to my client," Stride said when he was asked why the secrecy agreement was reached.

The intent of the lawsuit was not to punish the defendants but to make sure there was enough money to pay for Shy's care, Stride added.

Shy, who was a dock worker, underwent back surgery for a lumbar disk at the hospital in September 1983. He suffered a brain stem stroke, which rendered him a quadriplegic, Stride said.

After the anesthetic wore off, Shy had "locked-in" syndrome, which prevents him from speaking, Stride added. But Shy has normal mental capabilities.

Shy, who lives with his wife and

child, requires around-the-clock feeding and nursing care, according to Stride.

The plaintiff charged that the defendants submitted Shy to surgery when there were neurological contraindications that he could have a stroke if he underwent the procedure, Stride said.

Lawyers for the defendants argued that Shy had a congenital circulatory condition that caused a spontaneous injury similar to an aneurysm, Stride added.

The judgment was against Dr. Carl I. Novotny, Shy's physician and the assistant surgeon in the operation, Stride said. Oak Park Hospital and Dr. Leo Temmer, an anesthesiologist, were found not liable by the jury.

Shy appeared at the trial and underwent a physical examination by a doctor in the courtroom to show his physical limitations. A "day-in-the-life" film also was used and 26 doctors testified during the trial, Stride added.

Stride asked the jury to award Shy \$50 million. There were no substantive settlement offers before trial, he added.

The jury deliberated for two days before returning its verdict in the lawsuit presided over by Judge James S. Quislan, who entered a dismissal order in the case on Tuesday, Stride said.

Stride cited the secrecy agreement and declined to reveal the financial details of the settlement with Novotny, Oak Park Hospital,

Temmer and the three other defendants, whom he declined to identify.

Insurers for Drs. William L. Millman, Phillip A. Boch and Luis Yarzagaray settled during jury selection, according to a source familiar with the case.

Millman was represented by the law firm of Bullaro, Carton & Stone. The law firm of French, Ketzelt & Kominiarek represented Boch. Yarzagaray was represented by Baker & McKenzie.

Kathy P. Fox of Wildman, Harold, Allen & Dixon represents Novotny.

Oak Park Hospital is represented by John D. Cassidy of Cassidy, Schade & Gloor. Margaret A. Unger of Johnson & Bell represents Temmer.

The three lawyers could not be reached for comment early Wednesday afternoon. *Estate of Gary L. Shy v. Oak Park Hospital, et al.*, No. 84 L 2476.



Judge James Quislan

Stan V. Smith provided economic testimony

# Treece, Richdale, Malone, Corning & Abbott

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Of Counsel:  
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Karl B. Tegland

Mr. Stan V. Smith  
Corporate Financial Group Limited  
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Chicago, Illinois 60610

Re: The Estate of Sharon Bruns v. Jeep

Dear Mr. Smith:

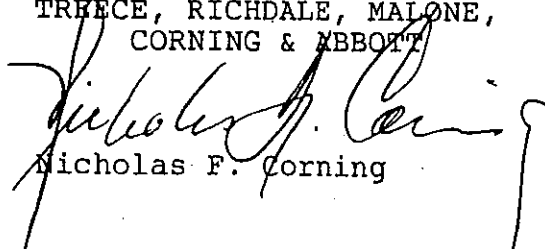
We are in the process of closing out our file in the above-described matter and I am taking this opportunity to write an overdue letter to thank you for your courtesies and professional assistance. We deal with expert witnesses on a very regular basis, but you will stand out in our memory with fondness because of your helpful attitude and immediate response to our requests for your services. Moreover, your preparation and testimony at deposition was outstanding and helped us settle this case. Your national reputation is well deserved.

Unfortunately, our settlement contains a confidentiality provision that precludes me from disclosing the terms or conditions. However, we did arrange a structure that will provide benefits for many years to the five (5) orphans of Sharon Bruns who was killed by a rollbar that failed and collapsed on her when she was a passenger involved in a low speed accident in a Jeep CJ vehicle.

It was a pleasure talking to you by phone and working with you on this case. I hope to work with you on other cases and meet you personally some day.

Very truly yours,

TREECE, RICHDAL, MALONE,  
CORNING & ABBOTT

  
Nicholas F. Corning

NFC:cab  
cb:smith.ltr

## DANIEL ROBERT BARTLEY

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TELEX 284658 MAILUR

Mr. Stan Smith, President  
Corporate Financial Group, Ltd.  
1165 N. Clark Street, Suite 650  
Chicago, Illinois 60610

Re: Karen Csutoras v. KRPO 105 FM

Dear Stan:

By this letter my client Karen and I wish to let you know how much we appreciate the important contribution you made in proving her damages in this sexual harassment case against the radio station where she formerly worked as an air time sales representative.

The jurors during post-trial interviews revealed that they arrived at the \$387,500 verdict in no small part because of the believability and significance they attached to your testimony on lost future earnings.

I am especially pleased with the way you worked with Karen's psychiatrist expert witness Dr. Schneider and her vocational rehabilitation consultant Cathy Mabry. By letting the jury know that you had conferred with these experts and that your findings were based in part upon their findings, you caused your testimony to dovetail with their testimony. In doing so, you added an element of correctness, completeness, and cohesiveness to the testimony of all three of you, closing a loop, in effect, in the jurors' minds. Your testimony, more than anyone else's, tied together in a neat package Karen's entire evidence on damages.

Enclosed is a copy of the May 8, 1991 story on the verdict, complete with front-page lead-in (highlighted in blue on the original newsprint), appearing in The Press Democrat, Santa Rosa's primary newspaper. As you can see from the article, opposing counsel are really sour grapes--apropos, I think, given that this case was tried in the middle of the lovely Sonoma wine country!

Your help and dedication in this case was top-notch from beginning to end. Karen thanks you, and I thank you.

Very sincerely yours,

  
Daniel Robert Bartley

DRB:st  
89014\163.LTR

MILLER CARSON & BOXBERGER

(FORMERLY LIVINGSTON DILDINE HAYNIE & YODER)

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T. DEAN SWIHART  
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DOUGLAS A. HOFFMAN

Mr. Stanley V. Smith  
President  
Corporate Financial Group, Ltd.  
1165 North Clark Street, Suite 650  
Chicago, Illinois 60610

Re: Estate of Susan E. Hook  
v. Jones Spacelink Ltd., et al.  
Huntington Circuit Court  
Cause No: 35C01-8909-CT-373  
Our File No: 11,502-4

Dear Stan:

Thank you for your assistance in connection with the defense of the above-captioned case. I thought you made an excellent presentation of your opinions and conclusions to the jury. In addition, your critique of the plaintiff's economist, George Launey, Ph.D., was quite good.

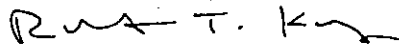
After resting our defense of this case, the plaintiff's counsel indicated a willingness to substantially reduce his pre-trial settlement demand. I think there is no question that your testimony turned the tide in my clients' favor. After we settled the case, several of the jurors and the trial judge indicated that they were quite impressed with your testimony. Representatives of Liberty Mutual Insurance Company were also quite pleased with your testimony.

Although it is somewhat unusual for defense counsel, such as I, to retain the services of an economist, there is little doubt in my mind that your services were extremely beneficial to the defense of this wrongful death action. In the event I am in need of an economist in such cases in the future, I will certainly give you a call. Once again, please accept my warmest thanks for your assistance in this case.

Sincerely,

MILLER CARSON & BOXBERGER

By



Robert T. Keen, Jr.

RTK22/csr

# FIGARI & DAVENPORT

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Stanley V. Smith  
1165 N. Clark Street  
Suite 650  
Chicago, Illinois 60610

Re: Helen Day, et al. vs. Baylor University Medical  
Center, et al, Cause Number: 87-12710

Dear Stanley:

As you know by now, the Day case has settled.

The settlement was in no small measure due to your participation in the case. Faced with the prospect of cross-examining you, the Defendants were left with no alternative but to settle.

On behalf of myself, Erin, and the Day family, I want to sincerely thank you for all of your tremendous effort and cooperation throughout the course of this litigation.

I personally look forward to the opportunity to work with you in other matters in the future.

In the meantime, best regards and thanks again.

Very truly yours,

  
Alan S. Loewinsohn

ASL/msj