

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

LYNN W. LAROMBER

JUDGMENT IN A CIVIL CASE
CASE NO. 2011-CP-30-1138

LISA DENNIE & JEFFREY DENNIE

2014 OCT 20 A 10: 55

BYRON A. BROWN, MD, AND LAURENS
COUNTY OBSTETRICS AND GYNECOLOGY,
LLC, AND LAURENS COUNTY HEALTH CARE
SYSTEM d/b/a LAURENS COUNTY HOSPITAL

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.
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- 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

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NOV 20 2014
SC Court of Appeals

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 verdicts rendered on August 29, 2014 have been amended pursuant to South Carolina Code Section 15-32-220 and are as follows:

Noneconomic damages for Lisa Dennie are reduced from \$900,000 to \$428,625 for a total judgment of \$728,625.

Noneconomic damages for Jeffrey Dennie are reduced from \$500,000 to \$428,625 for a total judgment of \$728,625 plus interest of \$152,195.19, calculated pursuant to South Carolina Rule of Civil Procedure 8, for a total judgment of \$880,820.19.

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk : _____

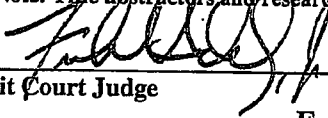
INFORMATION FOR THE JUDGMENT INDEX

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)
Lisa Dennie	Byron Brown, MD and Laurens County Obstetrics and Gynecology, LLC	\$728, 625.00
Jeffrey Dennie	Byron Brown, MD and Laurens County Obstetrics and Gynecology, LLC	\$880, 820.19
		\$

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

ATTORNEY(S) FOR THE PLAINTIFF(S)

 Steven A. Snyder
 Brown Parkinson

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 2014 OCT 20 A 055 FILE NO. 11-CP-30-1138

Lisa Dennie & Jeffrey Dennie,)

Plaintiffs, LAURENS COUNTY)
CLERK OF COURT)

vs.)

Byron A. Brown, MD, Laurens)
County Obstetrics and Gynecology, LLC,)
a South Carolina Limited Liability)
Corporation, and Laurens County)
Healthcare System, d/b/a Laurens)
County Hospital,)

Defendants.)

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JUDGMENT NOV 20 2014

SC Court of Appeals

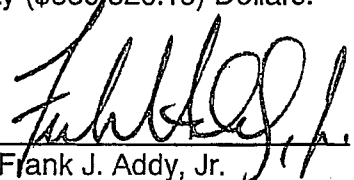
The judgment entered in the above-captioned matter on August 29, 2014 is hereby amended as follows:

- a. the noneconomic damages for Lisa Dennie are reduced from \$900,000 to \$428,625 pursuant to *S.C. Code Ann. §32-210(9) (1976)* and letter from Board of Economic Advisors dated January 24, 2014 (copy attached) for a total judgment for Lisa Dennie of \$728,625;
- b. the noneconomic damages for Jeffrey Dennie are reduced from \$500,000 to \$428,625 pursuant to *S.C. Code Ann. §32-210(9) (1976)* and letter from Board of Economic Advisors dated January 24, 2014 for a judgment of \$728,625 plus interest of \$152,195.19, which was calculated on the reduced judgment pursuant to *Rule 8, SCRPC* (see attached Offer of Judgment), for a total judgment for Jeffrey Dennie of \$880,820.19.

The judgment to be entered against Byron A. Brown, MD and Laurens County Obstetrics and Gynecology, LLC for Lisa Dennie is Seven Hundred Twenty Eight Thousand Six Hundred Twenty Five (\$728,625) Dollars and for Jeffrey Dennie is Eight Hundred Twenty Five Thousand Nine Hundred Seventy (\$880,820.19) Dollars.

IT IS SO ORDERED:

October 17, 2014
Greenwood, South Carolina


Frank J. Addy, Jr.

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,

Handwritten signature of Frank A. Rainwater in cursive script.

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-30-1138

Lisa Dennie & Jeffrey Dennie, (LYNN W.) ANCASTER)

Plaintiffs, 7812 JAN -> b A 10:01)

vs.)

OFFER OF JUDGMENT
(Rule 68 SCRCP)

Byron A. Brown, MD, Laurens LAURENS COUNTY)
County Obstetrics and Gynecology, LLC,) OF COURT.
a South Carolina Limited Liability)
Corporation, and Laurens County)
Healthcare System, d/b/a Laurens-)
County Hospital,)

Defendants.)

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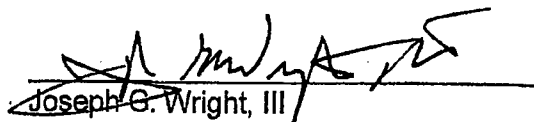
NOV 20 2014

SC Court of Appeals

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

Jeffrey Dennie, Plaintiff, by and through his 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 \$50,000.00, in accordance with South Carolina Code § 15-35-400, reserving all rights against any party responsible for his 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 29th 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

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FORM 4

JUDGMENT IN A CIVIL CASE

STATE OF SOUTH CAROLINA
COUNTY OF LAURENS

IN THE COURT OF COMMON PLEAS LYNN W. LANCASTER CASE NO. 2014 CP-30-1138

SC Court of Appeals

LISA DENNIE

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

JEFFREY DENNIE

2014 AUG 29 P HEALTHCARE SYSTEM D/B/A LAURENS COUNTY
HOSPITAL

PLAINTIFF(S)

DEFENDANT(S)

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

DISPOSITION TYPE (CHECK ONE)

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 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: SEE VERDICT FORM.

A TRUE COPY OF ORIGINAL

ORDER INFORMATION

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

Lynn W. Lancaster
Lynn W. Lancaster
Laurens County CCCP & GS

INFORMATION FOR THE JUDGMENT INDEX

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Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
Lisa Dennie	Byron Brown & Law. OB-GYN	\$ 1,200,000 ⁼⁼
Jeffrey Dennie	"	\$ 800,000 ⁼⁼
		\$

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[Signature]
Circuit Court Judge

2157
Judge Code

8/29/2014
Date

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NOV 20 2014

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF LAURENS)

IN THE COURT OF COMMON PLEAS
C.A. FILE NO. 11-CP-30-1138

Lisa Dennie & Jeffrey Dennie,)
)
Plaintiffs,)

vs.)

VERDICT

Byron A. Brown, MD, Laurens)
County Obstetrics and Gynecology, LLC,))
a South Carolina Limited Liability)
Corporation, and Laurens County)
Healthcare System, d/b/a Laurens)
County Hospital,)

Defendants.)

LAURENS COUNTY
CLERK OF COURT

2014 AUG 29 P 4: 06

LYNN W. LANCASTER

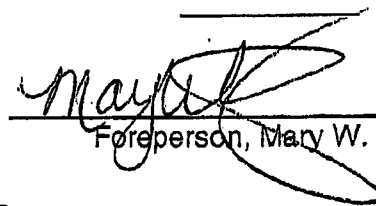
I. We, the Jury, unanimously find for the Plaintiffs, Lisa Dennie and Jeffrey Dennie, and against the following Defendants:

(Initial all that apply)

Byron A. Brown, MD and Laurens County
Obstetrics and Gynecology, LLC.

MWR

Laurens County Health Care System
d/b/a Laurens County Hospital


Foreperson, Mary W. Riley

- OR -

We, the Jury, unanimously find for the Defendants, Byron A. Brown, MD, Laurens County Obstetrics and Gynecology, LLC, and Laurens County Health Care System d/b/a Laurens County Hospital and against the Plaintiffs, Lisa Dennie and Jeffrey Dennie.

Foreperson, Mary W. Riley

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

II. We, the Jury, unanimously find actual damages for Plaintiff Lisa Dennie in the following amounts.

Economic Damages: \$ 300,000

"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 \$ 900,000

"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).

We, the Jury, unanimously find actual damages for Plaintiff Jeffrey Dennie on his loss of consortium claim as follows:

Economic Damages \$ 300,000

Non-Economic Damages \$ 500,000

III. If you found against the Defendant Laurens County Health Care System, d/b/a Laurens County Hospital, please indicate which of the following category or categories of employees were negligent:

(Initial all that apply)

Physician _____

Nurse _____

Non-Medical Hospital Administrator _____

IV. We, the Jury, unanimously find that Defendant Byron A. Brown altered the medical records of Lisa Dennie with the purpose of avoiding a claim or liability to the plaintiff.

(Initial only one)

YES, we so find.

-OR-

NO, we do not find.

mwr

V. We, the Jury, unanimously find that Defendant Byron A. Brown was grossly negligent or reckless or willful or wanton.

(Initial only one)


YES, we so find.

-OR-

NO, we do not find.

mwr

August 29, 2014
Laurens, South Carolina



Foreperson, Mary W. Riley

0115 8 0 932