

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF ALAMEDA

IZEL ELIAS, A Minor, By and Through Her  
Guardian Ad Litem, MERCEDES CORRAL,  
and ADRIANNA CORRAL-YOUNGBLOOD,

Plaintiffs,

vs.

THE PERMANENT MEDICAL GROUP, INC.  
and DOES 1 to 30, inclusive

Defendants

CASE NO. CIV HG08425035  
ASSIGNED FOR ALL PURPOSES TO  
JUDGE Gail Brewster Bereola Dept. 19

SPECIAL VERDICT

**FILED**  
ALAMEDA COUNTY

MAR 06 2014

CLERK OF THE SUPERIOR COURT

By [Signature] Deputy

T.H.

We, the jury in the above-entitled action, find the following special verdict on the questions submitted to us:

1. Was Defendant The Permanente Medical Group, Inc. negligent?

X  
Yes

        
No

If you answered yes to question 1, then answer question 2. If you answered no to question 1, then stop here, answer no further questions, and have the presiding juror sign and date this form.

2. Was defendant The Permanente Medical Group, Inc.'s negligence a substantial factor in causing harm to Plaintiff Izel Elias?

X  
Yes

        
No

If you answered question 2 yes, then answer question 3. If you answered question 2 no, then answer question 4.

3. What are Plaintiff Izel Elias' total damages? Do not reduce the damages based on the fault, if any, of others.

a. Past economic loss		
Past Medical Expenses		\$ <u>0</u>
b. Future Economic Loss		
Future Medical/Life Care Expenses	\$ <u>48,998</u>	
Future Loss of Earning Capacity	\$ <u>200,000</u>	
Total future economic damages		\$ <u>248,998</u>
c. Past noneconomic loss, including physical pain/ emotional distress		\$ <u>200,000</u>
d. Future noneconomic loss, including physical pain/ emotional distress		\$ <u>200,000</u>
	TOTAL	\$ <u>648,998</u>

Answer question 4.

4. Was Defendant The Permanente Medical Group, Inc.'s negligence a substantial factor in causing harm to Plaintiff Adrianna Corral-Youngblood?

                                            
 Yes    No

If you answered yes to question 4, then answer question 5. If you answered no to questions 2 and 4, then stop here, answer no further questions, and have the presiding juror sign and date this form.

5. What are Plaintiff Adrianna Corral-Youngblood's total damages? Do not reduce the damages based on the fault, if any, of others.

a. Future Economic Loss	
Future Medical Expenses	\$ <u>11,250</u>

b. Past noneconomic loss, including physical pain/

emotional distress	\$ <u>25,000</u>
c. Future noneconomic loss, including physical pain/ emotional distress	\$ <u>25,000</u>
TOTAL	\$ <u>61,250</u>

If either Izel Elias or Adrianna Corral-Youngblood has proved any damages, then answer question 6. If neither Izel Elias nor Adrianna Corral-Youngblood has proved any damages, then stop here, answer no further questions, and have the presiding juror sign and date this form.

6. Was Donald Jamison negligent?

<u>X</u>	_____
Yes	No

If your answer to question 6 is yes, then answer question 7. If you answered no, then answer question 8.

7. Was the negligence of Donald Jamison a substantial factor in causing harm to plaintiffs?

<u>X</u>	_____
Yes	No

If your answer to question 7 is yes, then answer question 8. If you answered no to either question 6 or 7, insert the number zero next to the line for "Donald Jamison" in question 12 and answer question 8.

8. Was the Department of Motor Vehicles negligent?

_____	<u>X</u>
Yes	No

If your answer to question 8 is yes, then answer question 9. If you answered no, answer question 10.

9. Was the negligence of the Department of Motor Vehicles a substantial factor in causing harm to Plaintiffs?

_____	_____
Yes	No

If your answer to question 9 is yes, then answer question 10. If you answered no to either question 8 or 9, then insert the number zero next to the line for "Department of Motor Vehicles" in question 12 and answer question 10.

10. Was Dr. Christian Hackshaw negligent?

X  
Yes

\_\_\_\_\_  
No

If your answer to question 10 is yes, then answer question 11. If you answered no, then answer question 12.

11. Was the negligence of Dr. Christian Hackshaw a substantial factor in causing harm to Plaintiffs?

X  
Yes

\_\_\_\_\_  
No

If your answer to question 11 is yes, then answer question 12. If you answered no to either question 10 or 11, then insert the number zero next to the line for "Dr. Christian Hackshaw" in question 12 and answer question 12.

12. What percentage of responsibility for Plaintiffs' harm do you assign to the following? Insert a percentage for only those who received "yes" answers in questions 2, 4, 7, 9, and 11.

The Permanente Medical Group, Inc.	<u>7</u> %
Donald Jamison	<u>90</u> %
Department of Motor Vehicles	<u>0</u> %
Dr. Christian Hackshaw	<u>3</u> %
TOTAL	100%

Dated: 3-6-14

Signed: *Ben Behmer*  
Presiding Juror

After this verdict form has been signed, notify the court attendant that you are ready to present your verdict in the courtroom.

JUDGE GAIL BREWSTER BEREOLA  
JURY SERVICE QUESTIONNAIRE  
Superior Court of California, Alameda County  
Department 19

Case Name: Elias vs. The Permanente  
Medical Group, Inc.

Case No. HG08425035

Date: 03/17/14

1. What were your impressions of the court personnel and the attorneys?

Plaintiff's Counsel:

Well prepared. Witnesses were well prepared; time taken to present case was appropriate.

Defense Counsel:

I liked the rapport between the attorneys. Their behavior created an environment of respect and fairness.

Very professional. Also well prepared.

Court Attendant:

Mr Green was friendly and respectful of our time and comfort. His instructions were clear.

Court Clerk:

Professional. Easy to hear. Great job pronouncing names.

Court Reporter(s):

Professional. Very impressive skill level.

Judge: I enjoyed my service mostly because of the professionalism of the judge. I appreciated the clarity of instructions, the thoughtfulness given to the lawyers, witnesses, and jury.

2. What did you like about your service in this trial?

I appreciated that the jurors were given a pre-selection questionnaire. I feel this sped up the selection process.

I may have these offices contact with each other.

3. Was there anything you disliked about your service in this case?

I didn't think it was necessary to take us out to lunch, although it was nice. I understand the need to keep us together but thought "lunch in" - The jury room was more productive.

4. What was your experience with the assembly room and the summons process?  
Staff was very good at communicating process.

5. How did the Court's Monday - Thursday, 9:45 a.m. to 4:30 p.m. schedule work for you?

I liked the predictability of the M-Thurs schedule.

6. Do you have any suggestions on improvements to our system or anything that you might have liked to see during your service on this trial or in future trials?

I wish there was a way to reduce time of jury selection and trials but I do not have any suggestions on how this could be done. I think this trial moved as quickly as could be expected.

7. Do you have any suggestions on how we might make your service more comfortable or enjoyable?

Thanks for the coffee in the jury room. Nice gesture. The availability of bottled water and restrooms was nice.

8. Any additional comments or suggestions?

Sorry for the delay in returning the questionnaire.

Name (Optional): \_\_\_\_\_

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**JURY SERVICE QUESTIONNAIRE**  
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Case Name: Elias vs. The Permanente  
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Case No. HG08425035

Date: 03/17/14

1. What were your impressions of the court personnel and the attorneys?

**Plaintiff's Counsel:**

Did his job well, very convincing. Seemed very interested in his case + proving his side with the evidence, testimonies, witnesses, etc. provided.

**Defense Counsel:**

Defended his client well. Closing arguments were most impressive. It was evident that he has been doing his job for a long time + has a lot of experience.

**Court Attendant:**

Mr. Green was awesome! He answered all of our questions + concerns, kept us informed, + livened us up in the mornings.

**Court Clerk:**

Positive Impression. Nothing significant to add.

**Court Reporter(s):**

Positive Impression.

**Judge:**

I like how the judge explained everything in details so we could understand when the lawyers would object for example. I was very glad to have her for my first jury duty experience.

2. What did you like about your service in this trial?

I felt like I was back in school (in a good way). I learned a lot about the judicial system, legal jargon, the laws, brain development, DMV procedures, etc. It was very positive.

3. Was there anything you disliked about your service in this case?

The juror box chairs are miserable! My sciatic issues flared up quite a bit due to those chairs. Also, wish there was a table in the juror box for taking notes easier.

4. What was your experience with the assembly room and the summons process?

The assembly room was too jam-packed for my liking, especially right @ the height of flu season. Too many people breathing their germs in one confined space. Summons process was long, but not unbearable.

5. How did the Court's Monday - Thursday, 9:45 a.m. to 4:30 p.m. schedule work for you?

The schedule worked well for me. We didn't have to be there too early or stay too late. The Friday off was nice so that I could go into work + play "catch-up" from missing Monday-Thurs.

6. Do you have any suggestions on improvements to our system or anything that you might have liked to see during your service on this trial or in future trials?

No, I had a very positive first experience of participating on a jury.

7. Do you have any suggestions on how we might make your service more comfortable or enjoyable?

Just the chairs in the jury box, as stated above.

8. Any additional comments or suggestions?

The unreliability of the parking ticket machines was irritating at times. But I am not sure if this has to do w/ the court at all.

Name (Optional): \_\_\_\_\_



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Case Name: Elias vs. The Permanente  
Medical Group, Inc.

Case No. HG08425035

Date: 03/17/14

1. What were your impressions of the court personnel and the attorneys?

Plaintiff's Counsel:

Very professional and materials were well prepared.

Defense Counsel:

Very professional

Court Attendant:

Very friendly. I wanted to thank Mr. Green for his <sup>Prompt</sup>~~prompt~~ response when I was in need of the restroom when the court was in session! Thank you!

Court Clerk:

No comment

Court Reporter(s):

Very hard working folks, constantly typing and listening...

Judge:

She is the best! ~~in the world~~  
She inspires me!

2. What did you like about your service in this trial?

Very educational. ~~I learned~~ I learned much from listening ~~from~~ the expert witnesses.  
to

3. Was there anything you disliked about your service in this case?

None

4. What was your experience with the assembly room and the summons process?

Good.

5. How did the Court's Monday - Thursday, 9:45 a.m. to 4:30 p.m. schedule work for you?

Worked out very well. I was able to drop my child off at school in the morning before I came to the Court house.

6. Do you have any suggestions on improvements to our system or anything that you might have liked to see during your service on this trial or in future trials?

Good as it is.

7. Do you have any suggestions on how we might make your service more comfortable or enjoyable?

~~Nothing~~  
No. all was good.

8. Any additional comments or suggestions?

Overall, it was a great positive experience!

I loved Judge Gail Brewster Bereda's smile. When she smiled, it brightened the whole court room!

Name (Optional): \_\_\_\_\_

JUDGE GAIL BREWSTER BEREOLA  
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Superior Court of California, Alameda County  
Department 19

Case Name: Elias vs. The Permanente  
Medical Group, Inc.

Case No. HG08425035

Date: 03/17/14

1. What were your impressions of the court personnel and the attorneys?

Plaintiff's Counsel:

Professional and competent. The case would  
of benefited from more time spent on causation  
vs. costs of supporting plaintiff.

Defense Counsel:

Professional and competent. Stick to the principle  
that this plaintiff's case to prove, not defense  
to disprove.

Court Attendant:

Professional

Court Clerk:

Professional

Court Reporter(s):

Don't really know but appear to be professional

Judge:

Meticulous and attentive. Took a long time on  
jury selection but if I am ever in a civil case I  
would want her to be the presiding judge.

2. What did you like about your service in this trial?

Learned more about civil litigation.

3. Was there anything you disliked about your service in this case?  
*Being an alternate where all these time invested but no inputs to the final verdict.*

4. What was your experience with the assembly room and the summons process?  
*Good.*

5. How did the Court's Monday - Thursday, 9:45 a.m. to 4:30 p.m. schedule work for you?  
*Yes, as good as any.*

6. Do you have any suggestions on improvements to our system or anything that you might have liked to see during your service on this trial or in future trials?  
*Use of technologies such as mapping potential jurors to closest courthouse would be very helpful.*

7. Do you have any suggestions on how we might make your service more comfortable or enjoyable?

8. Any additional comments or suggestions?

Name (Optional): \_\_\_\_\_