

Demand Letter Sample

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NATIONAL LAW FIRM LETTERHEAD

Plaintiff Attorney Plaintiff Attorney email address

Dated: mm/dd/year

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Ms. Julie Johnson State Insurance Company Address

> Re: Our Client: Jane Doe Your Insured: John

Claim Number: 00-185-123456-2014
Date of Loss: October 10, 2013
Our File No.: Firm File Number

Dear Julie:

Our firm represents Jane Doe 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

FAX: XXX-XXXX
Law Firm Website

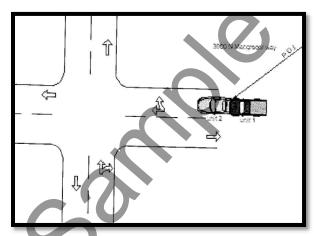
I. PERTINENT FACTS

A. The Accident

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

Ms. Doe 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, John, 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. Doe's vehicle, clearly documenting the force and impact between the vehicles.

B. Personal Injuries

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

C. Personal Background

Jane Doe 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. Jane 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

• 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

• Open Fracture of Left Tibia and Fibula 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 Ms. Julie Johnson State Insurance Company Claim: 00-185-123456-2014

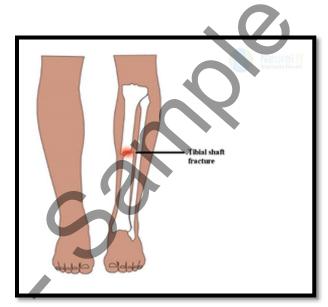
Sleep disturbances/fatigue Diagnosis – 780.50; 780.79

Treatment:

1. ABC Community Medical Center²

Jane Doe presented herself to Dr. Roy on October 10, 2013 with complaints of left leg pain. Examination of the left leg revealed tenderness and swelling.

Ms. Doe underwent X-rays of the left tibia and fibula, left ankle and left foot reviewed by Dr. Roy 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. Doe 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.

Jane Doe presented to Dr. Roy 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. Doe was diagnosed with transverse open left tibia fracture as well as open fractures of left foot in the region of metatarsals. Ms. Doe was advised to undergo fixation and debridement of the open fractures as well as fixation consisting of intramedullary rod placement for right tibia fracture.

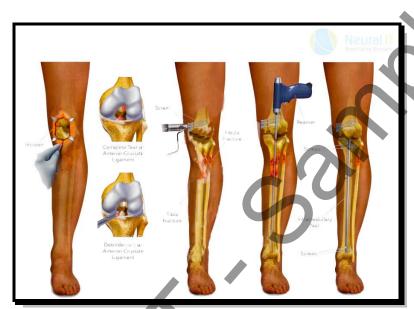
Jane Doe presented to Dr. Roy on October 10, 2013 for podiatry consultation with complaints of left foot pain. Examination revealed perfused left foot and edema. Dermal examination revealed open wound on the dorsal aspect of the left foot, 5th metatarsal fracture upon palpation just underneath the skin 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. Doe was diagnosed with multiple open metatarsal fractures of the left foot, 2 through 5 as well as

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

left open tibia and fibula fracture. Ms. Doe 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. Doe 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.



Left tibia intramedullary rod fixation



Open reduction and internal fixation of metatarsal fractures

Jane Doe presented to Dr. Roy 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. Doe reported pedal pain rated at 8/10. Ms. Doe was diagnosed with POD# 1 status post left foot open reduction and internal fixation metatarsal fractures 2 to 5 and tibial nailing. Ms. Doe.

2. PQR Diagnostic Radiology³

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

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

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

3. LMN Surgical Podiatric⁴

Jane Doe 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. Doe was diagnosed with crush injury, status post reconstruction with pins. Ms. Doe was advised to continue pain medications and follow-up.

4. XYZ Orthopedics and Sports Medicine⁵

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

Jane Doe presented to Dr. Roy 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

³ See Exhibit 3- Medical Records of PQR Diagnostic Radiology

⁴ See Exhibit 4 - Medical Records of LMN Surgical Podiatric

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

fracture site and decreased range of motion. Ms. Doe was diagnosed with left tibia fracture and multiple foot fractures. Ms. Doe was advised to start physical therapy.

Jane Doe presented to Dr. Roy 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. Doe was diagnosed with left tibia fracture and multiple foot fractures. Ms. Doe was advised to follow up in two months.

Jane Doe presented to Dr. Roy 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. Doe was diagnosed with status post ORIF left tibia. Ms. Doe was advised to undergo the surgery for hardware removal of the left foot.

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

5. EF Surgical Center⁶

On November 12, 2014 Jane Doe 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. Roy, M.D⁷

Jane Doe presented to Dr. Roy on December 5, 2014 for examination with complaints of pain at the left tibial hardware. Examination of the left lower extremity revealed pain in the left foot and

⁶ See Exhibit 6 - Medical Records of EF Surgical Center

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

lower leg. Ms. Doe was diagnosed with left foot pain, left knee pain and removal of left tibial hardware. Ms. Doe was advised to undergo surgery for removal of left tibial painful hardware.

7. FMR Medical Center⁸

On January 4, 2015 Jane Doe 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. Doe'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. Swartz v. Gale Webb Transp. Co., 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. *Rooney v. Lloyd Product Co.*, 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.

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.

⁸ See Exhibit 8 - Medical Records of FMR Medical Center

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

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 v. BI-State Development Agency, No. ED106359 (Mo.2018)</u>, 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, §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. Doe'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. Roy, 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. Doe will require medical intervention. Additionally, because of the injuries suffered in the accident, Ms. Doe 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.

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

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⁹ See Exhibit 9 – Medical Billing Records

documentation such as tax or employment records. <u>McCarthy v. Sebben</u>, 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. <u>Dillard v. Atchison</u>, <u>T. & Santa Fe. Ry.</u>, 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 Jane Doe was working fulltime for World Vision¹⁰. Due to her injuries following this collision, Jane was forced to take time off work. As a result she lost income, which we have summarized below:

Total day Lost: 8+2 days = 10 days Total day hours: 10 days * 8 hours = 80 hours **Total wage Loss:** 8+2 days = 8+2

It should be noted that Ms. Doe 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. Medical Necessary Travel and Treatment Time

Ms. Doe 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.

Jane Doe 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 20:00 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
20	75	\$147.00

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 $^{^{10}}$ See Exhibit 10 - Wage Loss Documentation

Claim: 00-185-123456-2014

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:

				Total	Total	
Provider	# of	Roundtrip	Total	Expense	Expense	Total
Trovider	trips	Mileage	Mileage	2013	2013	Expense
				(\$0.24/mile)	(\$0.235/mile)	
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 Sports Medicine	6	5.40	32.40	\$7.78	4 7	\$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. Roy, 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) NON-ECONOMIC DAMAGES

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. 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. Doe'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. <u>Gambill v. White</u>, 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 dis-tress 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. <u>Jarrett v. Jones</u>, 258 S.W.3d 442 at 448.

Ms. Doe 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. Doe 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. Doe'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, Jane Doe'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. <u>Duncan v. Andrew County Mut. Ins. Co.</u>, 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).

IV. DAMAGE SUMMARY

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

V. CONCLUSION

We believe that the above-evaluation is a fair and reasonable estimate of Jane Doe's damages. As you will note, Jane'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

<u>counter demands until we have written verification of policy limits.</u> 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.

Very truly yours,

NATIONAL LAW FIRM

Plaintiff Attorney

Enclosures cc: Jane Doe

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. Roy, M.D
- 8. Medical Records of FMR Medical Center
- 9. Medical Billing Records
- 10. Wage Loss Documentation



Medical Billing Record

Mr. ABCD

File #

DOL: 10/10/2013

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, Gentamen	\$	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	J	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	An	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	F	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
Y	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	Am	ount
	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
		$ \wedge$			
2022	07.20.12				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	7	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
				\$	1,425.00
XYZ Orthopedics and Sports Med	icin(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
ery, state 71717171	06-21-13		Radiolog Exam; Tibia&Fibla, 2 VW	\$	110.00
•	06-21-13		X-Ray Exam of Ankle		127.00
	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	An	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		Removal of an Implant on Left Big Tc		8,000.00
Address	08-02-13		Removal of an Implant on Metatarsal'		2,000.00
City, State XXXXX	08-02-13		Removal of an Implant on Metatarsal'		2,000.00
	08-02-13		Removal of an Implant on Metatarsal'		2,000.00
	08-02-13		Removal of an Implant on Metatarsal'	\$	2,000.00
	08-02-13	V54.01, 729.	Application of Short Leg Splint	\$	1,284.70
				*	1= 201 =0
D DED CEEE 14 D	02.05.44	V/50 04	X	\$	17,284.70
Dr. REDACTED, M.D	03-05-14	V72.84	Basic Comprehensive Medical-Legal I		1,250.00
Address	03-05-14	V72.84	Echocardiography, transthoracic	\$	900.00
City, State XXXXX	03-05-14	V72.84	Plethysmography for determination of		300.00
•	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	V72.84	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
	03-28-14		Laboratory General	\$	350.00

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	2,13,000.84
TOTAL			Total		,





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

i i		CRASH	REPORT
LONG FORM	Х	SHORT FORM	UPDATE

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

Crash Date 1/9/2015		Time of Cra 5:06 PM	h Date of 1/9/201	f Raport 15	Reporting Ager FLORIDA HIGI		TROL			Repo FHP	orting Agent C15OFF002	y Case Numb 691	er MSLA/ Cresh I	Janas III	mher
CRASH ID	ENTIFIE	:P\$	- 			10		de					*	8000 600	
County Code			y of Crash		Place or Cit	y of Crast	1 2000	Wit	hin City Limi		d Date/Time 5 5:06 PM	1	Dispatched Date		
28 On Scene Da	ste/Time	10	Cleared Scen	e Date/Time	Investigation	Complet	led Reason (if In	vestigation No		1113/2013	3 3.00 FM		Notified By		SENSY
1/9/2015 5:5			1/9/2015 6:42	(PM	YE	5				- 10-			LAW ENFORCE	MENTA	GENCY
Crash Occurr	red on Stree	I, Road, Hig		i i i i i i i i i i i i i i i i i i i	888188 at at		- 72 - 74	At Street	Address #		t Latitude		And Longitude		
Al Feet	OAD 1 (LITT		Direction	From	Intersection With	Street, Re	oad, Highway	<u>. l</u>		Į N	28 19.8177		W 82 40.00 Or From Milepos		r
Road System	ı Idenlifier			STAT	E ROAD 52	Type o	Shoulder	TY	pe of Interse	ection	700 700				
COUNTY				. 1		CURB		[FC	OUR-WAY I	ITERSECT	ION				
CRASH IN Light Condition		TION	Pic Weather C	tures Taken ondition	Roady	vav Surfa	ce Condition	School	Bus Related		7	Manner	of Collision		
DAYLIGHT			CLEAR		DRY			NO			4	ANGLE			
First Harmful COLLISION VEHICLE, OI	WITH PER	SON, MOTO	R MOTO	armiul Event De R:VEHICLE IN 1	RANSPORT		ON ROADWA	Event Location	Y	NO NO	Interchange	First Har	miul Event's Rela ECTION	tion to Ju	netror.
Contributing NONE			<u> </u>		Contributing	ircumsta	nces: Road		-	Contrit	outing Circui	nstances: Roa	id		
Contributing	Circumstan	ces. Environ	ment	<i>-</i>	Contribution	Sircumsta	nces: Environme	anf		Conto	ution Clean	nstances: Env	conmant		1. a 494.
NONE	Ci comotan	oco. cirrio	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		Commoding	3	nosa. Cittirotan				John Ny Chrocol	derices. Liv	n On mante		
Work Zone F	Related	Crash in Wo	rk Zone		Туре	of Work Z	one		Workers in	Work Zone	Law Enti	rcement in W	ork Zone	020101 02	
VEHICLE		Commer	cial Motor Ve	h∤de	970 9700 100 10000							WW. 1880.	we was "		
Vehicle Mot V01 MO	or Vahicle TOR VEHIC	Type LE IN TRA	NSPORT		Hit & Run (by	this vehic	BBA4F	Stat	e Reg. 5/20/2	opires 015	Perman NO	ent Reg. VIN	CA11U3VZA010	59	e de la company
Year Mak 1997 FO		Model AERO	STAR	Style SW	Color WHI	Exter	it of Damage CTIONAL	Est. Dame		Due to Dam	nage Vehicle	Removed By		Rotalio	ų
Insurance C					1,,,,,	1				urance Pol	icy Number			- !	
Name of Vet	nicle Owner	В	lusiness 🗌				10.	City	ONET POIN	Sta IT FL	te Zio Code	Phone Nur	nber(s)		
	ense Numb	er	State	Reg. Expires	NO Permaner	it reg.	VIN	DA.	ONLIFOR	Year	Make			Length	Axles
	ense Numb	ier	State	Reg. Expires	Permaner	n Reg.	VIN		*	Year	Make			Length	Axies
Vehicle	Directio		On St	reet, Road, High NTY ROAD 1 (LI	way					1 .	Ai 15	Est. Speed	Posted Speed	Tora	al-Lahes
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		9									Unde	rcarriage 🔲			
Comm GVW	/R/GCWR		Tra	iler Type (Trailer	One) Trail	er Type (1	railer Two)		77 11		□ o	ertum 🔲	V#	П	1
			20	0] <i> </i>			☐ Win	dshield 🔲			
Haz. Mat. Re		z Mat Placar	ď	Hez. N	lat, Number	Haz. Ma				人门	Оτ	railer 🔲		T.J.	十
Motor Carrie				6.00		OT Numb	oor] - 1					_1010	1 At [J1 —
Motor Carrie	THE RESERVOIR CONTRACTOR OF THE PER				Address Other			Cit	у			Zip Code	Phone Nur		
Comm/Nan-I			Vehicle B	GER VAN	Vehic NON	e Defect E			e Defects (t	(vo)	NO		de Use Speciel Fu NO SPEC	inction of IAL FUNC	CTION
Vehicle Man	TURN		MEDIAN BA			Grade	Roadway / STRAIGH		Most Harms COLLISION OBJECT	ul Event NON-FIX	ĒD	Most Harmful MOTOR VEHI	Event Detail CLE IN TRANSPI	DRT	
Traffic Contr	rol Device for ONTROL S	or this Vehic IGNAL	le First (1) S COLLISK	aquence of Ever	ots OBJECT	econd (2)	Sequence of E	vents	Third (3) S	edneuce of	Events	Four	h (4) Sequence o	Events	
							3		é					 733	Juli-s
			MOTOR	EHICLE IN TRA	NSPORT										6. 0
VEHICLE					1	· · · · · ·		- N			New Courts - 1902s		····		
Vehicle Mot V02 MO			cial Motor Ve	nicia	Hit & Run (by	this vehic	e License Num	ber Stat	e Reg. l	Expires 1015	Permar	ent Reg. ViN			
Year Mai	ke	Model		Style UT	Color WHI	Exter	1107BC nt of Damage CTIONAL	Est. Dema	sge Towed		NO nage Vehicle	Removed By	NBABFW5BS513	Rotatio	n
2011 CH Insurance C		HHR		JUT	WHI	FUN	CTIONAL	3,0	ASSESSMENT OF THE PARTY OF THE	urance Pol	icy Number			J.,,	
Name of Vot	hiola Owner	E	Susiness 🔲	Current Add	'ess			City			te Zip Code	Phone Nu	mber(s)	8 8	
	ट्टाइ स । प्राप्ति	er	State	9318 TAMW Reg. Expires	Permaner	it Reg.	VIN	POR	T RICHEY	FL Year	Make			Length	Axles
One	cense Numb		State		NO Permaner	5.53	VIN		ă.	Year	Make			Length	
Two Vehicle	Directio	8006		treet, Road, High	NO	9		17-12 HARANE		(2000) 9(0)		Est. Speed	Posted Speed	ā	al Lanes
Traveling	NORTH	1	čoŭ	NTY ROAD 1 (L	TTLE ROAD)						11		45	6	er Ld/IES

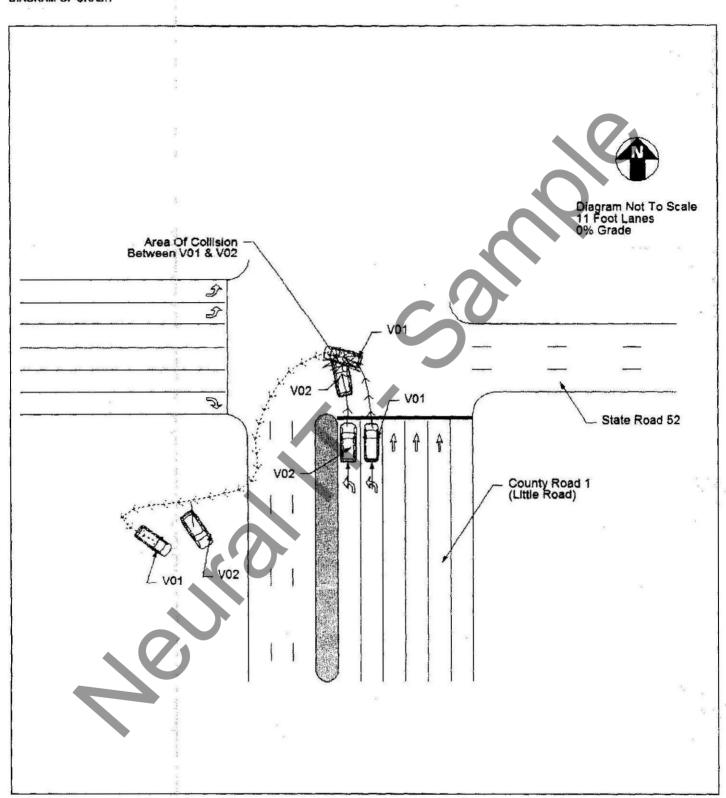
NIT-707045-000002

Crash Date Time of Cras 1/9/2015 5:06 PM		orting Agency DRIDA HIGHWAY PATROL		Reporting Ag	ency Case Number HSMV Crash Re	sport Number
CMV Configuration	Cargo Body Type		Area	of Initial Impact	Most Dama	ged Area
					dercarriage 🔲 📈 🔲 🔲	
Comm GVWR/GCWR	Trailer Type (Trailer One)	Trailer Type (Trailer Tw	°) \		Overturn 🗆	
Haz, Mst. Release Haz Mat Placard	Haz. Mat. Nu	imber [Haz. Mat. Class			Vindshield	
Motor Cerner Name		US DOT Number			Trailer	
Motor Carrier Address	Add	ress Other	City	State	Zip Code Phone Numb	er
Comm/Non-Commercial	Vehicle Body Type PASSENGER CAR	Vehicle Defects (one)	Vehicle		Emergency Vehicle Use Special Fund	ction of MV L FUNCTION
		Last service des				
TURNING LEFT T	rafficway WO-WAY, CIVIDED, POSITIVE ÆDIAN BAFRIER		RAIGHT C	Aost Harmful Event COLUSION NON-FIXED PBJECT	Most Harmful Event Detail MOTOR VEHICLE IN TRANSPOR	ŧт
Traffic Control Device for this Vehicle	First (1) Sequence of Events COLLISION NON-FIXED OBJEC	Second (2) Sequent	ce of Events	Third (3) Sequence of Events	Fourth (4) Sequence of E	vents
						20
	MOTOR VEHICLE IN TRANSPO	ne i	1			F.,
PERSON RECORD						"1,"
1 DRIVER VOI		PC	ury Severily SSIBLE	Ejection NOT EJEC	TED	Driver ReExam NO
Date of Birth Sex Condition a F APPAREN Driver License Number	at Time of Crash ITLY NORMAL State Expires	Address		Required Endors	Phone Number	
Restraint Systems		Type CLASS E / OPERATOR og Deployed			ENDORSEMENTS Eve Protection	- 1
SHOULDER AND LAP BELT USED Motor Vehicle Seating Position: Row	NOT	DEPLOYED Sealing Position: Seat	Motor Vehicle	Seating Position. Other	NOT APPLICABL	<u>.E</u>
FRONT Driver Distracted By	LEFT		Driver Vision Obstru VISION NOT OBSC			
NOT DISTRACTED Driver Actions at Time of Crash 1 (ba	sed on judgement of investigation	officer)	Driver Actions at Ti	TURED me of Crash 2 (based on judge	ment of investigation officer)	
IMPROPER TURN Driver Actions at Time of Crash 3 (ba	sed on judgement of investigation	officer)	Driver Actions at Ti	me of Crash 4 (based on judge	ment of investigation officer)	
Suspecied Alcohol Use Alcohol Tes		Alcohol Test Result BAC	Suspected Di	rug Use Drug Tested TEST NOT GIVEN		st Result
Source of Transport to Medical Facili NOT TRANSPORTED		r ID EMS Run		Medical Facility Transported T		
PERSON RECORD						
# Person Type Vel 2 DRIVER Vo	hicle # Name ALESSIA DAWN	PC	ury Severity DSSIBLE	Ejection NOT EJEC	TED	NO ReExam
08/16/1968 F APPAREN	at Time of Crash ITLY NORMAL	Address	(F)		Phone Number	i an ai
Driver License Number	FL 08/16/2021	Type CLASS E / OPERATOR	<u> </u>		ENDORSEMENTS	
Restraint Systems SHOULDER AND LAP BELT USED Motor Vehicle Seating Position: Row	NOT	ng Deployed DEPLOYED Seating Position: Seat	. IMotor Vehicle	Helmet Use Seating Position: Other	Eye Protection NOT APPLICABL	<u>.E '' a i</u>
FRONT Driver Distracted By	LEFT	Obeling Position. Seat	25 AT 25	101 F Out 10201 401 45		
NOT DISTRACTED Driver Actions at Time of Crash 1 (ba	sed on judgement of investigation	officer)	Driver Vision Obstru VISION NOT OBSO Driver Actions at Til	CURED me of Crash 2 (based on judge	ment of investigation officer)	
NO CONTRIBUTING ACTION Driver Actions at Time of Crash 3 (ba	sed on judgement of investigation	officer)	Oriver Actions at Ti	me of Crash 4 (based on judge	ment of investigation officer)	
Suspected Alcohol Use Alcohol Tes	sted Acohol Test Type	Alcohol Test Result BAC		rug Use Drug Tested		est Result
NO TEST NOT Source of Transport to Medical Facilit NOT TRANSPORTED		or ID EMS Run	Number	TEST NOT GIVEN Medical Facility Transported 7		
PERSON RECORD						
	hicle # Name 2 CHAVELA DAWN		Injury Severil POSSIBLE	by	Ejection NOT EJECTED	
	WORTH LN, FL				Phone Number	
Restraint Systems SHOULDER AND LAP BELT USED	NOT	g Deployed DEPLOYED		Heimet Use	Eye Protection NOT APPLICABL	E 14-2-1-4-1-4-1-4-1-4-1-4-1-4-1-4-1-4-1-4
Motor Vehicle Seating Position: Row FRONT	RIGHT	Seating Position: Seat or ID LEMS Run		e Seating Position: Other Medical Facility Transported	_	
Source of Transport to Medical Facili NOT TRANSPORTED	EWS Agency Name	EMS KUII	I INCHIDEN	Medical Facility Transported 1		
# Person Type Vel	hicle # Name		injury Severil	iv	Election	
4 PASSENGER VO. Date of Birth Sex Address			POSSIBLE		Ejection NOT EJECTED Phone Number	
Restraint Systems SHOULDER AND LAP BELT USED	Alr B	ag Deployed DEPLOYED		Helmet Use	Eve Protection	
Motor Vehicle Seating Position: Row SECOND	Motor Vehicle	Seating Position: Seat	Motor Vehicle	e Sealing Position: Other	NOT APPLICABL	<u>.E</u>
Source of Transport to Medical Facili- NOT TRANSPORTED	ty EMS Agency Name (PEMS Run	Number	Medical Facility Transported I	0 -	
VIOLATION		L				
Person# Violator Name	FL Statut		escription IMPROPER/UNSAFE/	PROHIBITED	Citation Numbe A3I113E	ſ
WITNESS RECORD			40 1000			
# Name 5 Name		Address			Phone Numb	per .

Crash Date Time of Crash Date of Report 1/9/2015 5:06 PM 1/9/2015		Reporting Agency FLORIDA HIGHWAY PATROL	Reporting Agency Ca	Reporting Agency Case Number					
IARRATIVE									
ID Number Rank 3582 TPR.				Irrop / Post	Officer Agency FLORIDA HIGHWAY PATROL	Phone Number			
red left on Cour stopped The ste	turn arr nty Roa at the ady rec	ow at the ind 1 (Little steady red to the steady red to the turn and U-Turn to	ntersection of Road), appro lieft lurn arro rrow change	of State Road 52. Vehicle 2 (Vehicle 2) of State Road 52. Vehicle 2 (Vehicle 2) of State Road 1 (Little Pound on County Road	ne, on County Road 1 (Little Road 2) was traveling northbound, in arrow at the intersection of State time V01 and V02 proceeded. e Road) into the direct path of V	n the inside left turn lane, Road 52, V01 and V02			
Both ve to my a		were move	ed from the a	rea of collision to a private pa	rking lot on the southwest corne	r of the intersection, prior			
REPORTI		CER							
D Number 3582	Rank TPR.			Troop / Past	Officer Agency FLORIDA HIGHWAY PATROL	Phone Number			

Crash Date Time of Crash Date of Report Reporting Agency Time of Crash Date of Report Report Number 19/2015 5:06 PM 1/9/2015 FLORIDA HIGHWAY PATROL FHPC15OFF002691

DIAGRAM OF CRASH



PLAINTIFF'S ANSWERS TO INTERROGATORIES

1. Assisted by: 9318 Tamworth Lane

- 2. Electronics 13700 Reptron Blvd
- 3. No former names.

Full date of birth and social security number will be provided informally off the record at deposition.

- 4. No.
- 5. No.
- 6. No.
- 7. No.
- 8. I was preparing to make a left turn when the vehicle next to me turned in front of me causing me to cash into the vehicle. There was nothing I could do to prevent it.

Please also refer to allegations listed in the complaint.

- 9. In addition to each act and omission that might be discovered during discovery, the Defendant driver acted negligently and carelessly in operating a vehicle, thereby causing this accident and my injuries.
- 10. No.
- Due to the subject incident I sustained injuries to the following: neck and back. For additional information regarding Plaintiff's injuries, please refer to the 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









NIT-707045-000059





EXHIBIT 3

	6600 Madison Street	
*	Emergency Department Documents	

CALL YOUR PRIVATE PHYSICIAN OR RETURN TO THE EMERGENCY ROOM IF YOUR SYMPTOMS WORSEN OR IF NO IMPROVEMENT IS NOTED. , have received patient education materials/instructions and have verbalized understanding, listed below: Patient Signature Date Provider Signature Name: FIN: 40839752 (1/12/2015 07:05 EST); Electronically Signed By: Addendum by on 12 January 2015 7:05 Discussed plan and history per patient. Agree 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: Motor vehicle crash - minor Patien^{*} DOB: 8/16/1968 Age: 40 years sex: remale Associated Diagnoses: None Author: **Basic Information** Time seen: Date & time 1/9/2015 23:19:00. History source: Patient Arrival mode: Private vehicle. History limitation: None. Additional Information: Patient's physician(s): Premier clinic, Chief Complaint from Nursing Triage Note: Chief Complaint Chief Complaint PT REPORTS ALL OVER PAIN AFTER MOTOR VEHICLE CRASH. PT WAS RESTRAINED 1/9/2015 21:25 DRIVER -- HIT ON PASSENGER SIDE OF CAR. History of Present Illness

The patient presents following motor vehicle collision and Patient was the restrained driver involved in an MVA at1800 hrs. complaining of pain and achiness everywhere. She denies any head or neck injury. She is complaining of mild right shoulder pain from trying to restrain her daughter who was in the passenger seat. Car was struck on the front passenger side, EMS arrived, she declined. The police were involved. Patient was ambulatory at the scene. She denies any headaches or blurred vision. No chest pain or shortness of breath. No abdominal pain. No nausea, vomiting, or diarrhea. No paresthesias. She complains of some mild low 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 fever, no chills, no sweats, no weakness, no fatigue, no decreased activity.

Skin symptoms: No jaundice, no rash, no pruritus, no abrasions, no breakdown, no burns, no dryness, no petechiae, no lesion.

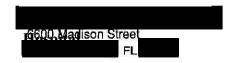
Eye symptoms: No pain, no discharge, no icterus, no diplopia, no blurred vision, no blindness.

ENMT symptoms: No ear pain, no sore throat, no nasal congestion, no sinus pain.

Respiratory symptoms: Negative except as documented in HPI, no shortness of breath, no orthopnea, no cough, no hemoptysis, no sputum

Cardiovascular symptoms: No chest pain, no palpitations, no tachycardia, no syncope, no diaphoresis, no peripheral edema.

Gastrointestinal symptoms: No abdominal pain, no nausea, no vomiting, no diarrhea, no constipation.



Emergency Department Documents

Genitourinary symptoms: No dysuria, no hematuria. Musculoskeletal symptoms: Back pain, Muscle pain.

Neurologic symptoms: No headache, no dizziness, no altered level of consciousness, no numbness, no tingling, no weakness.

Psychlatric symptoms: Negative except as documented in HPI. Endocrine symptoms: Negative except as documented in HPI.

Hematologic/Lymphatic symptoms: Negative except as documented in HPI.

Allergy/Immunologic symptoms: Negative except as documented in HPI.

Additional review of systems information: All other systems reviewed and are negative except as noted.

Health Status

Allergies:

Allergic Reactions (Selected)
Severity Not Documented

SulfADIAZINE- No reactions were documented...

Past Medical/ Family/ Social History

Medical history:

No active or resolved past medical history items have been selected or recorded...

Surgical history:

Galibladder operation (479888010).

Hysterectomy (355048014). TUMOR REMOVED FROM NECK..

Social history: Alcohol use: Denies, Tobacco use: Denies,

Social & Psychosocial Habits

Alcohol

01/09/2015 Use: Denies use

Substance Abuse

01/09/2015 Use: Denies use

Physical Examination

Vital Signs

Vital Signs

1/9/2015 23:18

1/9/2015 23:07

1/9/2015 21:25

1/9/2015 21:21

Pulse Rate
Respiratory Rate
BP Obtained By
ED Laterality
Systolic Blood Pressure
Diastolic Blood Pressure
Temperature Oral
Pulse Rate
Respiratory Rate
Systolic Blood Pressure

Diastolic Blood Pressure Temperature Oral Pulse Rate Respiratory Rate BP Obtained By ED Laterality

Systolic Blood Pressure Diastolic Blood Pressure Temperature Oral Pulse Rate

Respiratory Rate
Systolic Blood Pressure
Diastolic Blood Pressure

82 bpm NML

18 NML

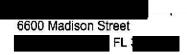
Blood Pressure by Machine

Left arm
169 mmHg
98 mmHg
97.3 DegF NML
84 bpm NML
16 NML
176 mmHg HI
106 mmHg HI
98.1 DegF NML

85 bpm NML 20 NML Blood Pressure by Machine Right arm

153 mmHg HI 97 mmHg HI 98.1 DegF NML 84 bpm NML 20 NML

169 mmHg Hl 104 mmHg Hl



Emergency Department Documents

Measurements

Body Mass Index (BMI)

36

SPO₂

 1/9/2015 23:18
 SpO2
 99 % NML

 1/9/2015 23:07
 SpO2
 98 % NML

 1/9/2015 21:25
 SpO2
 100 % NML

 1/9/2015 21:21
 SpO2
 100 % NML

General: Alert, no acute distress.

Glasgow coma scale: Eye response: 4 /4, verbal response: 5 /5, motor response: 6 /6, Total score: Total score: 15.

Neurological: Alert and oriented to person, place, time, and situation, No focal neurological deficit observed, CN II-XII intact, normal sensory observed, normal motor observed, normal speech observed, normal coordination observed.

Skin: Warm, dry, pink, intact. **Head:** Normocephalic.

Neck: Supple, trachea midline, no tenderness, no JVD.

Eye: Pupils are equal, round and reactive to light, extraocular movements are intact, normal conjunctiva, vision unchanged.

Ears, nose, mouth and throat: Tympanic membranes clear, oral mucosa moist, no pharyngeal erythema or exudate.

Cardiovascular: Regular rate and rhythm, No murmur, Normal peripheral perfusion.

Respiratory: Lungs are clear to auscultation, respirations are non-labored, breath sounds are equal, Symmetrical chest wall expansion.

Gastrointestinal: Soft, Nontender, Non distended, Normal bowel sounds, No organomegaly.

Back: Nontender, Normal range of motion, Normal alignment, no step-offs.

Musculoskeletal: Normal ROM, normal strength, no tenderness, no swelling, no deformity.

Psychiatric: Cooperative, appropriate mood & affect.

Reexamination/ Reevaluation

Time: 1/9/2015 23:22:00.

Vital signs

per nurse's notes

Assessment: I explained to patient that there is no bony pinpoint tenderness on her body. She is full range of motion of all extremities and her back is nontender. X-rays are not warranted at this time. I offered the patient ibuprofen and Flexeril to go home with prescriptions and she declined. She states she does not want take anything while home alone taking care of her -2 girls. Follow-up as an outpatient with her primary care doctor. Return to the ER shaken becomes worse.

Patient was given the opportunity to ask questions and review results. Everything was answered by me accordingly.

Pt verbalizes understanding of the above.

Impression and Plan

Diagnosis

Muscle strain.

MVA

Plan

Condition: Stable.

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



Emergency Department Documents

take over the counter ibuprofen as directed.

Counseled: Patient, Family, Regarding diagnosis, Regarding diagnostic results, Regarding treatment plan, Patient indicated understanding of instructions.

Orders: Launch Orders Admit/Transfer/Discharge:

discharge pt home (Order): 1/9/2015 23:23, discharge pt home.

<u> Electronically Signed</u> By:

on 01.09.2015 11:24 PM

Electronically Signed By:

Electronically Signed By:

1/9/2015 23:50 EST)

i Dünden

Ambulatory

MUSCLE SPASM

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



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

Physicians Dedicated To Patient CareTM

MRIROSE.COM

Phone: Fax: (

Make Quality Radiology Your Choice™

DATE OF EXAM:
PATIENT NAME:
ACCOUNT:
SEX: Female

Mr. ABCD 837191 AGE: 46

02/20/15

DATE OF BIRTH:

REFERRING 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.....

MRI ◆ 16 Slice CT ◆ X-Ray ◆ Ultrasound ◆ Digital Mammo ◆ DEXA ◆ Pain Management & Interventional

Physical Address:



The Imaging Center at Boot Ranch

Physicians Dedicated To Patient CareTM

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Phone: Fax:

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

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: 2/23/15

Electronically approved by:

Date: 02/23/15 17:47

lice CT ♦ X-Ray ♦ Ultrasound ♦ Digital Mammo ♦ DEXA ♦ Pain Management & Interventional

Physical Address:



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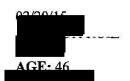
MRIROSE.COM

Phone: Fax:

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DATE OF EXAM:
PATIENT NAME:
ACCOUNT:
SEX: Female
DATE OF BIRTH:

REFERRING PHYSICIAN:



5

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 L1 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.....



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

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	ap-reservation visualistic appropriate		
Phone:		Fax:	

DATE OF EXAM:

02/20/15

PATIENT NAME:

ACCOUNT:

Mr. ABCD

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 thecal sac effacement as well as mild thecal 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)

dd: 2/23/15 RF/wmm

Date: 02/23/15 17:46 Electronically approved by: SEEE MD

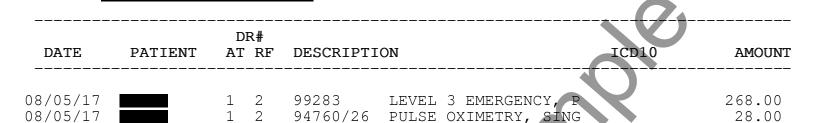
■5T MRI ♦ 16 Slice CT ♦ X-Ray ♦ Ultrasound ♦ Digital Mammo ♦ DEXA ♦ Pain Management & Interventional

Physical Address:

EXHIBIT 5

800 498-7157 TAX ID27-1369141

ACCOUNT NO. 677013-01 STATEMENT DATE 11/09/17



TOTAL CURRENT \$296.00





ATTORNEY LIEN HOLD IN HOUSE

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APPROVED BY NATIONAL UNIFORM CLAIM COMMITTEE	and the control of the control	
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PATIENT'S NAME (Last Name, First Name, Middle Initial)	SEXX	4. I me, Middle Initial)
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	Self Spouse Child Other	
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OTHER INSURED'S POLICY OR GROUP NUMBER	a. EMPLOYMENT? (Current or Previous)	a. INSURED'S DATE OF BIRTH SEX
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I. INSURANCE PLAN NAME OR PROGRAM NAME	10d. CLAIM CODES (Designated by NUCO)	d. IS THERE ANOTHER HEALTH BENEFIT PLAN?
2542 2444 25 5224 25522		YES NO If yes, complete items 9, 9a and 9d.
2. PATIENT'S OR AUTHORIZED PERSON'S SIGNATURE	IE COMPLETING & SIGNING THIS FORM. I authorize the release of any medical or other information necessary ent benefits either to myself or to the party who accepts assignment.	12 NSURED'S OR AUTHORIZED PERSON'S SIGNATURE I authorize payment of medical benefits to the undersigned physician or supplier for services described below.
SIGNATURE ON FILE	09/01/2017	SIGNATURE ON FILE
SIGNED	DATE	SIGNED
DATE OF CURRENT ILLNESS, INJURY, or PREGNANC MM DD YY	CY (LMP) 15. OTHER DATE MM DD YY	16. DATES PATIENT UNABLE TO WORK IN CURRENT OCCUPATION MM DD YY FROM TO TO
17. NAME OF REFERRING PROVIDER OR OTHER SOURCE		18. HOSPITALIZATION DATES RELATED TO CURRENT SERVICES
DN	17b. NPI 1457520892	FROM MM DD YY TO MM DD YY
19. ADDITIONAL CLAIM INFORMATION (Designated by NUC	CC)	20. OUTSIDE LAB? \$ CHARGES
21. DIAGNOSIS OR NATURE OF ILLNESS OR INJURY. Re	elate A-L to service has below (24E)	22. RESUBMISSION
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25. FEDERAL TAX I.D. NUMBER SSN EIN 26	6. PATIENTS ACCOUNT NO. 27. ACCEPT ASSIGNMENT? ACCEPT ASSIGNMENT? Sor govt. claims, see back)	28. TOTAL CHARGE 29. AMOUNT PAID 30. Rsvd for NUCC use
582388975	AHI256949 Xor govt. claims, see back)	\$ 1,000.40 \$
31. SIGNATURE OF PHYSICIAN OR SUPPLIER INCLUDING DEGREES OR CREDENTIALS	2. SERVICE FACILITY LOCATION INFORMATION	33. BILLING PROVIDER INFO & PH # (404)292 2277
(I certify that the statements on the reverse apply to this bill and are made a part thereof.)	2774 North Decatur RD	PO BOX 933367
Thomas Brown 09/01/17	DECATUR. GA 30033-5910	ATLANTA. GA 31193-3367
00/01/11	4500044544	1500041511

DATE