

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX: PART 23

INDEX NO: 310294/11

-----X  
KEIMONEIA REDISH,

PLAINTIFF,

VERDICT SHEET

-AGAINST-

DARRYL ADLER, THE ESTATE OF RONALD L.  
CIUBOTARU BY THE PUBLIC ADMINISTRATOR  
OF WESTCHESTER COUNTY, R. STUMACHER, ST.  
BARNABAS HOSPITAL AND ABDURHAM AHMED,

DEFENDANTS.  
-----X

PLEASE ANSWER THE FOLLOWING QUESTIONS IN ACCORDANCE WITH THE  
CHARGES OF THE COURT. PLEASE READ EACH QUESTION CAREFULLY AND  
IT IS IMPERATIVE THAT YOU READ THE INSTRUCTIONS FOLLOWING EACH  
QUESTION.

QUESTION # 1(A)

DID DEFENDANT, DARRYL ADLER, DEPART FROM ACCEPTED MEDICAL  
PRACTICE BY NOT PROVIDING MORE DIRECTION IN HIS DECEMBER 6<sup>TH</sup> NOTE  
REGARDING FLUID BOLUS PRN?

YES

NO

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

[Signature] [Signature]  
Elena Davis [Signature]  
[Signature] \_\_\_\_\_

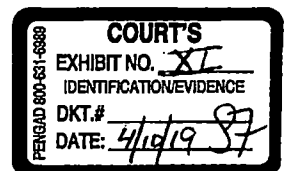
DISSENT, IF ANY [Signature]

IF YOUR ANSWER TO QUESTION # 1(A) IS YES, PROCEED TO QUESTION # 1(B).

IF YOUR ANSWER TO QUESTION # 1(A) IS NO, PROCEED TO QUESTION # 2(A).

QUESTION # 1(B)

WAS THIS DEPARTURE A SUBSTANTIAL FACTOR IN BRINGING ABOUT INJURY TO  
PLAINTIFF, KEIMONEIA REDISH?



YES  NO

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Franky [Signature] \_\_\_\_\_  
Elena Daus \_\_\_\_\_  
[Signature] \_\_\_\_\_  
[Signature] \_\_\_\_\_  
[Signature] \_\_\_\_\_

DISSENT, IF ANY \_\_\_\_\_  
[Signature]

PROCEED TO QUESTION 2(A).

**QUESTION # 2(A)**

DID DEFENDANT, RONALD L. CIUBOTARU, DEPART FROM ACCEPTED MEDICAL PRACTICE BY NOT INCLUDING IN HIS INITIAL CONSULT THAT IF ANESTHESIA DOES NOT WORK THEN GO ON TO ECMO TREATMENT?

YES  NO

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Franky [Signature] \_\_\_\_\_  
Elena Daus \_\_\_\_\_  
[Signature] \_\_\_\_\_  
[Signature] \_\_\_\_\_  
[Signature] \_\_\_\_\_

DISSENT, IF ANY \_\_\_\_\_  
[Signature]

IF YOUR ANSWER TO QUESTION # 2(A) IS YES, PROCEED TO QUESTION # 2(B).

IF YOUR ANSWER TO QUESTION # 2(A) IS NO, PROCEED TO QUESTION # 3(A).

**QUESTION # 2(B)**

WAS THIS DEPARTURE A SUBSTANTIAL FACTOR IN BRINGING ABOUT INJURY TO PLAINTIFF, KEIMONEIA REDISH?

YES  NO

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Frank R. [Signature]                      [Signature]  
Elena Davis                              Santha Montiz  
Marlon Walker                      \_\_\_\_\_

DISSENT, IF ANY \_\_\_\_\_

PROCEED TO QUESTION # 3(A).

**QUESTION # 3(A)**

DID DEFENDANT, **RONALD L. CIUBOTARU**, DEPART FROM ACCEPTED MEDICAL PRACTICE BY NOT RECOMMENDING ECMO TREATMENT AFTER THE INITIAL ANESTHESIA TREATMENT ON DECEMBER 7, 2010?

YES                       NO \_\_\_\_\_

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Frank R. [Signature]                      [Signature]  
Elena Davis                              Santha Montiz  
Marlon Walker                      \_\_\_\_\_

DISSENT, IF ANY \_\_\_\_\_

IF YOUR ANSWER TO QUESTION # 3(A) IS YES, PROCEED TO QUESTION # 3(B).

IF YOUR ANSWER TO QUESTION # 3(A) IS NO, PROCEED TO QUESTION # 4(A).

**QUESTION # 3(B)**

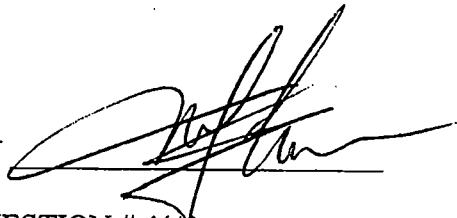
WAS THIS DEPARTURE A SUBSTANTIAL FACTOR IN BRINGING ABOUT INJURY TO PLAINTIFF, **KEIMONEIA REDISH**?

YES                       NO \_\_\_\_\_

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Frank R. [Signature]                      [Signature]  
Elena Davis                              Santha Montiz  
Marlon Walker                      \_\_\_\_\_

DISSENT, IF ANY



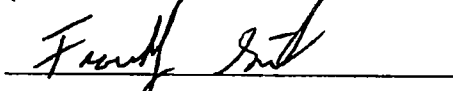
PROCEED TO QUESTION # 4(A).

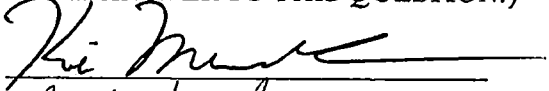
**QUESTION # 4(A)**

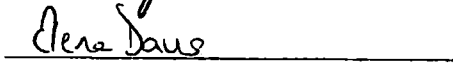
DID DEFENDANT, RONALD L. CIUBOTARU, DEPART FROM ACCEPTED MEDICAL PRACTICE BY NOT ADDRESSING THE LOW PH LEVELS (IE., BELOW 7.2) ON DECEMBER 10 AND 13, 2010?

YES  NO

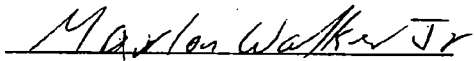
(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)



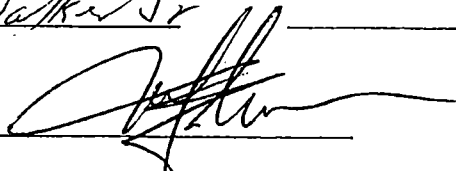








DISSENT, IF ANY



IF YOUR ANSWER TO QUESTION # 4(A) IS YES, PROCEED TO QUESTION # 4(B).

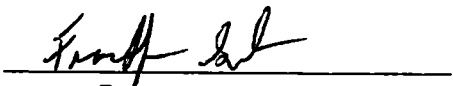
IF YOUR ANSWER TO QUESTION # 4(A) IS NO, PROCEED TO QUESTION # 5(A).

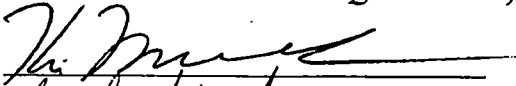
**QUESTION # 4(B)**

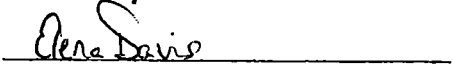
WAS THIS DEPARTURE A SUBSTANTIAL FACTOR IN BRINGING ABOUT INJURY TO PLAINTIFF, KEIMONEIA REDISH?

YES  NO

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)



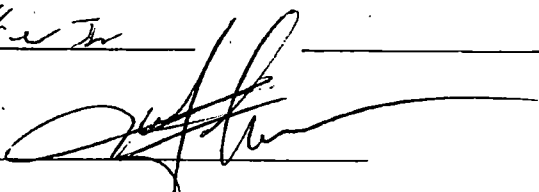








DISSENT, IF ANY



PROCEED TO QUESTION # 5(A).

**QUESTION # 5(A)**

DID DEFENDANT, **RICHARD STUMACHER**, DEPART FROM ACCEPTED MEDICAL PRACTICE BY NOT CONSIDERING THE TRANSFER OF PLAINTIFF FOR ECMO TREATMENT ON DECEMBER 8, 2010?

YES  NO

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

<u>Frankie Sub</u>	<u>Keimoneia Redish</u>
<u>Aene Davis</u>	<u>Looncha Montez</u>
<u>Marla Walker</u>	

DISSENT, IF ANY

[Signature]

IF YOUR ANSWER TO QUESTION # 5(A) IS YES, PROCEED TO QUESTION # 5(B).

IF YOUR ANSWER TO QUESTION # 5(A) IS NO, PROCEED TO QUESTION # 6(A).

**QUESTION # 5(B)**

WAS THIS DEPARTURE A SUBSTANTIAL FACTOR IN BRINGING ABOUT INJURY TO PLAINTIFF, **KEIMONEIA REDISH**?

YES  NO

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

<u>Frankie Sub</u>	<u>Keimoneia Redish</u>
<u>Aene Davis</u>	<u>Looncha Montez</u>
<u>Marla Walker</u>	

DISSENT, IF ANY

[Signature]

PROCEED TO QUESTION # 6(A).

**QUESTION # 6(A)**

DID DEFENDANT, **RICHARD STUMACHER**, DEPART FROM ACCEPTED MEDICAL PRACTICE BY ALLOWING THE CARBON DIOXIDE LEVELS TO REMAIN OVER 100 AND THE PH TO REMAIN BELOW 7.2 ON DECEMBER 8, 9 AND 10, 2010?

YES

NO

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Frankie Smith

Jim Murrell

Alice Davis

Looncha Martin

Marlon Walker Jr

[Signature]

DISSENT, IF ANY \_\_\_\_\_

IF YOUR ANSWER TO QUESTION # 6(A) IS YES, PROCEED TO QUESTION # 6(B).

IF YOUR ANSWER TO QUESTION # 6(A) IS NO, PROCEED TO QUESTION # 7(A).

**QUESTION # 6(B)**

WAS THIS DEPARTURE A SUBSTANTIAL FACTOR IN BRINGING ABOUT INJURY TO PLAINTIFF, **KEIMONEIA REDISH**?

YES

NO

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Frankie Smith

Jim Murrell

Alice Davis

Looncha Martin

Marlon Walker Jr

[Signature]

DISSENT, IF ANY \_\_\_\_\_

PROCEED TO QUESTION # 7(A).

**QUESTION # 7(A)**

DID DEFENDANT, **RICHARD STUMACHER**, DEPART FROM ACCEPTED MEDICAL PRACTICE BY SENDING PLAINTIFF FOR MORE ANESTHESIA AFTER THE INITIAL ANESTHESIA TREATMENT ON THE DECEMBER 7, 2010?

YES

NO

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Frankie Smith

\_\_\_\_\_

Alex Davis V. Murray  
Marlon Walker Sr Donna Martinez

DISSENT, IF ANY [Signature]

IF YOUR ANSWER TO QUESTION # 7(A) IS YES, PROCEED TO QUESTION # 7(B).

IF YOUR ANSWER TO QUESTION # 7(A) IS NO, PROCEED TO QUESTION # 8(A).

**QUESTION # 7(B)**

WAS THIS DEPARTURE A SUBSTANTIAL FACTOR IN BRINGING ABOUT INJURY TO PLAINTIFF, KEIMONEIA REDISH?

YES  NO

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Frank Smith V. Murray  
Alex Davis Donna Martinez  
Marlon Walker Sr

DISSENT, IF ANY [Signature]

PROCEED TO QUESTION # 8(A).

**QUESTION # 8(A)**

DID DEFENDANT, RICHARD STUMACHER, DEPART FROM ACCEPTED MEDICAL PRACTICE BY CONTINUING THE BICARBONATE ON DECEMBER 8 AND 9, 2010?

YES  NO

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Frank Smith V. Murray  
Marlon Walker Sr Donna Martinez  
[Signature]

DISSENT, IF ANY Alex Davis

IF YOUR ANSWER TO QUESTION # 8(A) IS YES, PROCEED TO QUESTION # 8(B).

IF YOUR ANSWER TO QUESTION # 8(A) IS NO, PROCEED TO QUESTION # 9(A).

**QUESTION # 8(B)**

WAS THIS DEPARTURE A SUBSTANTIAL FACTOR IN BRINGING ABOUT INJURY TO PLAINTIFF, KEIMONEIA REDISH?

YES  NO

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Franklin Smith Donna Martin  
Marla Walker [Signature]  
[Signature] [Signature]

DISSENT, IF ANY Clarence

PROCEED TO QUESTION # 9(A).

**QUESTION # 9(A)**

DID DEFENDANT, ABDURHAM AHMED, DEPART FROM ACCEPTED MEDICAL PRACTICE BY NOT ORDERING THAT HEMODIALYSIS BE PERFORMED ON DECEMBER 10, 2010?

YES  NO

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Franklin Smith Donna Martin  
Marla Walker [Signature]  
[Signature] [Signature]

DISSENT, IF ANY Clarence

IF YOUR ANSWER TO QUESTION # 9(A) IS YES, PROCEED TO QUESTION # 9(B).

IF YOUR ANSWER TO QUESTION # 9(A) IS NO, PROCEED TO QUESTION # 10.

**QUESTION # 9(B)**

WAS THIS DEPARTURE A SUBSTANTIAL FACTOR IN BRINGING ABOUT INJURY TO PLAINTIFF, KEIMONEIA REDISH?



YES

NO

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Frank Smith  
Marla Walker Jr  
Theresa

George Nanting  
[Signature]

DISSENT, IF ANY None

IF YOU ANSWERED YES TO ANY OF THE FOLLOWING QUESTIONS: 1(B), 2(B), 3(B), 4(B), 5(B), 6(B), 7(B), 8(B) OR 9(B), THEN PROCEED TO QUESTION # 10.

IF YOU ANSWERED NO TO ALL OF THE FOLLOWING QUESTIONS: 1(B), 2(B), 3(B), 4(B), 5(B), 6(B), 7(B), 8(B) OR 9(B), THEN PROCEED NO FURTHER AND NOTIFY THE COURT.

**QUESTION # 10**

WHAT ARE THE PERCENTAGES OF FAULT FOR THOSE DEFENDANTS THAT YOU ANSWERED YES TO QUESTIONS 1(B), 2(B), 3(B), 4(B), 5(B), 6(B), 7(B), 8(B) OR 9(B).

DARRYL ADLER	<u>32</u>	%
RONALD L. CIUBOTARU	<u>25</u>	%
RICHARD STUMACHER	<u>25</u>	%
ABDURHAM AHMED	<u>18</u>	%

Total must equal 100%

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Frank Smith  
Clara  
Marla Walker Jr

Theresa  
George Nanting  
[Signature]

DISSENT, IF ANY \_\_\_\_\_

PROCEED TO QUESTION # 11.

**QUESTION # 11**

STATE THE AMOUNT AWARDED TO PLAINTIFF, **KEIMONEIA REDISH**, IF ANY, FOR PAIN AND SUFFERING FROM THE DATE OF THE INJURY TO THE DATE OF YOUR VERDICT.

\$ 60,000,000

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Franky [Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

DISSENT, IF ANY \_\_\_\_\_

PROCEED TO QUESTION # 12.

**QUESTION # 12**

STATE THE AMOUNT AWARDED TO PLAINTIFF, **KEIMONEIA REDISH**, IF ANY, FOR PAIN AND SUFFERING FROM THE TIME OF THE VERDICT TO THE TIME THE PLAINTIFF COULD BE EXPECTED TO LIVE.

\$ 30,000,000

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

Franky [Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

DISSENT, IF ANY \_\_\_\_\_

IF YOU DECIDED TO MAKE AN AWARD AS TO QUESTION # 12, THEN PROCEED TO QUESTION # 13.

IF YOU DECIDE NOT TO MAKE AN AWARD AS TO QUESTION # 12, THEN PROCEED TO QUESTION # 14.

**QUESTION # 13**

IF YOU HAVE MADE AN AWARD FOR AMOUNTS INTENDED TO COMPENSATE PLAINTIFF, **KEIMONEIA REDISH**, FOR FUTURE PAIN AND SUFFERING, THEN STATE THE PERIOD OF YEARS OVER WHICH SUCH AMOUNTS ARE INTENDED TO

PROVIDE COMPENSATION:

34.5 YEARS

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER OF THIS QUESTION.)

<u>Frank But</u>	<u>Keimoneia Redish</u>
<u>Eric</u>	<u>George Nanting</u>
<u>Martina Walker</u>	<u>[Signature]</u>

DISSENT, IF ANY \_\_\_\_\_

PROCEED TO QUESTION # 14.

**QUESTION # 14**

STATE THE AMOUNT AWARDED TO PLAINTIFF, **KEIMONEIA REDISH**, IF ANY, FOR THE FOLLOWING PAST EXPENSES:

HOSPITAL EXPENSES: \$ 450,000

HOME HEALTH AIDE: \$ 250,000

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

<u>Frank But</u>	<u>Keimoneia Redish</u>
<u>Eric</u>	<u>George Nanting</u>
<u>Martina Walker</u>	<u>[Signature]</u>

DISSENT, IF ANY \_\_\_\_\_

PROCEED TO QUESTION # 15.

**QUESTION # 15**

STATE THE AMOUNT AWARDED TO PLAINTIFF, **KEIMONEIA REDISH**, IF ANY, FOR THE FOLLOWING **FUTURE ECONOMIC DAMAGES**, INCLUDING THE COMMENCEMENT DATE AND THE PERIOD OF YEARS OVER WHICH SUCH AMOUNTS ARE INTENDED TO PROVIDE COMPENSATION.

15(A) TOTAL ANNUAL AMOUNT FOR **MEDICATIONS**, IF ANY, IN CURRENT DOLLARS:

\$ 930

GROWTH RATE: 4%

NUMBER OF YEARS: 34.50

15(B) TOTAL ANNUAL AMOUNT FOR **THERAPEUTIC INTERVENTION**, IF ANY, IN CURRENT DOLLARS:

\$ 32,988

GROWTH RATE: 3%

NUMBER OF YEARS: 34.50

15(C) TOTAL ANNUAL AMOUNT FOR **DURABLE MEDICAL & MOBILITY EQUIPMENT**, IF ANY, IN CURRENT DOLLARS:

\$ 1,651

GROWTH RATE: 2.60%

NUMBER OF YEARS: 35

15(D) TOTAL ANNUAL AMOUNT FOR **TRANSPORTATION**, IF ANY, IN CURRENT DOLLARS:

\$ 3,434

GROWTH RATE: 2.5%

NUMBER OF YEARS: 35

15(E) TOTAL ANNUAL AMOUNT FOR **NURSING SUPERVISION/CASE MANAGEMENT**, IF ANY, IN CURRENT DOLLARS:

\$ 1,825

GROWTH RATE: 3%

NUMBER OF YEARS: 34.50

15(F) TOTAL ANNUAL AMOUNT FOR **LIFE ALERT SERVICES**, IF ANY, IN CURRENT DOLLARS:

\$ 269

GROWTH RATE: 2.60%

NUMBER OF YEARS: 34.50

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

<u>Frankie Smith</u>	<u>W. Mendez</u>
<u>Clara De</u>	<u>Concha Martinez</u>
<u>Marlon Walker Sr</u>	<u>[Signature]</u>

DISSENT, IF ANY \_\_\_\_\_

15(G) TOTAL ANNUAL AMOUNT FOR **TRAUMATIC BRAIN INJURY AND MEDICAL DAY PROGRAMS**, IF ANY, IN CURRENT DOLLARS:

\$ 21,365

GROWTH RATE: 4%

NUMBER OF YEARS: 34.50

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

<u>Frankie Smith</u>	<u>W. Mendez</u>
<u>Clara De</u>	<u>Concha Martinez</u>
<u>Marlon Walker Sr</u>	<u>[Signature]</u>

DISSENT, IF ANY \_\_\_\_\_

15(H) TOTAL ANNUAL AMOUNT FOR **HOME HEALTH AIDE TO AGE 55**, IF ANY, IN CURRENT DOLLARS:

\$ 115,231

GROWTH RATE: 3.90%

NUMBER OF YEARS: 7.33

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

<u>Frankie Smith</u>	<u>W. Mendez</u>
<u>Clara De</u>	<u>Concha Martinez</u>
<u>Marlon Walker Sr</u>	<u>[Signature]</u>

DISSENT, IF ANY \_\_\_\_\_

15(I) TOTAL ANNUAL AMOUNT FOR HOME HEALTH AIDE AGE 55-65, IF ANY, IN CURRENT DOLLARS:

\$ 209,510

THE NUMBER OF YEARS BEFORE THIS ITEM STARTS: 7.33

GROWTH RATE: 3.90%

NUMBER OF YEARS: 10

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

<u>Frankly Hunt</u>	<u>W. Munn</u>
<u>Gene D.</u>	<u>Janice Munn</u>
<u>Marlon Walker Jr</u>	<u>[Signature]</u>

DISSENT, IF ANY \_\_\_\_\_

15(J) TOTAL ANNUAL AMOUNT FOR HOME HEALTH AID AGE 65 FOR LIFE, IF ANY, IN CURRENT DOLLARS:

\$ 251,412

THE NUMBER OF YEARS BEFORE THIS ITEM STARTS: 17.33

GROWTH RATE: 3.90%

NUMBER OF YEARS: 17.17

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

<u>Frankly Hunt</u>	<u>W. Munn</u>
<u>Gene D.</u>	<u>Janice Munn</u>
<u>Marlon Walker Jr</u>	<u>[Signature]</u>

DISSENT, IF ANY \_\_\_\_\_

PROCEED TO QUESTION # 16.

**QUESTION # 16**

STATE THE AMOUNT AWARDED TO PLAINTIFF, **KEIMONEIA REDISH**, IF ANY, FOR THE FOLLOWING **FUTURE EXPENSES**:

DURABLE MEDICAL EQUIPMENT: \$ 612

MEDICAL DIAGNOSTIC TESTS: \$ 1,218

LIFE LOCK SETUP: \$ 102

APARTMENT ALTERATIONS: \$ 280,000

(AT LEAST FIVE JURORS MUST AGREE ON THE ANSWER TO THIS QUESTION.)

[Signature]                      [Signature]  
[Signature]                      [Signature]  
[Signature]                      [Signature]

DISSENT, IF ANY \_\_\_\_\_

YOU HAVE REACHED A VERDICT, REPORT TO THE COURT.

DATE: April 12, 2019