

NO. 02-CI-07754

JEFFERSON CIRCUIT COURT  
DIVISION THREE (3)

JEFFREY ALAN VAUGHN

PLAINTIFF

v.

**JUDGMENT**

KENTUCKIANA COLON  
& RECTAL SURGERY, PLLC  
and  
WAYNE TUCKSON, M.D.

DEFENDANTS

\*\*\*\*\*

This case was tried before the Court and a jury, Honorable Lisabeth Hughes Abramson, Judge, presiding, and the issues have been tried and the jury has rendered its verdict as follows:

**VERDICT FORM A**

Do you find from the evidence that Dr. Wayne Tuckson failed to exercise the degree of care and skill expected of a reasonably competent colorectal surgeon acting under the same or similar circumstances, and that such failure was a substantial factor in causing injury to Jeffery Vaughn?

Yes

No

**VERDICT FORM B**

Do your find from the evidence that Dr. Kashif Haider failed to exercise the degree of care and skill expected of a reasonably competent gastroenterologist acting under the same or similar circumstances, and that such failure was a substantial factor in causing injury to Jeffrey Vaughn?

Yes

No

**VERDICT FORM C**

If you are satisfied from the evidence that Wayne Tuckson, M.D., and Kashif Haider, M.D., failed to comply with one or more of their respective duties, and that such failure was a substantial factor in causing the injuries alleged herein, then you will determine from the evidence and indicate in the following blank spaces what percentage of the fault was attributed to the failure of each to perform such duties.

|                     |            |
|---------------------|------------|
| Wayne Tuckson, M.D. | 20%        |
| Kashif Haider, M.D. | <u>80%</u> |
| Total:              | 100%       |

In determining the percentage of fault, you shall consider both the nature of the conduct of each person at fault, and the extent of the causal relationship between his conduct and the damages claimed.

**JURY VERDICT FORM D**

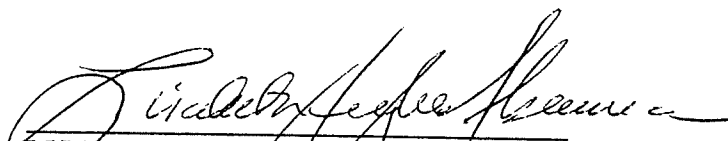
If you found for the Plaintiff, Jeffrey Vaughn, then you will determine from the evidence and award him a sum of money that you believe will fairly and reasonably compensate for the damages you believe from the evidence he has sustained.

|  |                       |
|--|-----------------------|
| Past medical expenses<br>(Not to exceed \$38,011.27)     | \$38,011.27           |
| Future supplies and water<br>(Not to exceed \$15,335.46) | \$15,335.46           |
| Pain and suffering<br>(Not to exceed \$5,000,000.00)     | <u>\$3,000,000.00</u> |
| TOTAL  | \$3,053,346.73        |

IT IS HEREBY ORDERED AND ADJUDGED that the Plaintiff, Jeffrey Vaughn, recover from the Defendants, Kentuckiana Colon Rectal Surgery, PLLC, and Wayne Tuckson, M.D., the sum of SIX HUNDRED TEN THOUSAND SIX HUNDRED SIXTY-NINE AND 35/100 (\$610,669.35) DOLLARS which represents TWENTY PERCENT (20%) of the TOTAL verdict of THREE MILLION FIFTY-THREE THOUSAND THREE HUNDRED FORTY-SIX AND 73/100 (\$3,053,346.73) DOLLARS reached by the jury at the trial of this matter which began on January 31, 2005 with jury selection and concluded with the jury's aforementioned verdict which was reached and entered into the record on February 8, 2005.

This judgment amount of \$610,669.35 represents the TOTAL verdict amount after reduction for apportionment of the fault attributable to the Defendants and shall accrue interest at the rate of TWELVE PERCENT (12%) compounded annually, pursuant to KRS 360.040, from the date of this judgment until paid.

Entered this the 15 day of February, 2005.

  
LISABETH HUGHES ABRAMSON  
JUDGE, JEFFERSON CIRCUIT COURT

February 15 2005  
DATE ENTERED IN COURT

cc: James M. Bolus, Jr.  
Gerald Toner

2-15-05  
TOMY MILLER, CLERK  
By R. Howard  
Deputy Clerk