

STATE OF SOUTH CAROLINA
COUNTY OF LAURENS
IN THE COURT OF COMMON PLEAS

FORM 4
LYNN W. LARCASTER
JUDGMENT IN A CIVIL CASE

CASE NO. 2011-CP-30-1137

PAMELA NEIGHBORS & CARROLL NEIGHBORS

2014 OCT 20 A 9

BYRON A. BROWN, MD, AND LAURENS
COUNTY OBSTETRICS AND GYNECOLOGY,
LLC

PLAINTIFF(S)

LAURENS COUNTY
CLERK OF COURT

DEFENDANT(S)

Submitted by: COURT

Attorney for : Plaintiff Defendant
or
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

Post-trial motions regarding the above referenced case were heard on October 16, 2014. For reasons stated at said hearing, the court denies all of Defendant's post-trial motions. Accordingly, the jury verdict rendered on July 25, 2014 has been amended pursuant to South Carolina Code Section 15-32-220 and is as follows:

Noneconomic damages for Pamela Neighbors are reduced from \$2,450,000 to \$428,625 for a total judgment of \$928,625 plus interest of \$186,839.35, for a total of \$1,115,464.35.

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NOV 20 2014

SC Court of Appeals

ORDER INFORMATION

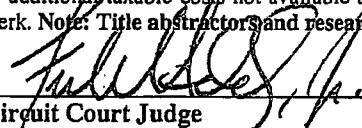
This order ends does not end the case.
Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
Pamela Neighbors	Byron Brown, MD and Laurens County Obstetrics and Gynecology, LLC	\$1,115,464.35
Carroll Neighbors	Byron Brown, MD and Laurens County Obstetrics and Gynecology, LLC	\$10,000.00
		\$
If applicable, describe the property, including tax map information and address, referenced in the order:		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.


2159 10/17/2014

 Circuit Court Judge Judge Code Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

 Joseph G. Wright, III

 Steven A. Snyder

 ATTORNEY(S) FOR THE PLAINTIFF(S)

 ATTORNEY(S) FOR THE DEFENDANT(S)

 CLERK OF COURT

Court Reporter: Tara Scott

LYNN W. LANCASTER

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

COUNTY OF LAURENS)

C.A. FILE NO. 11-CP-30-1137

2014 OCT 20 A 9 13

Pamela Neighbors & Carroll Neighbors,)

Plaintiffs,)

vs.)

LAURENS COUNTY
CLERK OF COURT

Byron A. Brown, MD, and Laurens
County Obstetrics and Gynecology, LLC,
a South Carolina Limited Liability
Corporation,)

Defendants.)

JUDGMENT

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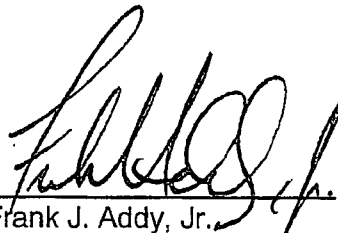
SC Court of Appeals

The jury verdict in the above-captioned matter which was rendered July 25, 2014 is hereby amended as follows:

- a) the noneconomic damages for Pamela Neighbors are reduced from \$2,450,000 to \$428,625 pursuant to *S.C. Code Ann. §32-210(9) (1976)* and letter from Board of Economic Advisors of South Carolina dated January 24, 2014 (copy attached) for a judgment of \$928,625 plus prejudgment interest of \$186,839.35 (see attached Offer of Judgment) for a total judgment of \$1,115,464.35.

The judgment to be entered for Pamela Neighbors is One Million One Hundred Fifteen Thousand Four Hundred Sixty Four and 35/100 (\$1,115,464.35) Dollars and for Carroll Neighbors is Ten Thousand (\$10,000) Dollars.

IT IS SO ORDERED.

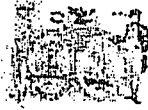


Frank J. Addy, Jr.
Circuit Court Judge

October 17, 2014
Greenwood, South Carolina

STATE OF SOUTH CAROLINA
BOARD OF ECONOMIC ADVISORS

CHAD WALLDORF, CHAIRMAN
HOWELL CLYBORNE, JR.
EMERSON F. GOWER, JR.
WILLIAM M. BLUME, JR., EX OFFICIO
FRANK A. RAINWATER - CHIEF ECONOMIST



REMBERT DENNIS BUILDING
1000 ASSEMBLY STREET, SUITE 459
COLUMBIA, SOUTH CAROLINA 29201
(803) 734-3805

January 24, 2014

Marcia Adams
Executive Director
South Carolina Budget and Control Board
Office of the Executive Director
612 Wade Hampton Building
Columbia, SC 29211

Dear Marcia,

We have calculated the increase in the limit on compensation for noneconomic damages on a medical malpractice claim. Pursuant to Section 15-32-220(F), the limit on civil liability for noneconomic damages on a medical malpractice claim is adjusted each fiscal year based on the increase or decrease in the ratio of the Consumer Price Index for All Urban Consumers as of December 31 of the previous calendar year. The adjustment is a cumulative index using a base year 2004. The 2004 base year was adopted to be consistent with the timing of the enacting legislation. As of December 31, 2013, the Index published by the Bureau of Labor Statistics, *Monthly Labor Review*, Table 38, "Consumer Price Index for All Urban Consumers", increased by 22.5% from a value of 190.3 in December 2004 to 233.049 in December 2013. Therefore, the limit not to exceed \$350,000 would increase to \$428,625 against a single health care provider and a health care institution for each claimant for civil liability for noneconomic damages on medical malpractice claims when final judgment is rendered. Also, the limit not to exceed \$1,050,000 would increase to \$1,285,870 for all health care providers and all health care institutions for each claimant for civil liability for noneconomic damages on medical malpractice claims. The adjusted limitations on compensation for noneconomic damages become effective upon publication in the *State Register* pursuant to Section 1-23-40(2).

If I can be of any further assistance, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank A. Rainwater".

Frank A. Rainwater
Chief Economist

FAR/rwm

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS

COUNTY OF LAURENS) C.A. FILE NO. 11-CP-30-1137

Pamela Neighbors & Carroll Neighbors,)

Plaintiffs, 2012 JAN 6 A 9:58

vs.)

Byron A. Brown, MD, and Laurens County Obstetrics and Gynecology, LLC, a South Carolina Limited Liability Corporation,)

Defendants.)

OFFER OF JUDGMENT (Rule 68 SC)

RECEIVED NOV 20 2014 SC Court of Appeals

TO: DEFENDANTS BYRON A. BROWN, MD AND LAURENS COUNTY OBSTETRICS AND GYNECOLOGY, LLC:

Pamela Neighbors, Plaintiff, by and through her undersigned attorneys, hereby submits an Offer of Judgment pursuant to Rule 68 of the South Carolina Rules of Civil Procedure to the Defendants Byron A. Brown, M.D. and Laurens County Obstetrics and Gynecology, LLC in the amount of \$750,000.00, in accordance with South Carolina Code § 15-35-400, reserving all rights against any party responsible for her injuries whether presently named as a party defendant or not. If this Offer of Judgment is not accepted in writing within twenty (20) days, it will be statutorily rejected.

This Offer of Judgment is made this 21st day of December 2011.

Joseph G. Wright, III
McGowan, Hood & Felder, LLC
P. O. Drawer 1778
Anderson, SC 29622-1778
(864) 225-6228
(864) 231-9011 FACSIMILE
jwright@mcgowanhood.com

STATE OF SOUTH CAROLINA
COUNTY OF LAURENS
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2011 CP-30-1137

LYNN W. LANCASTER

PAMELA NEIGHBORS

BRYON A. BROWN, MD

CARROLL NEIGHBORS

LAURENS COUNTY OBSTETRICS & GYNECOLOGY, LLC

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

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IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court: SEE ATTACHED VERDICT FORM.

ORDER INFORMATION

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Pamela and Carroll Neighbors	Byron A. Brown and Laurens OBGYN	\$ 2,960,000
		\$
		\$

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SC Court of Appeals

Circuit Court Judge	2159	7/25/2014
	Judge Code	Date

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS

COUNTY OF LAURENS) C.A. FILE NO. 11-CP-30-1137

Pamela Neighbors & Carroll Neighbors,)

Plaintiffs,)

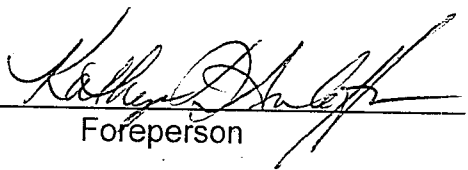
vs.)

Byron A. Brown, MD, and Laurens
County Obstetrics and Gynecology, LLC,
a South Carolina Limited Liability
Corporation,)

Defendants.)

VERDICT FORM
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NOV 20 2014
SC Court of Appeals

I. We, the Jury, unanimously find for the Plaintiffs, Pamela Neighbors and Carroll Neighbors, and against Defendants Byron A. Brown, MD and Laurens County Obstetrics and Gynecology, LLC.


Foreperson

- OR -

We, the Jury, unanimously find for the Defendants, Byron A. Brown, MD and Laurens County Obstetrics and Gynecology, LLC, and against the Plaintiffs, Pamela Neighbors and Carroll Neighbors.

Foreperson

(If you find for the Defendants, stop and go no further)

II. We, the Jury, unanimously find actual damages for Plaintiff Pamela Neighbors in the following amounts.

Economic Damages:

\$ 500,000.

"Economic damages" means pecuniary damages arising from medical expenses and medical care, rehabilitation services, costs associated with education, custodial care, loss of earnings and earning capacity, loss of income, burial costs, loss of use of property, costs of repair or replacement of property, costs of obtaining substitute domestic services, a claim for loss of spousal services, loss of employment, loss of business or employment opportunities, loss of retirement income, and other monetary losses.

- S.C. Code Ann. 15-32-210(3)

Non-Economic Damages

\$ 2,450,000.

"Noneconomic damages" means nonpecuniary damages arising from pain, suffering, inconvenience, physical impairment, disfigurement, mental anguish, emotional distress, loss of society and companionship, loss of consortium, injury to reputation, humiliation, other nonpecuniary damages, and any other theory of damages including, but not limited to, fear of loss, illness, or injury.

- S.C. Code Ann. 15-32-210(9).

III. We, the Jury, unanimously find actual damages for Plaintiff Carroll Neighbors on his Loss of Consortium claim as follows:

ENTERED IN ERROR (SUM OF ABOVE)
\$ ~~2,950,000.~~ KDC
10,000. *[Signature]*

