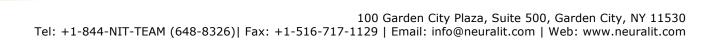


Demand Letter Sample



NATIONAL LAW FIRM LETTERHEAD

Plaintiff Attorney Plaintiff Attorney email address

Dated: mm/dd/year

FOR SETTLEMENT PURPOSES ONLY - NO PART OF THIS DOCUMENT OR ITS ATTACHMENTS/EXHIBITS ARE TO BE USED IN ANY LITIGATION

Ms. Julie Johnson State Insurance Company Address

> Re: Our Client: Your Insured: Claim Number: Date of Loss: Our File No.:

Andrea Smith Tom Harris 00-185-123456-2014 October 10, 2013 Firm File Number

Dear Julie:

Our firm represents Andrea Smith for personal injuries she sustained in an automobile collision that occurred on October 10, 2013, involving your insured. We are providing you with a comprehensive settlement package in an attempt to commence meaningful settlement negotiations.

This evaluation is submitted for settlement purposes only. None of the information provided in this offer shall be construed as a waiver of our client's physician/patient privilege, right to privacy, or any other rights or privileges. You are expressly prohibited from using the information contained herein for any purpose other than for setting monetary base reserve figures and for settlement of this claim.



NATIONAL LAW FIRM, ADDRESS

TEL: XXX-XXX-XXXX

Law Firm Website

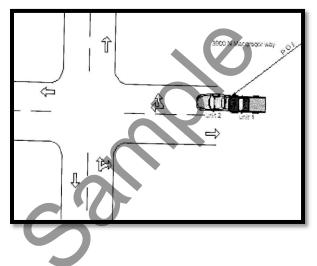
I. PERTINENT FACTS

A. <u>The Accident</u>

On October 10, 2013, at approximately 12:30 p.m., Andrea Smithwas travelling towards ABC Boulevard, XYZ Road, PQR City, County of MNO, State of Missouri.

Ms. Smith was traveling on XYZ Road. At that time, your insured, who was traveling on the same route, was following too closely and negligently rear-ended our client's vehicle, thereby resulting in this collision.

The collision was caused due to the reckless act and gross negligence of your insured, Tom Harris, Police responded to the incident and upon investigation cited your insured for "**following too closely**".¹



As you may know from your investigation, substantial damage was done to Ms. Smith's vehicle, clearly documenting the force and impact between the vehicles.

B. <u>Personal Injuries</u>

As a direct result of your insured's negligence, Andrea Smith sustained injuries to her neck, shoulder, back and leg. A summary of her injuries and treatment are outlined below.

C. <u>Personal Background</u>

Andrea Smith is a pleasant 30-year-old woman and a dedicated mother. She enjoys spending time with her family and friends. Hobbies include movies, music, sports, traveling, and outdoor activities. Andrea is very personable and would come across favorably if we are not able to resolve this claim through settlement negotiations and are forced to proceed into litigation.

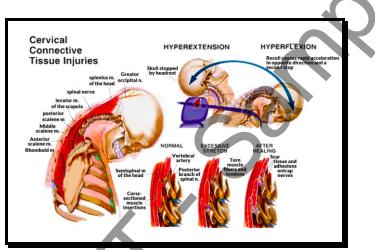
¹ See Exhibit 1 – Collision Report

D. Injuries and Medical Treatment

Injuries

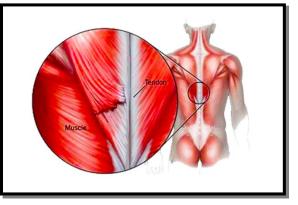
• Cervical strain/sprain and subluxations with tenderness, pain, muscle spasms, muscle weakness, limited range of motion and decreased flexibility. Whiplash injury with resultant ligamentous instability and acceleration of spinal disc disease. Deep and Superficial Muscle Spasms.

Diagnosis - 847.0; 723.1; 839.08; 739.1; 719.58; 728.87; 728.85; 728.9; 839.0

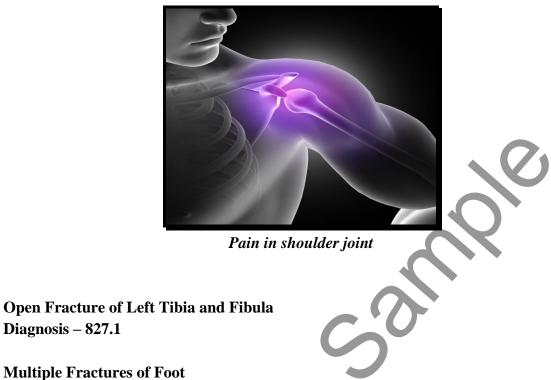


Whiplash injury mechanism

Back strain/sprain and subluxations with tenderness, pain, muscle spasms, muscle weakness, limited range of motion and decreased flexibility (thoracic and lumbar regions) resulting in ligamentous instability and acceleration of spinal disc disease.
 Diagnosis – 847.1; 847.2; 724.1; 724.2; 839.20; 839.21; 739.2; 739.3; 719.58;



• Shoulder pain, tenderness, and decreased range of motion Diagnosis – 719.41



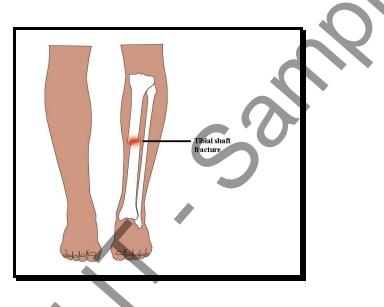
- Diagnosis 827.1
- **Multiple Fractures of Foot** • Diagnosis - 825.20
- **Open Multiple 1-4 Fracture of Metatarsal of Left Foot** • Diagnosis – 825.35
- **Left Foot Pain** • Diagnosis - 729.5
- Left Knee Pain • Diagnosis – 719.46
- **Removal of Left Tibial Hardware** • Diagnosis – V72.84
- Headache, Cervicogenic Headache, Post-Traumatic Headaches • Diagnosis - 784.0; 307.81; 339.21
- Sleep disturbances/fatigue • **Diagnosis – 780.50; 780.79**

Treatment:

1. <u>ABC Community Medical Center²</u>

Andrea Smith presented herself to Dr. REDACTED on October 10, 2013 with complaints of left leg pain. Examination of the left leg revealed tenderness and swelling.

Ms. Smith underwent X-rays of the left tibia and fibula, left ankle and left foot reviewed by Dr. Redacted which revealed oblique fracture of the distal 3rdtibial shaft and of the lateral malleolus, transverse fractures of the proximal 2ndthrough 5thmetatarsal as well as an oblique fracture of the distal 3rd metatarsal.



Ms. Smith was diagnosed with open fracture of left tibia and fibula, multiple fractures of foot as well as opens multiple 1-4 fracture of metatarsal of left foot. The patient was advised pain medications.

Andrea Smith presented to Dr. REDACTED on October 10, 2013 for examination with complaints of left leg pain. Examination of the extremities revealed traumatic bilateral upper extremities and right lower extremity. Left lower extremity revealed pain and swelling as well as mild deformity of her left foot and leg. Ms. Smith was diagnosed with transverse open left tibia fracture as well as open fractures of left foot in the region of metatarsals. Ms. Smith was advised to undergo fixation and debridement of the open fractures as well as fixation consisting of intramedullary rod placement for right tibia fracture.

Andrea Smith presented to Dr. REDACTED on October 10, 2013 for podiatry consultation with complaints of left foot pain. Examination revealed perfused left foot and edema. Dermal

² See Exhibit 2 - Medical Records of ABC Community Medical Center

Ms. Julie Johnson State Insurance Company Claim: 00-185-123456-2014

examination revealed open wound on the dorsal aspect of the left foot, 5th metatarsal fracture upon palpation just underneath the skin and an open fracture at the mid tibial shaft. Musculoskeletal examination revealed unstable metatarsal fracture upon palpation as well as mild deformity at the left leg. Ms. Smith was diagnosed with multiple open metatarsal fractures of the left foot, 2 through 5 as well as left open tibia and fibula fracture. Ms. Smith was advised irrigation and debridement as well as open reduction and internal fixation of the left foot metatarsal fractures 2-5.

On October 10, 2013 Ms. Smith underwent irrigation and debridement, left open tibia fracture, left open metatarsal fractures as well as IM rod, left tibia fracture for pre-operative diagnoses type 2 open left tibia fracture and type 2 open left metatarsal fractures.

Andrea Smith presented to Dr. REDACTED from October 11, 2013 to October 25, 2013 status post left foot open reduction and internal fixation metatarsal fractures 2 to 5 and tibial nailing. Ms. Smith reported pedal pain rated at 8/10. Ms. Smith was diagnosed with POD# 1 status post left foot open reduction and internal fixation metatarsal fractures 2 to 5 and tibial nailing. Ms. Smith

2. <u>PQR Diagnostic Radiology³</u>

Andrea Smith underwent x-ray of the left knee on October 29, 2013 signed by Dr. REDACTED which revealed post-operative changes in the tibia with intramedullary rod.

Andrea Smith underwent x-ray of the left tibia and fibula on October 29, 2013 signed by Dr. REDACTED which revealed internal fixation of comminuted fracture of the distal third shaft of the tibia with essentially anatomical position and alignment.

Andrea Smith underwent x-ray of the left foot on October 29, 2013 signed by Dr. REDACTED which revealed satisfactory appearance of internal fixation of second, third, fourth and fifth metatarsals with anatomical position and alignment.

3. <u>LMN Surgical Podiatric⁴</u>

Andrea Smith presented on November 5, 2013 with complaints of pain and swelling due to the constriction of the posterior splint on the left lower extremity. Examination of the left lower extremity revealed pins placed at digits 2nd, 3rdand 4that the heads of the metatarsals. Ms. Smith was diagnosed with crush injury, status post reconstruction with pins. Ms. Smith was advised to continue pain medications and follow-up.

³ See Exhibit 3- Medical Records of PQR Diagnostic Radiology

⁴ See Exhibit 4 - Medical Records of LMN Surgical Podiatric

4. XYZ Orthopedics and Sports Medicine⁵

Andrea Smith presented to Dr. REDACTED on January 9, 2014 for examination with complaints of constant pain and discomfort in the left leg rated at 9/10. Ms. Smith also reported sharp knee pain associated with tingling sensation. Ms. Smith was diagnosed with left tibia fracture and multiple foot fractures. Ms. Smith was advised pain medications and follow up.

Andrea Smith presented to Dr. REDACTED on March 12, 2014 to April 23, 2014 for examination with complaints of left knee pain and left leg pain as well as hypersensitivity over the area of the multiple abrasions. Examination of the left knee revealed tenderness upon palpation along the fracture site and decreased range of motion. Ms. Smith was diagnosed with left tibia fracture and multiple foot fractures. Ms. Smith was advised to start physical therapy.

Andrea Smith presented to Dr. REDACTED from May 3, 2014 to July 30, 2014 for examination with complaints of left knee and left ankle pain. Examination of the left knee revealed moderate crepitus, decreased range of motion as well as decreased mobility of the patella. Examination of the left ankle revealed decreased range of motion. Range of motion of the left ankle revealed:

	Normal	Examination	% Loss
Plantar Flexion	50°	5°	90%
Dorsi Flexion	20°	10°	50%
Inversion	20°	5°	75%

Ms. Smith was diagnosed with left tibia fracture and multiple foot fractures. Ms. Smith was advised to follow up in two months.

Andrea Smith presented to Dr. REDACTED on September 29, 2014 for examination with complaints of mid foot pain, mild pain along the hardware and decreased sensitivity along the left foot along with soft tissue edema. Ms. Smith was diagnosed with status post ORIF left tibia. Ms. Smith was advised to undergo the surgery for hardware removal of the left foot.

Andrea Smith presented to Dr. REDACTED on October 15, 2014 for follow up after removal of tibial nail. Examination left lower extremity revealed minimal swelling. Ms. Smith was status post removal left tibial nail. Ms. Smith was advised to follow-up.

5. <u>EF Surgical Center⁶</u>

⁵ See Exhibit 5 - Medical Records of XYZ Orthopedics and Sports Medicine

⁶ See Exhibit 6 - Medical Records of EF Surgical Center

On November 12, 2014 Andrea Smith underwent removal of staples with skin wraps, removal of fixations of metatarsals # 2 to 5, application of posterior splint for nonweight bearing status and use of fluoroscopy for assurance of healed fracture and location and assurance of removal of fixation in total for pre-operative diagnoses of painful internal fixation left foot, nonunion #2 metatarsal via last radiograph and painful gait.

6. Dr. REDACTED, M.D⁷

Andrea Smith presented to Dr. REDACTED on December 5, 2014for examination with complaints of pain at the left tibial hardware. Examination of the left lower extremity revealed pain in the left foot and lower leg. Ms. Smith was diagnosed with left foot pain, left knee pain and removal of left tibial hardware. Ms. Smith was advised to undergo surgery for removal of left tibial painful hardware.

7. <u>FMR Medical Center⁸</u>

On January 4, 2015 Andrea Smith underwent removal of left tibial rod and removal of two deep buried interlocking screws for pre-operative diagnoses of status post open reduction and internal fixation of the left tibial shaft fracture as well as painful hardware.

Ms. Smith's treatment to date has been customary and reasonable for this type of impact and resultant injuries.

II. DAMAGES

Missouri law entitles a plaintiff to full compensation for any injuries caused by the defendant. <u>Swartz v. Gale Webb Transp. Co.</u>, 215 S.W.3d 127, 130-32 (Mo. banc 2007).

Plaintiff can recover damages as the motorized vehicle was being operated by the defendant; the vehicle was operated negligently, with or without a statutory violation; and that negligent operation proximately caused damages to Plaintiff. <u>Rooney v. Lloyd Product Co.</u>, 458 S.W.2d 561

Damages can be divided into two categories: economic and non-economic. Economic damages are based on actual financial loss and Non- Economic damages arise from the plaintiff's non-pecuniary harm.

⁷ See Exhibit 7 - Medical Records of Dr. REDACTED, M.D

⁸ See Exhibit 8 - Medical Records of FMR Medical Center

1) ECONOMIC DAMAGES

In Missouri, economic damages are damages that arise from the plaintiff's pecuniary injuries, which normally include past, present, and future medical expenses, lost wages, and lost earning capacity. Knifong v. Caterpillar, Inc., 199 S.W.3d 922, 928 (Mo. Ct. App. 2006).

A. Medical Expenses:

Medical expenses are the costs of diagnosis, cure, mitigation, treatment, or prevention of disease, and the costs for treatments affecting any part or function of the body.

The Supreme Court of Missouri in <u>Deck v. Teasley</u> has held that by enacting § 490.715.5, the general assembly intended to allow plaintiff to recover dollar amounts stated on a bill for medical treatment, even though they were neither incurred nor paid by a plaintiff, nor by anyone.

Some Defendants have argued that the 2018 amendment to 490.715 prohibited the introduction of the billed medical. However, the Missouri Court of Appeals for the Eastern District in <u>Brancati</u> <u>v. BI-State Development Agency</u>, No. ED106359 (Mo.2018), held that, "[w]e find that contrary to Appellants' assertions, the amended Section 490.715, by its plain language, does not limit evidence of medical charges to the amount paid. Moreover, nothing in the amended statute states that the amount charged for the medical bills cannot be introduced or recovered." Id. at 11-12.

1. Past Medical Expenses

Plaintiff have the right to be compensated for the full amount of her past medical expenses that are related to treatment for the injuries he/she sustained in the accident in question. Regarding the plaintiff's medical expenses, section 490.715.5

(1) Except as provided in subsection 2 of this section, parties may introduce evidence of the actual cost of the medical care or treatment rendered to a plaintiff or a patient whose care is at issue. Actual cost of the medical care or treatment shall be reasonable, necessary, and a proximate result of the negligence or fault of any party.

(2) For purposes of this subsection, the phrase "actual cost of the medical care or treatment" shall be defined as a sum of money not to exceed the dollar amounts paid by or on behalf of a plaintiff or a patient whose care is at issue plus any remaining dollar amount necessary to satisfy the financial obligation for medical care or treatment by a health care provider after adjustment for any contractual discounts, price reduction, or write-off by any person or entity.

Insurance adjusters have been arguing that the new change to 490.715 prohibits the introduction of the amounts "billed" and only allows for the recovery of the amount "paid" or "owed".

Recently, The Eastern District Court of Appeals disagreed with this position and held that Plaintiffs can still submit the amount billed.

A summary of Ms. Smith's accident-related medical bills follows⁹:

Provider	Dates of Treatment	Expenses
ABC Community Medical Center	05/07/13 - 05/09/13	\$131,777.13
PQR Diagnostic Radiology	05/29/13	\$550.00
LMN Surgical Podiatric	05/29/13 - 06/19/13	\$1,425.00
XYZ Orthopedics and Sports Medicine	06/21/13 - 04/23/14	\$22,677.38
EF Surgical Center	08/02/13	\$17,284.70
Dr. REDACTED, M.D	03/05/2014	\$4,950.00
FMR Medical Center	03/28/14	\$34,336.63
Total		\$213,000.84
-		

2. <u>Future Medical Expenses</u>

A plaintiff may recover damages from future medical bills provided that she produce competent medical evidence showing future conditions of the kind asserted as damages will result from the original injury. The degree of probability of such damages must be greater than a mere likelihood; it must be reasonably certain to occur. Hobbs v. Harken, 969 S.W.2d 318, 324 (Mo. Ct. App. 1998). Under Missouri law, expert testimony is admissible where it addresses the probability that future medical treatment may be necessary and of the potential cost of such treatment. Wiley v. Homfeld, 2009 307 S.W.3d 145, 153 (Mo.App. W.D. 2009).

Ms. Smith will require medical intervention. Additionally, because of the injuries suffered in the accident, Ms. Smith will be more susceptible to re-injury or aggravations. We believe the future medical care cost, which should be considered when evaluating her claim

B. Lost Compensation and Impairment of Earning Capacity

In any suit brought for personal injury or death, provable damages for loss of income due to such injury or death shall not be diminished because of reimbursement of income to the plaintiff or decedent from any other source, nor shall the fact of any such reimbursement be admitted into evidence.

⁹ See Exhibit 9 – Medical Billing Records

For past earnings, or pre-trial losses, if the plaintiff was gainfully employed at the time of the injury and would have likely continued that employment but for the injury, loss of earnings can typically be recovered. Such earnings or wages must be proven to a reasonable certainty, typically utilizing documentation such as tax or employment records. McCarthy v. Sebben, 331 S.W.2d 601, 604 (Mo. 1960). For future lost wages, claims must be supported by evidence to permit the jury to compute the loss without conjecture or speculation. Dillard v. Atchison, T. & Santa Fe. Ry., 882 S.W.2d 211, 214 (Mo. Ct. App. 1994). Evidence usually includes expert testimony from rehabilitation experts on the types of work the plaintiff is able to perform and the average wages for that suitable work.

At the time of the accident Andrea Smith was working fulltime for World Vision¹⁰. Due to her injuries following this collision, Andrea was forced to take time off work. As a result she lost income, which we have summarized below:

8+2 days = 10 days 10 days * 8 hours = 80 hours 80 hours + \$17.49 = \$1,399.20



It should be noted that Ms. Smith was forced to use her accrued sick leave for the time she missed initially following this collision; but not for this accident she would still have that time available to us.

C. <u>Medical Necessary Travel and Treatment Time</u>

Ms. Smith has the right to be compensated for any time missed from work because of her injuries. This includes hours missed to go to the doctor and the use of sick time or vacation time to recover.

Loss of time is a more expansive concept than lost wages. Loss of time may be sought even by a plaintiff who was unemployed at the time of the injury.

Andrea Smith attended 20 (twenty) medical appointments; each appointment lasting approximately 20-60 minutes. When combined, treatment and travel time lasted an average of 1 hour each visit, therefore she spent approximately 20 (twenty) hours traveling to and receiving medical treatment. For purpose of this claim we have utilize Missouri's minimum wage rate of pay at the time of this collision which was \$7.35 per hour; therefore she is entitled to a minimum of \$147.00 for her lost time.

# of appointments	Hourly wage	Total Amount for Lost
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¹⁰ See Exhibit 10 - Wage Loss Documentation

20 75 \$147.00

As a direct result of her injuries and required treatment, Smith incurred transportation expenses from traveling to and from medical appointments, we have calculated those expenses as follows:

Provider	# of trips	Roundtrip Mileage	Total Mileage	Total Expense 2013 (\$0.24/mile)	Total Expense 2013 (\$0.235/mile)	Total Expense
ABC Community Medical						
Center	3	7.80	23.40	\$5.62		\$5.62
PQR Diagnostic Radiology	1	10.40	10.40	\$2.50		\$2.50
LMN Surgical Podiatric	4	64.20	256.80	\$61.63		\$61.63
XYZ Orthopedics and				\sim		
Sports Medicine	6	5.40	32.40	\$7.78		\$7.78
XYZ Orthopedics and						
Sports Medicine	3	5.40	16.20		\$3.81	\$3.81
EF Surgical Center	1	78.40	78.40	\$18.82		\$18.82
Dr. REDACTED, M.D	1	4.20	4.20		\$0.99	\$0.99
FMR Medical Center	1	4.20	4.20		\$0.99	\$0.99
Total	20					\$102.12

2) <u>NON-ECONOMIC DAMAGES</u>

Non-economic damages provide a good, but non-exhaustive list of non-economic damages and is consistent with the common law rule that the jury may award damages to a plaintiff for intangibles like past and future pain and suffering, effect on lifestyle, embarrassment, and humiliation. <u>Gomez v. Constr. Design, Inc.</u>, 126 S.W.3d 366, 376 (Mo. banc 2004); <u>Knifong v.</u> <u>Caterpillar, Inc.</u>, 199 S.W.3d 922, 931 (Mo. App. 2006).

"Noneconomic damages" are those which Missouri law presumes flow from a tortious act and may be recovered without proof of a specific amount. The exact types of noneconomic damages will vary widely from case to case. Noneconomic damages in an auto accident may include physical pain and suffering, mental pain and suffering, emotional distress and a diminished capacity to work, labor or earn money. These are damages that cannot be proven to an exact amount, and usually consist of:

1. Pain and Suffering:

Pain and suffering damages are the central type of non-economic damages. Pain and Suffering is a host of injuries that a plaintiff may suffer, as a result of an accident. It encompasses not just physical pain, but also emotional and mental injuries such as fear, insomnia, grief, worry, inconvenience and even the loss of enjoyment of life.

If there is a physical injury, the injured party may also recover compensatory damages for bodily pain, humiliation, mental anguish and other forms of suffering that occur as a necessary and natural consequence of the tortious conduct. There is no fixed measure or standard available for determining the amount of pain and suffering damages. All that is required is that the amount awarded is "fair and reasonable." A.R.B. v. Elkin, 98 S.W.3d 99, 104 (Mo. Ct. App. 2003).

Due to the amount of pain and suffering caused by your insured's negligence, we believe a jury would award **\$214,000.00**, which is a reasonable determination of Ms. Smith's pain and suffering.

2. Mental Anguish:

When connected with a physical injury, includes both the resultant mental sensation of pain and also the accompanying feelings of distress, fright, and anxiety. As an element of damages implies a relatively high degree of mental pain and distress; it is more than mere disappointment, anger, worry, resentment, or embarrassment, although it may include all of these, and it includes mental sensation of pain resulting from such painful emotions as grief, severe disappointment, indignation, wounded pride, shame, despair, and/or public humiliation.

When there is a lack of "malice, willfulness, wanton-ness, or inhumanity," a showing of some physical injury tied to the emotional distress is required before one can recover for the emotional distress. Gambill v. White, 303 S.W.2d 41, 43 (Mo. 1957) (per curiam), abrogated by Bass, 646 S.W.2d 765. The plaintiff's feelings of grief and emotional distress were a result of the "whole traumatic event" and the concept of a direct victim encompasses the plaintiff's viewing of third parties as long as there is direct involvement in the accident. Jarrett v. Jones, 258 S.W.3d 442 at 448

Ms. Smith suffered mental suffering which includes loss of enjoyment of life, fear, anger, humiliation, anxiety, shock and/or psychosomatic physical symptoms.

We believe a minimal sum that would compensate Ms. Smith for her mental anguish would be **\$214,000.00**.

3. Inconvenience for the injury:

It is clear that many things have been radically altered in our client's life since this incident occurred. She has lost the full use and mobility of her shoulder/ back/neck and has permanent impairments. It is painfully apparent that our client's injuries have taken toll on her life and made it unarguably miserable. Life has become a chore just to do normal things.

Our client is currently frustrated in her efforts to provide assistance to her friends and family which, as a devoted family woman and friend, she was accustomed to doing. Now, she has been forced to focus more on herself. Where she once enjoyed a normal, independent lifestyle, she now relies and depends on family and friends to provide assistance when needed. She has been prevented from going out with her family and friends, and in fact, spends a large part of her time now confined to her home with little to do.

We believe a jury would award **\$214,000.00** for Ms. Smith's inconvenience for the injury.

III. LIABILITY

We view this case as one of 100% liability against your insured, as they failed to pay attention to traffic, obey the rules of the road, and otherwise exercise ordinary and reasonable care while operating a vehicle. Accordingly, Andrea Smith's entitled to 100% recovery for her injuries.

An insurer under a liability policy has a fiduciary duty to its insured to evaluate and negotiate third party claims in good faith. Duncan v. Andrew County Mut. Ins. Co., 665 S.W.2d 13,18 (Mo. Ct. App. 1983). See also Freeman v. Leader Nat'l. Ins. Co., 58 S.W.3d 590, 598 (Mo. Ct. App. 2001).

	Past Medical Expenses	\$213,000.84
	Future Medical Expenses	To be supplemented
	Loss Compensation	\$1,399.20
	Travel/Treatment Time	\$ 147.00
	Mileage Expense	\$102.12
	Pain and Suffering	\$214,000.00
	Mental Anguish	\$214,000.00
	Inconvenience for the injury	\$214,000.00
	Total Damages	\$856,649.16

DAMAGE SUMMARY

V. CONCLUSION

We believe that the above-evaluation is a fair and reasonable estimate of Andrea Smith's damages. As you will note, Andrea's economic and non-economic damages total at least **\$856,649.16** However, in the interest of compromise, we will recommend that our client accept **\$856,000.00** as full settlement of this claim in exchange for a full release of State Insurance Company and their insured.

We would like the opportunity to negotiate within your insured's policy limits. If this demand exceeds your insured's limits, please obtain permission to disclose those limits and forward the same in writing at the time of the initial offer or before that time. We will not make any counter demands until we have written verification of policy limits. Please inform your insured that if they will not authorize disclosure, we will likely initiate a lawsuit.

As a matter of policy, our law firm does not sign hold harmless letters. Our firm will resolve all known liens from the settlement. Upon receipt of any settlement check and Release, we will not disburse any funds until we have a fully executed Release from our client.

If we do not have a response to this letter in ____ days, we will file suit without further notice to you.

Enclosures cc: Andrea Smith

Very truly yours, NATIONAL LAW FIRM

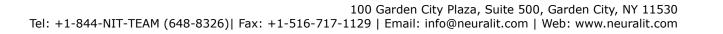
Plaintiff Attorney

EXHIBITS

- 1. Collision Report
- 2. Medical Records of ABC Community Medical Center
- 3. Medical Records of PQR Diagnostic Radiology
- 4. Medical Records of LMN Surgical Podiatric
- 5. Medical Records of XYZ Orthopedics and Sports Medicine
- 6. Medical Records of EF Surgical Center
- 7. Medical Records of Dr. REDACTED, M.D
- 8. Medical Records of FMR Medical Center
- 9. Medical Billing Records
- 10. Wage Loss Documentation



Medical Billing Record



Mr. ABCD DOL: 10/10/2013

File #

Provider	Date	Diagnosis	Purpose of Visit	Ar	nount
ABC Community Medical Center	05-07-13		TDAP Vaccine	\$	326.67
Address	05-07-13		Cefazolin SOD INJ	\$	62.17
City, State XXXXX	05-07-13		INJ Morphine Sulfate	\$	41.99
	05-07-13		Potassium Chloride	\$	35.00
	05-07-13		INJ Garamycin, Gentamcn	\$	61.34
	05-07-13		INJ Morphine Sulfate	\$	41.99
	05-07-13		INJ Morphine Sulfate	\$	41.99
	05-07-13		Potassium Chloride	\$	35.00
	05-07-13		Dilaudid	\$	35.00
	05-07-13		Ondnstrn Hydrchlrde	\$	35.00
	05-07-13		Benadryl Injection	\$	35.00
	05-07-13		HB Pacu Time	\$	3,488.62
	05-07-13		HB Room Charge	\$	5,356.00
	05-07-13		HB Lab CBC Hemogram W/PLT	\$	221.60
	05-07-13		HB Lab Basic Metabolic Pan	\$	498.01
	05-07-13		HB Lab CBC With Auto Diff	\$	405.75
	05-07-13		HB Lab Basic Metabolic Pan	\$	428.62
	05-07-13		Bupivacaine	\$	35.00
	05-07-13		Neomycin-Polymixin-Bacitra	\$	125.80
	05-07-13		Neomycin-Polymixin-Bacitra	\$	125.80
	05-07-13		HB XR Tibia/Fibula	\$	1,103.39
	05-07-13		HB XR Ankle 3VW/More Unilateral	\$	1,113.12
	05-07-13		HB XR Foot 3VW/More Unilateral	\$	1,113.12
	05-07-13		HB XR Tibia/Fibula	\$	1,103.39
	05-07-13		HB XR Tibia/Fibula	\$	1,103.39
	05-07-13		HB Fluoroscopy	\$	2,354.09
	05-07-13		HB XR Foot 2VW Unilateral	\$	818.51
	05-07-13		HB Anes CAT	\$	4,678.73
	05-07-13		HB Anes CAT	\$	12,212.48
	05-07-13		HB Major 2	\$	19,590.42
	05-07-13		HB Major 2	\$	37,224.11
	05-07-13		HB Disposal ET Tube Guid	\$	57.94
	05-07-13		HB Applicator, Fibrijet	\$	379.66
	05-07-13		HB K-wire, Supply 1	\$	1,112.64
	05-07-13		HB Pack, Custom	\$	491.88
	05-07-13		HB Anchor / Screw	\$	4,374.23
	05-07-13		HB IV Extension W/2 INJ	\$	155.22
	05-07-13		HB Pin Guard	\$	1,007.70
	05-07-13		HB Anesthesia Breathing TR	\$	470.27
	05-07-13		HB K-Wire, Suppy1	\$	370.88
	05-07-13		HB Guidewire	\$	816.23

Provider	Date	Diagnosis	Purpose of Visit	Am	nount
	05-07-13		HB Anesthesia Tube	\$	257.53
	05-07-13		HB Stapler Skin	\$	467.69
	05-07-13		HB Sol, IV Normisol	\$	383.00
	05-07-13		HB Sol, IV NS	\$	383.00
	05-07-13		HB IV Administration Set	\$	210.03
	05-07-13		HB Cast Plaster Splint	\$	87.47
	05-07-13		HB Suture 1	\$	324.24
	05-07-13		HB Suture 1	\$	162.12
	05-07-13		HB Suction KAMVAC CVD Min	\$	216.00
	05-07-13		HB Reamer, Modular Shaft	\$	677.06
	05-07-13		HB Drill Bit, Disposable	\$	742.00
	05-07-13		HB Drill Bit, Disposable	\$	742.00
	05-07-13		HB Anchor / Screw	\$	450.99
	05-07-13		HB Anchor / Screw	\$	450.99
	05-07-13		HB Anchor / Screw	\$	450.99
	05-07-13		Reamer Shaft	\$	706.00
	05-07-13		HB ED Facility Level	\$	5,276.92
	05-07-13		HB IV Infusion Therapy	\$	1,313.19
	05-07-13		HB IVP Addl SEQ Same Drug	\$	1,727.88
	05-07-13		HB IV Push Addl SEQ New Drug	\$	2,879.80
	05-07-13		HB IV Infusion Hydration	\$	285.95
	05-07-13		HB Immunization Adm	\$	154.50
	05-07-13		Propofol	\$	36.58
	05-07-13		Propofol	\$	35.00
	05-07-13		Propofol	\$	35.00
	05-07-13		Propofol	\$	35.00
	05-07-13		Propofol	\$	35.00
	05-07-13		Propofol	\$	35.00
	05-07-13	5	Propofol	\$	35.00
	05-07-13		INJ, Fentanyl Citrate	\$	35.00
	05-07-13		Lidocaine	\$	35.00
	05-07-13		Cisatracurium	\$	133.05
	05-07-13		Succinylcholine Chlorde	\$	35.00
	05-07-13		Dexameth SOD INJ	\$	35.00
	05-07-13		Ondnstrn Hydrchlrde	\$	35.00
	05-07-13		Cefazolin SOD INJ	\$	62.17
	05-07-13		Cefazolin SOD INJ	\$	62.17
	05-07-13		Famotidine	\$	35.00
	05-07-13		Metoclopramide HCL	\$	35.00
	05-07-13		Lower Leg	\$	79.00
	05-07-13		Lower Leg	\$	79.00
	05-07-13		Ankle Complete	\$	79.00
	05-07-13		Foot, Complete	\$	79.00
	05-08-13		INJ Morphine Sulfate	\$	35.00

Provider	Date	Diagnosis	Purpose of Visit	An	nount
	05-08-13		INJ Potassium Chloride	\$	35.00
	05-08-13		INJ Morphine Sulfate	\$	35.00
	05-08-13		Oxycodone	\$	35.00
	05-08-13		Cefazolin SOD INJ	\$	62.17
	05-08-13		INJ Morphine Sulfate	\$	35.00
	05-08-13		Oxycodone	\$	35.00
	05-08-13		Oxycodone	\$	35.00
	05-08-13		Cefazolin SOD INJ	\$	62.17
	05-08-13		HB PT, Evaluation	\$	1,085.00
	05-08-13		INJ Fragmin	\$	141.58
	05-08-13		Oxycodone	\$	35.00
	05-08-13		Cefazolin SOD INJ	\$	62.17
	05-08-13		HB Room Charge	\$	5,356.00
	05-08-13		HB Tray with Foley Catheter	\$	236.64
	05-08-13		HB Tray with Foley Catheter	\$	236.64
	05-09-13		Oxycodone	\$	35.00
	05-09-13		Oxycodone	\$	35.00
	05-09-13		Oxycodone	\$	35.00
	05-09-13		HB PT Gait Training	\$	542.50
	05-09-13		HB Sleeve, Knee/Thigh Length	\$	697.09
	05-09-13		HB Blood Admin	\$	408.10
					,31,777.13
PQR Diagnostic Radiology	05-29-13		X-ray Knee	\$	150.00
Address	05-29-13		X-ray Tibia	\$	200.00
City, State XXXXX	05-29-13		X-ray Foot	\$	200.00
				\$	550.00
LMN Surgical Podiatric	05-29-13		Office/Outpatient Visit, EST	\$	545.00
Address	06-05-13		Office/Outpatient Visit, EST	\$	390.00
City, State XXXXX	06-12-13		Office/Outpatient Visit, EST	\$	200.00
	06-19-13		Office/Outpatient Visit, EST	\$	290.00
	7.			\$	1,425.00
XYZ Orthopedics and Sports Me	dicin(06-21-13		Office Consultation	\$	600.00
Address	06-21-13		Prolonged Service, Office	\$	600.00
City, State XXXXX	06-21-13		X-Ray Exam of Hip	\$	120.00
	06-21-13		Radiolog Exam;Tibia&Fibla,2 VW	\$	110.00
•	06-21-13		X-Ray Exam of Ankle	 Տ	127.00
			2		
	06-21-13		X-Ray Exam of Foot	\$ ¢	133.00
	07-12-13		Office/Outpatient Visit, EST	\$	350.00
	07-12-13		Radiolog Exam;Tibia&Fibla,2 VW	\$	110.00
	08-23-13		Office/Outpatient Visit, EST	\$	350.00
	08-23-13		X-ray Exam;Tibia&Fibla	\$	110.00

Provider	Date	Diagnosis	Purpose of Visit	Ar	nount
	08-23-13		X-Ray Exam of Foot	\$	133.00
	09-18-13		Crutches Underarm, Not Wood	\$	94.38
	10-28-13		Office/Outpatient Visit, EST	\$	350.00
	10-28-13		X-ray Exam;Tibia&Fibla	\$	110.00
	12-30-13		Office/Outpatient Visit, EST	\$	350.00
	12-30-13		X-ray Exam;Tibia&Fibla	\$	110.00
	02-25-14		X-ray Exam;Tibia&Fibla	\$	110.00
	02-25-14		Office/Outpatient Visit, EST	\$	350.00
	03-28-14		Removal of Support Implant	\$	18,000.00
	04-23-14		Office/Outpatient Visit, EST	\$	350.00
	04-23-14		X-ray Exam;Tibia&Fibla	\$	110.00
				\$	22,677.38
EF Surgical Center	08-02-13		9. Removal of an Implant on Left Big '		8,000.00
Address	08-02-13	V54.01, 729	9. Removal of an Implant on Metatarsa	ıl′\$	2,000.00
City, State XXXXX	08-02-13	V54.01, 729	9. Removal of an Implant on Metatarsa	ıl′\$	2,000.00
	08-02-13	V54.01, 729	9. Removal of an Implant on Metatarsa	ıl′\$	2,000.00
	08-02-13		9. Removal of an Implant on Metatarsa	ul′\$	2,000.00
	08-02-13	V54.01, 729	9. Application of Short Leg Splint	\$	1,284.70
				\$	17,284.70
Dr. REDACTED, M.D	03-05-14	V72.84	Basic Comprehensive Medical-Lega		1,250.00
Address	03-05-14	V72.84	Echocardiography, transthoracic	\$	900.00
City, State XXXXX	03-05-14	V72.84	Plethysmography for determination		300.00
5.	03-05-14	V72.84	Diffusing&capacity	\$	300.00
	03-05-14	V72.84	Pulmonary Compliance Study	\$	300.00
	03-05-14	V72.84	Phlebotomy	\$	300.00
	03-05-14	V72.84	Electrocardiogram, Complete	\$	250.00
	03-05-14	N72.84	Evaluation of Wheezing	\$	200.00
	03-05-14	V72.84	Lung Function Test (MBC/MVV)	\$	180.00
	03-05-14	V72.84	Respiratory Flow Volume Loop	\$	150.00
	03-05-14	V72.84	Cult,Bact;Isolat&Presum,Urine	\$	150.00
	03-05-14	V72.84	Comprehen Metabolic Panel	\$	150.00
	03-05-14	V72.84	Urinalysis Nonauto W/O Scope	\$	120.00
	03-05-14	V72.84	Complete CBC W/Auto Diff WBC	\$	100.00
	03-05-14	V72.84	Assay Thyroid Stim Hormone	\$	100.00
	03-05-14	V72.84	Prothrombin Time	\$	100.00
	03-05-14	V72.84	Thromboplastin Time, Partial	\$	100.00
				\$	4,950.00
FMR Medical Center	03-28-14		Pharmacy General	\$	1,975.72
Address	03-28-14		Med Surg Supplies	\$	9,975.65
City, State XXXXX	03-28-14		Med SRG Sterile Supply	\$	645.00

Provider	Date	Diagnosis	Purpose of Visit	An	nount
	03-28-14		Lab Pathology General	\$	119.00
	03-28-14		Diagnostic General	\$	573.00
	03-28-14		OR Service General	\$	9,353.00
	03-28-14		Anesthesia General	\$	4,538.00
	03-28-14		RX, Req Detailed Coding	\$	78.00
	03-28-14		Inject,Cefazolin Sodium	\$	133.70
	03-28-14		Ketorolac Tromethamine Inj	\$	404.00
	03-28-14		Ondansetron Hcl Injection	\$	133.56
	03-28-14		Injctn,Fentanyl Citrate	\$	21.00
	03-28-14		Drugs Unclassified Injection	\$	349.00
	03-28-14		Ringers Lactate Infusion	\$	984.00
	03-28-14		Recovery Room General	\$	4,704.00
				\$	34,336.63
TOTAL			Total	2	,13,000.84



Exhibi

INDEX

- 1. Collision Report
- 2. Photographs
- 3. Medical Records/ Bills of Belldrop General Hospital
- 4. Medical Records/ Bills of Tulip Radiology Boot Ranch
- 5. Medical Billing Summary

EXHIBIT 1

Norio

	CRASH	REPORT	

LONG FORM X

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SHORT FORM UPDATE

HIGHWAY SAFETY & MOTOR VEHICLES TRAFFIC CRASH RECORDS NEIL KIRKMAN BUILDING,

Section 1 11

Crash Dat 1/9/2015	e	Time of 5:06 PM		Date of F 1/9/2015	Raport	Reporting Ager	CY WAY PATR	IOL		• •	Repo FHP	orling Agenc C15OFF002	y Case Nui 691	mber <u>HSLA/ Cree</u>	h Banod Number
CRASH				Caret		Disea Cit	Crossb		e Bai:	thin City Lim	Decesto	- Onto Timo		Dispatched D	ala (Tima
County Co 28		PA	SCO	Crash	2 2	Place or City HUDSON	8	8		NO	1/9/201	5 5:06 PM		1/9/2015 5:04	
On Scene 1/9/2015 5	0ate/1im 5:55 PM	8	1/9/	red Scene 2015 5:42 F	PM	Thvestigation	S Completed	Reason (if In	vestigation N	ot Complete;) 	<u></u>		Notified By	CEMENT AGENCY
		ORMATIC Street, Road.		91/	÷	NS of of		14 - 44	LAt Street	at Address #	1 4	Latitude		And Longitud	la
COUNTY	ROAD 1 (LITTLE ROAL	ר <u>י</u> (ס			and at an MEAL	Charles David	11:-6	n 306	50 MQQ1 655 #		28 19.8177		W 82 40	.0036
Al Feel		Or Miles		Direction	STATE	ersection With ROAD 52								Or From Mile;	
Road Syst	em Identi	ier		. 1545 - 1 -1			Type of S CURB	nouider	ŕ	ype of Inters OUR-WAY II	NTERSECT	ION			
CRASH Light Cond		MATION	Da	Pictul Pictur	res Taken	Boot	vay Surface	Condition	1Cabaa	Bus Relate			- It land	er of Collision	
DĂYLIGH	т			LEAR	1	DRY		24	NÓ		2		ANG	LE	
VEHICLE,	OR NON	FIXED OBJE	СТ	First Har MOTOR	WENCLE IN TR	ANSPORT		First Harmful 1 ON ROADWA		n	Within NO	Interchange		Harmful Event's Re RSECTION	alation to Junction
Contributio NONE	ng Circum	stances: Road	3			Contributing (Sircumstance	es: Road			Contrib	ibling Circun	istances: F	Road .	۰۰', <u>م</u> ۰۰,
Contribulir NONE	ng Circum	stances: Envi	ronme	nt	· · · · · · · · · · · · · · · · · · ·	Contributing (Circumstance	85: Environme	ant		Contrib	uting Circur	nslances: E	Environment	and the set of the set
Work Zoni NO		Crash in	Nork 2	one		Туре	of Work Zon	e		Workers in	Work Zone	Law Enfo	inement in	Work Zone	
VEHICL Vehicle IM				Motor Veha	de	Hit & Run (by I	his vehicle)	License Num	oer (Sta	te Reg.	Expires	Perman	ent Reg. V	IN	1
	MOTOR V Aake	CIE Type EHICLE IN TI Mod			Style	Color	1	BBA4F Damage	FL	5/20/3 age Towed	Expires 2015 Due to Dam	NO	1	FMCA11U3VZA0	Rotation
	FORD	AE	ROST	AR	SW	WHI	FUNCT		3,9	500 NO	surance Poli				
Name of V			Busie		Gurrent Addres	é.			City		,	te Zio Code	Phone I	Number(s)	
	License N		DUSI	ness 🗌	12416 HITCHI	NG POST LN	Reg. IVIN		BA	YONET POIL	NT FL TYear	Make		tunidenta)	Length Axles
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Trailer Two Vehicle		ection			Reg. Expires	NO	I FLAG.	•			1 eai	1	Est. Speed	Posted Spe	
Traveling CMV Con	NC	RTH			et, Road, Highwi Y ROAD 1 (LIT) Cargo Body Type				1			15		45	6
CNIV CON	nguiation	я			Calgo Boby Type				IF	a of initial in	nipact	Unde	rcarriage [arnaged Area
Comm GV	/WR/GCV	VR		Traile	ar Type (Trailer C	ne) Traile	er Type (Trai	iler Two)					erturn [
1				ĺ	80					1([□]]				5 o 1 o(
Haz. Mat.	Release	Haz Mat Pla	card	1	Hez. Me	. Number	Haz. Mal. C	1855				=			╤╩╤╝┝╲
Motor Car	rrier Nami	1		8	I	US D	OT Number								
Motor Car	rrier Addro	358				Address Other			Ci	ty	os 50	State	Zip Code	Phone N	łumber
Comm/No	n-Comme	rcial		Vehicle Bod PASSENG	by Type ER VAN	Vehic	le Defects (i E	one)	Vehic	le Defects (t	wo)	Em NO	ergency Ve	NO SPI	Function of MV ECIAL FUNCTION
Vehicle M	laneuver. U-TURN	Action		ficwsy O-WAY, DI DIAN BAR	VIDED, POSITIV	E LEVEL	Grade	Roadway / STRAIGH	Alignment T	Most Harm COLLISIO	ful Event N NON-FIXE		Vost Harmi NOTOR VE	ul Event Detail EHIGLE IN TRANS	PORT
Traffic Co	Introl Dev	ce for this Ve	hicle	First (1) Sec	quence of Events	I	iecond (2) Se	equence of E	vents		Sequence of	Events	Fo	ourth (4) Sequence	of Events
TRAFFIC	CONTRO	DL SIGNAL	ľ	COLLISION	NON-FIXED OF	NECT									
					HICLE IN TRAN	SPORT									1997 - 200-51 1
							<u></u>	<i>2</i>	a e	6		New 2010 107 107 107			
VEHICL Vehicle IN				Motor Veh	icie	Hit & Run (by	this vahicle	licanea Num	her IC	te Pag	Evolution	Dorme	ent Reg. V	//M	i
	MOTOR V	icle Type EHICLE IN TI Mo		PORT	Stula	INO		1107BC	ber Sta FL Esi. Dam		Expires 2015 Due to Dan	NO	3	GNBABFW5BS5	13776 Rotation
2011 (CHEV	нн	R		Style UT	Color WHI	FUNCT	IONAL	3,	000 NO		100			I ALGUAL
Name of V			Bunk	ness 🗍 🗄	Current Adden				~		surance Pol			humbor(c)	
	a Dawn		QUSH		Current Addres 9318 TAMWO Reg. Expires	RTH LN	I Dec N		PO	RT RICHEY	FL	te Zip Code	Prioné l	Number(S)	1
One	License I		1920	State	1 8 1 9 8	NO	6.89				Year	Make			Length Axles
Two	40.85400.8562822.032 (0		<u>1</u> 2 0		Reg. Expires	Permaner NO	nt Reg. VII	N			Year	Make			Length Axles
Vehicle Traveling		ection RTH		COUN	et, Road, Highw	LE ROAD						At 10	Est. Speed	d Posted Spe 45	red Total Lanes 6

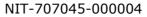
Crash Date 1/9/2015	Time of Crash 5:05 PM	Date of Report 1/9/2015	Reporting /	Agency HIGHWAY PATROL		Reporting	Agency Case Number	HSMV Crash Report Nur	mber
CMV Configuration	77 0 MT	Cargo Bod					Undercarriage	Most Damaged Area	10.
Comm GVWR/GCWR		Trailer Type (Tr		røiler Type (Trailer Two)			Overtum		
Haz, Mat. Release Ha	z Mat Placard	Ha	z. Mal. Number	Haz. Mat. Class			Trailer 🔲 🗖		
Motor Carrier Name		12 100000	μ	S DOT Number					لسد]
Motor Carrier Address	2010) 103	100 JU	Address Ot	her	Ci	ty Sta	te Zip Code	Phone Number	25
Comm/Non-Commercia	r	Vehicle Body Type PASSENGER CAR		ehicle Defects (one) IONE	Vehic	le Defects (Iwo)	Emergency Vehicle NO	Use Special Function of M NO SPECIAL FUNCT	
Vehicle Maneuver Actic TURNING LEFT	TV	INCOMENTAL OF CONTRACT OF CONTRACTO OF CONTRACT OF CONTRACT OF CONTRACT OF CONTRACT OF CONTRACT.	SITIVE LEVEL		ray Alignment GHT	Most Harmful Event COLLISION NON-FIXED OBJECT	Most Harmful Ev MOTOR VEHICL	ent Detail E IN TRANSPORT	
Traffic Control Device for TRAFFIC CONTROL S		First (1) Sequence of I COLLISION NON-FIX		Second (2) Sequence	of Events	Third (3) Sequence of Even	ts Fourth i	 Sequence of Events 	
		MOTOR VEHICLE IN			75 - 25			5.	"x 3
PERSON RECOR	D			1000 L					1
# Person Type 1 DRIVER	Vehic V01	BAFBARA MAL	RIELLO		Severity SIBLE	Ejection NOT EJ	ECTED	Driver R NO	eExam ,
Date of Birth Sex		Time of Crash		Address				Phone Number	
Driver License Number		State Expires FL 04/15/20	Type	E / OPERATOR	1. VA	Required End	orsements		- <u>-</u> [
Restraint Systems	RELTURED		Air Bag Depl	Dyed		Heimet Use		Eye Protection	
SHOULDER AND LAP Motor Vehicle Seating I			or Venicle Sealin		Motor Vehi	Icle Seating Position: Other		ATTENADLE	8
FRONT Driver Distracted By		[LEI	-T		Driver Vision Ob	structions			
NOT DISTRACTED Driver Actions at Time of	of Crash 1 (base	ed on judgement of inv	estigation officer)		VISION NOT OB Driver Actions at	SCURED Time of Crash 2 (based on ju	dgement of investigation	on officer)	
IMPROPER TURN Driver Actions at Time (Time of Crash 4 (based on ju	-	· · · · · · · · · · · · · · · · · · ·	
			5 8						-
Suspected Alcohol Use NO	TEST NOT G	IVEN		Test Result BAC	Suspected NO	TEST NOT GIV		Drug Test Result	8
Source of Transport to NOT TRANSPORTED	Medical Facility	EMS Agen	cy Name or ID	EMS Run Ni	umber	Medical Facility Transporte	d To		
PERSON RECOR	D						·····		
# Person Type 2 DRIVER		ALESSIA DAWI	J	injury POS	/ Severity SIBLE	Ejection NOT EJ	ECTED	Driver R	leExam
Date of Birth Sex 08/16/1968 F	Condition at	Time of Grash	<u>.</u>	Address				Phone Number	
Driver License Number		State Expires	Type	E / OPERATOR		Required Enc	lorsements ED ENDORSEMENTS	-	· · · · · · · · · · · · · · · · · · ·
Restraint Systems		FL 08/16/20	Air Bag Depl	oved		Helmet Use		Eye Protection	
SHOULDER AND LAP Motor Vehicle Seating I		Mo	NOT DEPLO or Vehicle Seatin		Motor Vehi	Icle Seating Position: Other	i a se di	NOT APPLICABLE	
FRONT Driver Distracted By			1		Driver Vision Ob	structions			
NOT DISTRACTED Driver Actions at Time I	of Crach 1 (bac)	ad on jud ement of inv	estigation officer)	······	VISION NOT OB		deamont of investigatio	on officer)	
NO CONTRIBUTING A	CTION					-			
Univer Actions at Time	of Crash 3 (basi	ed on judgement of inv	estigation officer)		Uriver Actions at	Time of Crash 4 (based on ju-	agement of investigation	n officer)	
Suspected Alcohol Use NO	TEST NOT G	IVEN	ype Alcoho	Test Result BAC	Suspected NO	Drug Use Drug Tesled TEST NOT GIV	Drug Test Type	Drug Test Result	t
Source of Transport to NOT TRANSPORTED	Medical Facility	EMS Agen	cy Name or ID	EMS Run N	umber	Medical Facility Transports	of b		
PERSON RECOR								- 	0.0
# Person Type 3 PASSENGER		CHAVELA DAT	VN		POSSIBLI	erily F	Ejection NOT EJECTED		
Date of Birth Sex	Address 9318 TAMW	8	FL					Phone Number	
Restraint Systems SHOULDER AND LAP		OKTA CH,	Air Bag Depl NOT DEPLO	oyed		Heimet Use			
Motor Vehicle Seating		Mo	for Vehicle Seatin		Motor Veh	icle Seating Position: Other		NOT APPLICABLE	
FRONT Source of Transport to	Medical Facility	Rid LEMS Agen	HT cy Name or ID	EMS Run N	umber	Medical Facility Transporte	ed To		
NOT TRANSPORTED	_								2
PERSON RECOR	RD Vehi	tle # Name		<u> </u>	lours De	odu	Finefer		<u> </u>
# Person Type 4 PASSENGER	V02	MARIA DAWN			POSSIBL	E	Ejection NOT EJECTED		
Date of Birth Sex	Address							Phone Number	10
Restraint Systems SHOULDER AND LAP	BELT USED		Air Bag Depi NOT DEPLO	eved YED		Helmet Use		Eye Protection	
Motor Vehicle Seating		Mo	tor Vehicle Seatin		Motor Veh	icle Sealing Position: Other			
Source of Transport to NOT TRANSPORTED	Medical Facility		cy Name or ID	EMS Run N	umber	Medical Facility Transporte	a to		
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Page 2 of 4				OFFICIAI	L COPY				
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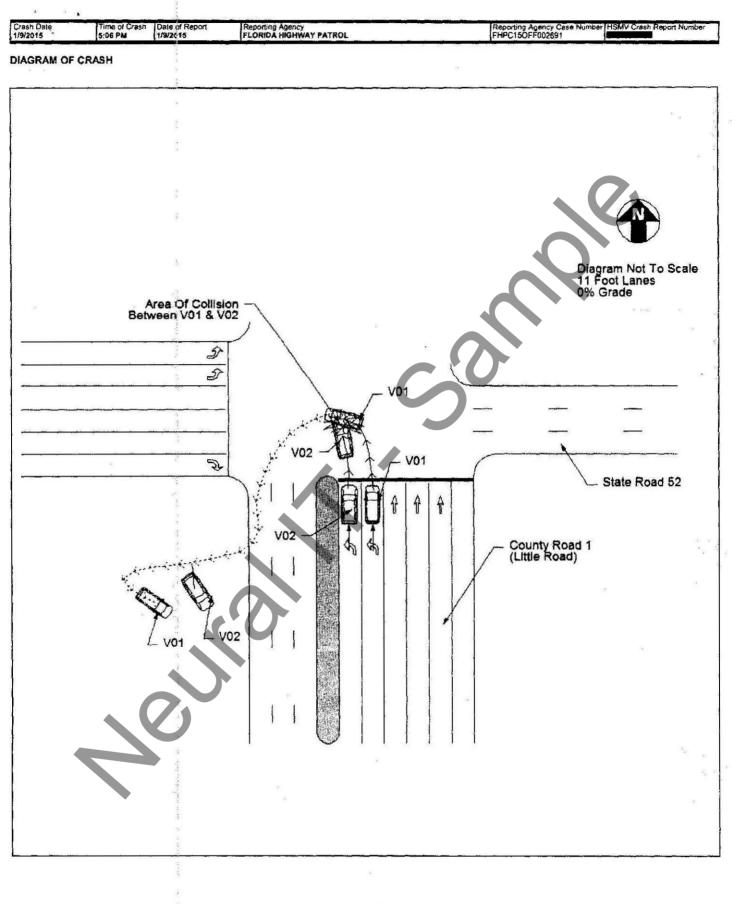
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58 1	т. 19. ст.).	11			
Crash Date 1/9/2015	Time of Gr 5:06 PM	ash Date of Report 1/9/2015	Reporting Agency FLORIDA HIGHWAY PATROL	Reporting Agency Case N N	lumber Boost Number
ARRATIV		1	unner en generation anno 1979 a B		
) Number 582	Rank TPR.	Name	Iroon / Post	Officer Agency FLORIDA HIGHWAY PATROL	Phone Number
red left tu on Couni stopped The stea V01 initia	urn arrow at t ty Road 1 (Lit at the steady dy red left tur ated a U-Turr	he intersection ttle Road), appr red left lurn an rn arrow chang	of State Road 52. Vehicle 2 (V roaching a steady red left turn a row. ed from red to green at which t abound on County Road 1 (Littl	ne, on County Road 1 (Little Road) /02) was traveling northbound, in th arrow at the intersection of State R time V01 and V02 proceeded. le Road) into the direct path of V02	ne inside left turn lane, load 52. V01 and V02
Both veh o my arr	icles were m ival.	oved from the	area of collision to a private pa	rking lot on the southwest corner o	f the intersection, prior
3	7.				
	GOFFICER				
) Number 582	Rank TPR.	Plaine.	Troop / Past	Officer Agency FLORIDA HIGHWAY PATROL	Phone Number
a a		to the stated density is in the state of the			n unterstand 1 1 1 1 1 1 1 1 1
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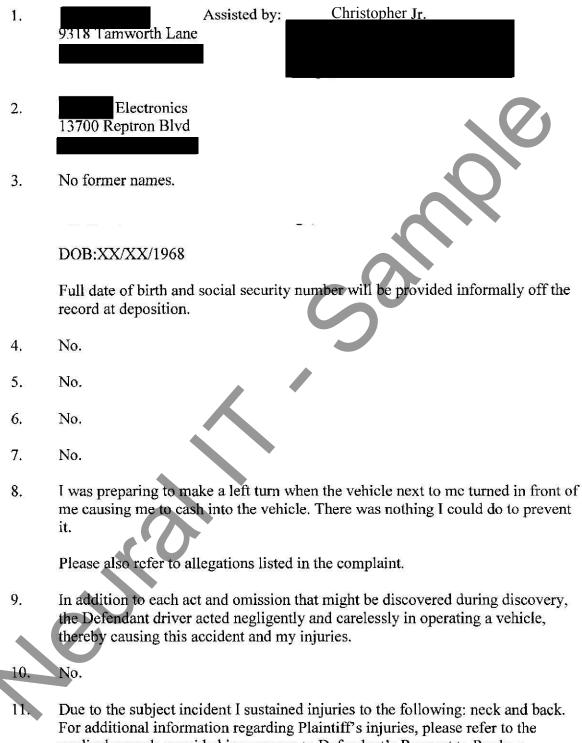
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PLAINTIFF'S ANSWERS TO INTERROGATORIES



medical records provided in response to Defendant's Request to Produce, pursuant to Fla.R.Civ.P 1.340(c). Plaintiff defers to treating providers regarding permanency of injuries.

EXHIBIT 2 yersio









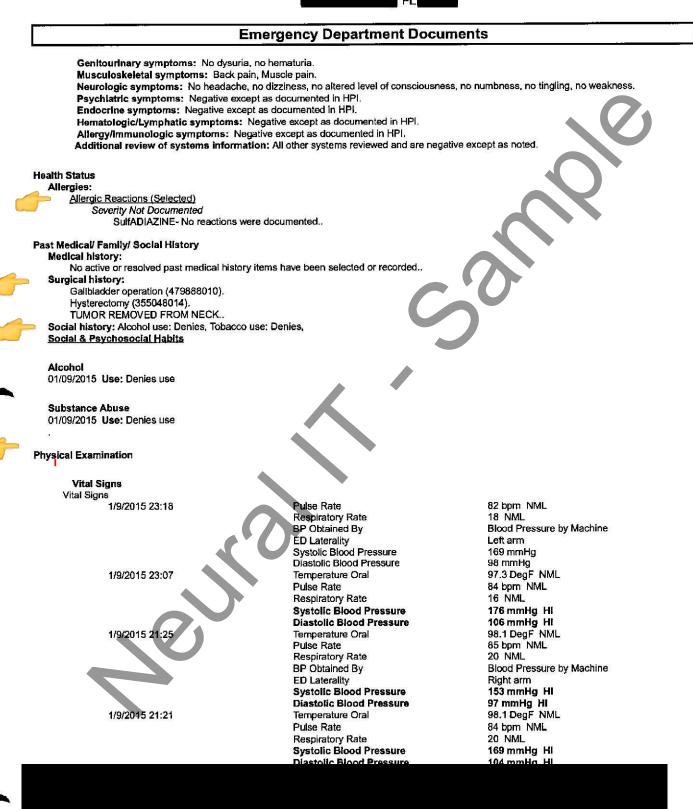




EXHIBIT 3

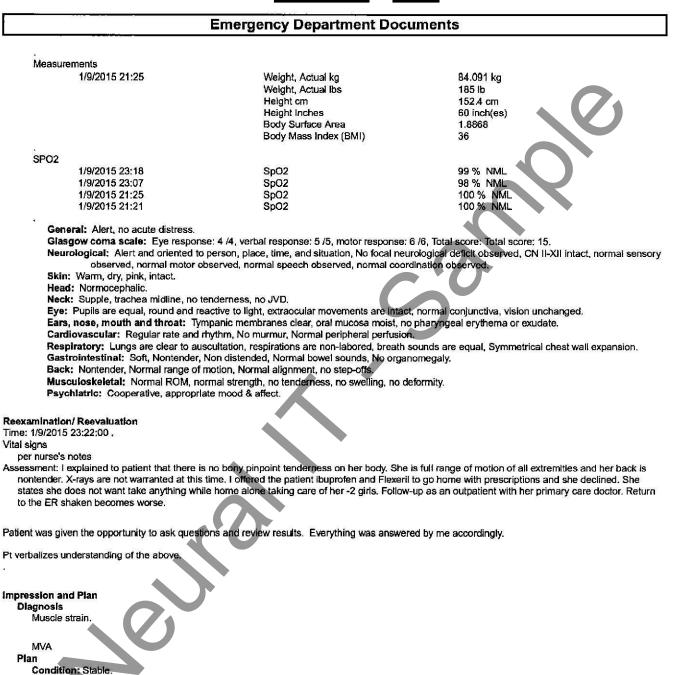
		6600 Madison Street					
		Emergency Department Documents					
CALL YOUR PRIVATE PHYSICIAN OR RETURN TO THE EMERGENCY ROOM IF YOUR SYMPTOMS WORSEN IF NO IMPROVEMENT IS NOTED. I, have received patient education materials/instructions and have verbalized understanding listed below:							
	Patient Signature	Date Provider Signature Time					
	Name:	FIN: 40839752					
	Electronically Signed By:	- (1/12/2015 07:05 EST);					
	Addendum by Discussed plan and history per patient. Agree	on 12 January 2015 7:05 with plan for the patient. I was immediately available for any questions or concerns regarding this patient					
	Electronically Signed By: on 01.12.2015	07:05 AM					
	Electronically Signed By:						
	1/9/2015 21:25 Chief Con DRIVER HIT ON PASSEN	0. an(s): Premier clinic, Chief Complaint from Nursing Triage Note : Chief Complaint nplaint PT REPORTS ALL OVER PAIN AFTER MOTOR VEHICLE CRASH. PT WAS RESTRAINED					
	achiness everywhere. She denies any head o the passenger seat. Car was struck on the fro scene. She denies any headaches or blurred	te collision and Patient was the restrained driver involved in an MVA at1800 hrs. complaining of pain and in neck injury. She is complaining of mild right shoulder pain from trying to restrain her daughter who was in int passenger side, EMS arrived, she declined. The police were involved. Patient was ambulatory at the vision. No chest pain or shortness of breath. No abdominal pain. No nausea, vomiting, or diarrhea. No w back pain. She is full range of motion of all external extremities. She denies any bowel or bladder loss					
-	Review of Systems Constitutional symptoms: No fex Skin communication and the isolated	/er, no chills, no sweats, no weakness, no fatigue, no decreased activity. rash, no pruritus, no abrasions, no breakdown, no burns, no dryness, no petechiae, no lesion.					
	 Eye symptoms: No pain, no disch ENMT symptoms: No ear pain, no Respiratory symptoms: Negative production. 	arge, no icterus, no diplopia, no blurred vision, no blindness. o sore throat, no nasal congestion, no sinus pain. e except as documented in HPI, no shortness of breath, no orthopnea, no cough, no hemoptysis, no sputum					
C mark C M		hest pain, no palpitations, no tachycardia, no syncope, no diaphoresis, no peripheral edema. abdominal pain, no nausea, no vomiting, no diarrhea, no constipation.					

6600 Madison Street



6600 Madison Street

FL :



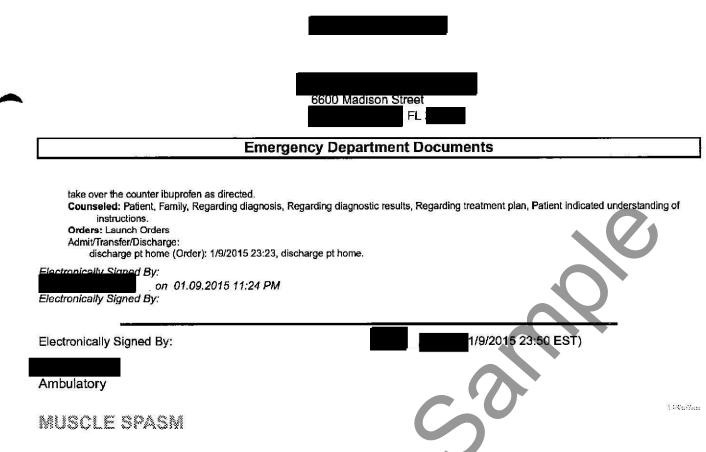
Disposition: Discharged: Time 1/9/2015 23:23:00, to home. Patient was given the following educational materials: MVC, General Precautions, MUSCLE SPASM.

Follow up with:SEAWOOD COMMUNITY HEALTHCARE GROUP Within 48 to 72 Hours Call to arrange an appointment

Follow up with primary care provider

Return immediately if symptoms worsen Return immediately if symptoms worsen

Seek medical care if symptoms worsen



A MUSCLE SPASM is a prolonged contraction of the muscle fibers. This may be caused by strain or over exertion of the muscle, injury, or metabolic changes. If it goes on long enough the muscle spasm causes pain. Common locations for muscle spasm are the legs (especially at night in older persons), in the neck and back.

HOME CARE:

1) Heat, massage and passive stretching will help relax muscle spasm.

2) When the spasm is in your arm or leg, you may stretch the muscle <u>passively</u> by having someone bend or straighten the joint above or below the muscle until you feel the stretch on the sore muscle. Hold this tension for 5-30 seconds, as tolerated. Release, Rest for one minute. Repeat until the spasm is relieved.

3) You may use acetaminophen (Tylenol) or ibuprofen (Motrin, Advil) to control pain, unless another medicine was prescribed. [<u>NOTE</u>: If you have chronic liver or kidney disease or ever had a stomach ulcer or GI bleeding, talk with your doctor before using these medicines.]

FOLLOW UP with your doctor or this facility if you are not improving within the next 1-2 days.

GET PROMPT MEDICAL ATTENTION or contact your doctor if any of the following occur:

-- Fingers or toes become swollen, cold, blue, numb or tingly

-- You develop weakness in the affected arm or leg

EXHIBIT 4



RADIOLOGY - BOOT RANCH

The Imaging Center at Boot Ranch Home of Florida's 1st Stand-Up, "High Field", Open MRI

Physicians Dedicated To Patient Care™

MRIROSE.COM Phone: Fax: (

Make Quality Radiology Your Choice™

DATE OF EXAM:02/20/15PATIENT NAME:Mr. ABCDACCOUNT:837191SEX: FemaleAGE: 46DATE OF BIRTH:08/16/1968REFERRING PHYSICIAN:

MRI CERVICAL SPINE WITHOUT CONTRAST WITH FLEXION AND EXTENSION IMAGES

HISTORY: Pain post motor vehicle accident.

COMPARISON: None.

TECHNIQUE: Utilizing the high-field upright open MRI scanner at Boot Ranch, MRI sequences were obtained in multiple orthogonal planes as needed. Flexion and extension images sagittal T2 weighted images were also obtained. No contrast given.

FINDINGS: There is straightening of cervical lordosis. Fatty marrow signal in the vertebral bodies is identified with maintenance of vertebral body heights. No subluxation is appreciated on neutral, flexion or extension views. The cervical spinal cord signal as well as craniocervical junction appear maintained. The paraspinal soft tissues are unremarkable.

The intervertebral discs at multiple levels were evaluated and the findings noted below:

C2/3: Unremarkable.

C3/4: Posterior disc protrusion extending predominantly to the left effaces the thecal sac.

C4/5: Left paracentral disc protrusion with underlying disc bulge and disc osteophyte change occurs. Thecal sac effacement with narrowing of the lateral recess and foramina bilaterally occurs.

C5/6: Posterior disc protrusion effaces the ventral thecal sac. Narrowing of the lateral recess and foramina bilaterally with disc osteophyte change occurs.

C6/7: Disc bulge effaces the thecal sac.

C7/T1: Disc bulge effaces the thecal sac.

Continued.....

Upright MRI + 1.5T MRI + 16 Slice CT + X-Ray + Ultrasound + Digital Mammo + DEXA + Pain Management & Interventional



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The Imaging Center at Boot Ranch

Physicians D	Dedicated To Patient Care™
	PIROSE.COM
Phone:	Fax:

 DATE OF EXAM:
 02/20/15

 PATIENT NAME:
 Mr. ABCD

 ACCOUNT:
 837191

 MRI CERVICAL SPINE WITHOUT CONTRAST WITH FLEXION AND EXTENSION IMAGES

 PAGE TWO

IMPRESSION:

- 1. Disc protrusion C5/6, C4/5, C3/4.
- 2. Disc bulges C6/7, C7/T1.
- 3. Lateral recess and foraminal narrowing bilaterally C4/5, C5/6. Clinical correlation for corresponding radiculopathies is recommended.
- 4. Straightening of cervical lordosis may indicate musculoligamentous spasm or sprain.
- 5. No subluxation on provocative maneuvers.

I appreciate the opportunity to be involved in the care of your patient.

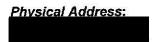
Diplomate, American Board of Radiology Fellowship-Trained Neuroradiologist Senior Member, American Society of Neuroradiology (ASNR)

RF/wmm	dd: 2/23/15	dt: 2/23/1

Electronically approved by:

Date: 02/23/15 17:47

Upright MRI + 1.5T MRI + 16 Slice CT + X-Ray + Ultrasound + Digital Mammo + DEXA + Pain Management & Interventional



Billing/Payment Address:



DATE OF EXAM: **PATIENT NAME:** ACCOUNT: SEX: Female DATE OF BIRTH: **REFERRING PHYSICIAN:**





MRI OF THE LUMBAR SPINE WITHOUT CONTRAST WITH FLEXION AND EXTENSION IMAGES

HISTORY: Pain post motor vehicle accident.

TECHNIQUE: Utilizing the high-field upright open MRI scanner at Boot Ranch, MRI sequences were obtained in multiple orthogonal planes as needed. Flexion and extension imaging also obtained. No contrast given.

FINDINGS: There is straightening of lumbar lordosis seen. Fatty marrow signal in the vertebral bodies is appreciated with maintenance of vertebral body heights. The conus medullaris is seen at T12/L1. The paraspinal soft tissues are unremarkable.

With neutral view there is 1.8 mm retrolisthesis LI on L2. With extension there is 0.5 mm retrolisthesis L1 on L2. With flexion, alignment is restored.

The intervertebral discs at multiple levels were evaluated and the findings noted below:

T12/L1: Unremarkable.

L1/2: Annular disc bulge with disc osteophyte change and facet overgrowth effaces the thecal sac, lateral recess and foraminal fat.

L2/3: Annular disc bulge and facet overgrowth with disc osteophyte change occurs. Thecal sac stenosis with AP thecal sac diameter 9 mm as well as effacement of the lateral recess and foraminal fat by disc bulge is noted.

L3/4: Annular disc bulge effaces the thecal sac, lateral recess and foraminal fat. Some facet overgrowth is seen.

L4/5: Annular disc bulge with facet overgrowth effaces the thecal sac, lateral recess and foraminal fat.

L5/S1: Asymmetric right-sided facet overgrowth. The intervertebral disc appears maintained. No neural compromise is identified.

Continued.....

Upright MRI + 1.5T MRI + 16 Slice CT + X-Ray + Ultrasound + Digital Mammo + DEXA + Pain Management & Interventional

Physical Address:

Billing/Payment Address:





RADIOLOGY – BOOT RANCH

The Imaging Center at Boot Ranch Home of Florida's 1st Stand-Up, "High Field", Open MRI

Physicians Dedicated To Patient Care™

MRIROSE.COM

Phone:

Fax:

DATE OF EXAM: 02/20/15 PATIENT NAME: Mr. ABCD ACCOUNT:

MRI OF THE LUMBAR SPINE WITHOUT CONTRAST WITH FLEXION AND EXTENSION IMAGES PAGE TWO

IMPRESSION:

- 1. Straightening of lumbar lordosis may indicate musculoligamentous spasm or sprain.
- 2. Grade 1 retrolisthesis L1 on L2 with variability between neutral, flexion and extension views. This could indicate ligamentous laxity.
- 3. Disc bulges from L1/2 to L4/5 with the cal sac effacement as well as mild the cal sac stenosis L2/3.
- 4. Some spondylitic facet change and disc osteophyte change is noted with effacement of the lateral recess and foraminal fat from L1/2 to L4/5.
- 5. Asymmetric right-sided facet overgrowth L5/S1.
- 6. Additionally noted is probable parapelvic renal cysts bilaterally, more numerous on the left than the right.

I appreciate the opportunity to be involved in the care of your patient.

SEEEEE I MD Diplomate, American Board of Radiology Fellowship-Trained Neuroradiologist Senior Member, American Society of Neuroradiology (ASNR)

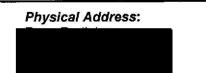
RF/wmm dd: 2/23/15 dt: 2/23/15

Electronically approved by: SEEE

Date: 02/23/15 17:46

Upright MRI + 1.5T MRI + 16 Slice CT + X-Ray + Ultrasound + Digital Mammo + DEXA + Pain Management & Interventional

MD



Billing/Payment Address:

EXHIBIT 5 Levis

CEP	AMERICA LLC								
	498-7157 ID27-1369141								
	ACCOUNT NO.		67	7013-01		STATEMENT	DATE	11/09/17	
DATE	PATIENT		 R# RF	DESCRIPTI	ON			ICD10	AMOUNT
08/05/17 08/05/17	KENYA KENYA	1 1	2 2	99283 94760/26	LEVEL PULSE	3 EMERGENCY, OXIMETRY, S	P ING	2	268.00 28.00
						TOT	AL CUR	RENT	\$296.00



HEALTH INSURANCE CLAIM FORM

	ATTORNEY LIEN HOLD	IN HOUSE	Î
			CARRIER
APPROVED BY NATIONAL UNIFORM CLAIM COMMITTEE (NUCC) 02/12			CAF
PICA			
1. MEDICARE MEDICAID TRICARE CHAMPVA	- HEALTH PLAN - BLK LUNG	1a. INSURED'S I.D. NUMBER 816543	(For Program in Item 1)
(Medicare #) (Medicaid #) (ID#/DoD#) (Member ID 2. PATIENT'S NAME (Last Name, First Name, Middle Initial)	#) (ID#) (ID#) (ID#) 3. PATIENT'S BIRTH DATE SEXX		- Republic to the to
2. FATILAR S RAME (Last Rame, Pilst Rame, Mildue Initial)	MN07 DD23 64 M F	4. I	e, Middle Initial)
5. P	6. PATIENT RELATIONSHIP TO INSURED	7. 1	
	Self Spouse Child Other		
Decatur GA	8. RESERVED FOR NUCC USE	Decatur	STATE GA
ZIP CODE TELEPHONE (Include Area Code)		ZIP CODE TELERHO	NE (Include Area Code)
▲ 30035 (⁴⁰⁴) 610 3833		30035	4 610 3833
9. OTHER INSURED'S NAME (Last Name, First Name, Middle Initial)	10. IS PATIENT'S CONDITION RELATED TO:	11. INSMAD'S POLICY GROUP OR FECA	NUMBER
			9
a. OTHER INSURED'S POLICY OR GROUP NUMBER	a. EMPLOYMENT? (Current or Previous)	a. INSURED'S DATE OF BIRTH	
b. RESERVED FOR NUCC USE	b. AUTO ACCIDENT? PLACE (State)	b. OTHER CLAIM IN (Designated by NUCC)	
	YES NO		STATE GA GA NELINClude Area Code) 4 610 3833 NUMBER SEX F X
c. RESERVED FOR NUCC USE	c. OTHER ACCIDENT?	C INSURANCE N AN NAME OR PROGRAM	
d. INSURANCE PLAN NAME OR PROGRAM NAME	YES NO	ATTORNEY LIEN HOLD	
0. INSURANCE PLAN NAME OF PHOGRAM NAME	10d. CLAIM CODES (Designated by NUZC)	d. IS NEEDE ANOTHER HEALTH BENEFIT	PLAN? lete items 9, 9a and 9d.
READ BACK OF FORM BEFORE COMPLETING	& SIGNING THIS FORM.	12 INSURED'S OR AUTHORIZED PERSON	S SIGNATURE I authorize
 PATIENT'S OR AUTHORIZED PERSON'S SIGNATURE I authorize the re to process this claim. I also request payment of government benefits either below. 	lease of any medical or other information necessary r to myself or to the party who accepts assignment	payment of medical benefits to the unders services described below.	signed physician or supplier for
SIGNATURE ON FILE	09/01/2017	SIGNATURE	ON FILE
3 SIGNED 14. DATE OF CURRENT ILLNESS, INJURY, or PREGNANCY (LMP) 15. (DATE	SIGNED	
MM DD YY QUAL	MM DD YY	MM DD YY	MM DD YY
17. NAME OF REFERRING PROVIDER OR OTHER SOURCE 17a.		18. HOSPITALIZATION DATES RELATED TO	CURRENT SERVICES
17b.	NPI 1457520892		0
19. ADDITIONAL CLAIM INFORMATION (Designated by NUCC) 9			CHARGES
21. DIAGNOSIS OR NATURE OF ILLNESS OR INJURY. Relate A-L to servi	x hite below (24E) ICD Ind.	22. RESUBMISSION	
M54 5 BL M25 511	D.	CODE ORIGINAL	REF. NO.
E F F	н.	23. PRIOR AUTHORIZATION NUMBER	
I. J. K. 24. A. DATE(S) OF SERVICE B. C. D. PROG	L. L	F. G. H. I.	
From To PLACE OF (Expl	tin Unusual Circumstances) DIAGNOSIS	DAYS EPSOT ID.	RENDERING
MM DD YY MM DD YY SERVICE EMG CRTHCPI	CS MODIFIER POINTER	\$ CHARGES UNITS Plan QUA	PROVIDER ID. #
08 31 17 08 31 17 49 72148	A	2370.00 1 NP	RENDERING PROVIDER ID. #
2 08 31 17 08 31 17 48 73221	RT B	2225.00 1 NPI	
3		NPI	1972557783
4	1 1 1 1 1	NPI	
			Z
		NPI	PHYSICIAN
6			H
25. FEDERAL TAX I.D. NUMBER SSN EIN 26. PATIENTSA	27. ACCEPT ASSIGNMENT? Sof govt. claims, see back)	28. TOTAL CHARGE 29. AMOUNT	PAID 30. Rsvd for NUCC use
562566975	YES NO	s 4595.00 s	0,00
31. SIGNATURE OF PHYSICIAN OR SUPPLIER INCLUDING DEGREES OR CREDENTIALS 32.	THIT LOCATION INFORMATION	33. BILLING PROVIDER INFO & PH # ()292 2277
(I certify that the statements on the reverse apply to this bill and are made a part thereof.) 2774 N	orth Decatur RD	PO BOX 933367	
	JR. GA 30033-5910	ATLANTA, GA 31193-	-3367
Thomas Brown 09/01/17 SIGNED DATE a. 15088	41511 b.	a. 1508841511 b.	
NUCC Instruction Manual available at: www.nucc.org	PLEASE PRINT OR TYPE	APPROVED OMB 0938	-1197 FORM 1500 (02-12)