

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA

LAURIE JOHNSON,

Plaintiff,

vs.

ORLANDO REGIONAL MEDICAL
CENTER, ORLANDO REGIONAL
HEALTHCARE SYSTEMS, INC., and
HOWARD SMITH, M.D.,

Defendants.

CASE NO.: 2006-CA-6827-O

DIVISION: 37

**ORDER DETERMINING THE AMOUNT
OF SANCTIONS AGAINST JENNINGS L. HURT, III, ESQ.**

THIS MATTER came on for hearing on August 9 and 26, 2021 on the amount of sanctions to be assessed against Jennings L. Hurt, III, Esq. Having reviewed the pleadings, relevant portions of the record, and Exhibits 1, 2 and 3, hearing testimony from Victor Womack, and hearing argument of counsel, the Court determines as follows:

This Court previously determined that sanctions were appropriate against Jennings L. Hurt, III, Esq., based upon his intentional, willful and bad faith conduct that resulted in a mistrial of this action in 2011. In support of the calculation of the amount of sanctions, Plaintiff's counsel submitted his Amended Affidavit of Costs and Amended Addendum to Affidavit of Costs seeking an award of costs in excess of \$240,000.00.

Based upon the evidence presented, the Court determines that \$104,062.11 of Plaintiff's total costs are directly related to the trial of this matter, including, but not limited to, expert witness fees for preparation and appearance at trial and deposition transcript fees for witnesses who testified live or via deposition at trial. The Court has attached annotated copies of the

relevant affidavits identifying those expenses included in the calculation. The Court rejects the argument that the assessment of costs should not include deposition transcripts or other materials that could be used at the retrial of the matter as the Court has no way to predict whether this case will be retried or settled at some point in the future.

Accordingly, it is hereby ORDERED that Jennings L. Hurt, III, Esq., shall pay to Plaintiff's counsel within 30 days of the date of this Order the sum of \$104,062.11 as a sanction for his intentional, willful and bad faith conduct that resulted in a mistrial of this action.

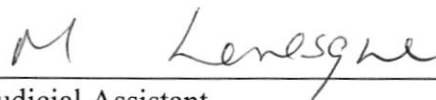
DONE AND ORDERED in Chambers, Orlando, Orange County, Florida, this 30th day of September, 2021.



JULIE H. O'KANE
Circuit Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing was filed with the Clerk of the Court this 1st October day of ~~September~~, 2021 by using the Florida Courts E-Filing Portal System. Accordingly, a copy of the foregoing is being served on this day to all attorney(s)/interested parties identified on the ePortal Electronic Service List, via transmission of Notices of Electronic Filing generated by the ePortal System.



Judicial Assistant

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT IN AND
FOR ORANGE COUNTY, FLORIDA

CASE NO.: 48-2006-CA-006827-0

LAURIE JOHNSON,

Plaintiff.

vs.

ORLANDO REGIONAL MEDICAL
CENTER, ORLANDO REGIONAL
HEALTHCARE SYSTEMS, INC.,
HOWARD SMITH, M.D.,
Defendants.

NOTICE OF FILING PLAINTIFF'S AMENDED AFFIDAVIT OF COSTS

The Plaintiff, LAURIE JOHNSON, by and through undersigned counsel, hereby gives Notice of Filing her Amended Affidavit of Costs, amending the original Affidavit of Costs dated November 8, 2018. Please note that all original costs are listed but this Amended Affidavit reflects the **withdrawn** costs.

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing was filed to the Florida Court E-Filing Portal this 15 day of July, 2021 and e-mailed: Richard B. Mangan, Jr., Esquire, Richard.Mangan@rissman.com.

VICTOR H. WOMACK, P.A.
7700 North Kendall Drive
Dadeland Square, Suite 708
Miami, FL 33156
(305) 279-2130
Attorney for Plaintiff

By: 

VICTOR H. WOMACK
F.B.N. 185491

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT IN AND
FOR ORANGE COUNTY, FLORIDA

CASE NO.: 48-2006-CA-006827-0

LAURIE JOHNSON,

Plaintiff.

vs.

ORLANDO REGIONAL MEDICAL
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HEALTHCARE SYSTEMS, INC.,
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_____ /

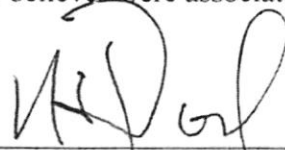
AMENDED
AFFIDAVIT OF COSTS

STATE OF FLORIDA)
COUNTY OF ORANGE)

BEFORE ME, personally appeared, Victor H. Womack, who, first being duly sworn and under oath states the following:

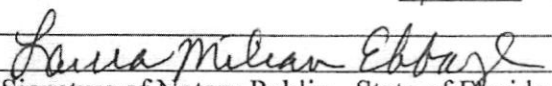
Attached hereto is Exhibit A through Exhibit E as an itemization of the expenses incurred in the above-styled case. This Affidavit is being filed pursuant to the Court's Order granting a new trial and ordering that Jennings L. Hurt, III, is being sanctioned for his improper conduct and that the Plaintiff is entitled to recover all costs associated with the trial of this matter in April, 2011.

Victor H. Womack hereby adopts the attached Exhibits, A through E, as a part of this affidavit which reflects an itemization of the costs he believes were associated with the trial of this matter. The total amount is \$249,924.82.



VICTOR H. WOMACK, Fla. Bar #18549
7700 North Kendall Drive
Dadeland Square, Suite 708
Miami, FL 33156
(305) 279-2130
Attorney for Plaintiff

Sworn and subscribed to me this 15 day of July, 2021.


(Signature of Notary Public - State of Florida)



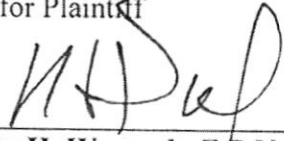
(Print, Type, or Stamp) Laura Milian Ebbage
Name of Notary Public

Personally Known

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing was served through Florida E-Portal this 15 day of July, 2021 to: **Richard B. Mangan, Jr., Esquire.**
Richard.Mangan@rissman.com, 1 N. Dale Mabry Highway, Suite 1100, Tampa, FL 33609.

VICTOR H. WOMACK, P.A.
7700 North Kendall Drive
Dadeland Square, Suite 708
Miami, FL 33156
(305) 279-2130
Attorney for Plaintiff

BY: 
Victor H. Womack, F.B.N. 185491

COPIES

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	
✓ 2/20/2008	Milestone Reporting Inc Copies of exhibits	\$27.40	
2/15/2008	Rissman Barrett - CD color pages hospital records	\$327.60	WITHDRAWN
5/8/2009	McEwan Dukes law firm Copies of Torres records	\$69.20	WITHDRAWN
2/16/2007	Rissmann Barrett 130 pages	\$32.50	WITHDRAWN
1/17/2007	Wicker Smith response to Request for Prod	\$99.40	WITHDRAWN
2/21/2007	McEwan Dukes, medical Records	\$24.66	WITHDRAWN
5/3/2007	Wicker Smith PA records received from JLR medical group	\$114.15	WITHDRAWN
3/27/2007	Wicker Smith-paginated Copies of ORM recds	\$383.76	
✓ 2/3/2010	CD of trial exhibits	\$30.00	
3/27/2008	Rissman Barrett MRC from Physicians Associates	\$30.50	

EXHIBIT "A"

Page total: \$57.40

COPIES MADE BY BLACK'S COPY SERVICE

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	
3/26/2007	medical records	\$75.11	WITHDRAWN
8/7/2007	digital scanning and printing of x-rays and DVDs	\$96.30	WITHDRAWN
9/26/2007	color laser copies and CD duplication	\$141.24	WITHDRAWN
10/11/2007	1110 copies of MRC	\$118.77	WITHDRAWN
7/15/2007	2379 depo summaries	\$254.23	
7/17/2009	7890 pages of MRC and depositions	\$789.23	
7/21/2009	4178 copies of MRC/ depositions	\$447.05	WITHDRAWN
1/26/2010	578 pages MRC	\$61.85	WITHDRAWN
1/21/2010	461 copies MRC	\$46.10	WITHDRAWN
1/15/2010	175 copies MRC	\$18.73	WITHDRAWN
2/22/2010	615 pages of MRC	\$61.50	WITHDRAWN
3/14/2006	7628 pages of MRC	\$816.19	
5/12/2006	2224 page of MRC 69 laser copies	\$359.41	
11/17/2007	60 pages of color Laser copies	\$64.20	
12/12/2007	9 pages color laser copies	\$14.45	
	1,320 copies and 9 color laser copies	\$193.93	

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	
7/31/2007	1144 copies	\$90.09	
8/2/2007	2 DVD duplications	\$30.00	
8/2/2007	842 copies	\$84.20	WITHDRAWN
8/20/2007	624 copies	\$62.40	WITHDRAWN
11/6/2007	1175 copies	\$125.73	WITHDRAWN
12/10/2009	color enlargements for mediation and trial	\$711.65	
3/17/2011	copies of MRC	\$207.58	WITHDRAWN
8/4/2009	copies	\$447.05	WITHDRAWN
6/15/2009	3564 copies	\$356.40	
6/15/2009	634 copies	\$63.40	
2/15/2008	4512 copies	\$451.20	
			TOTAL \$4636.04

Page total: \$711.65

EXPERT WITNESS BILLS

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
11/12/2009	Marc Grossman MD expert for defense *Dr. Grossman insisted on a flat rate for depo of \$7500. The Pltf refused to pay that but paid him \$500 per hr for 3 hrs and the defense paid \$6000 assuring that Dr. Grossman got his \$7500 depo fee	\$1500
11/18/2009	Joseph Li, MD defense expert witness Depo fee 4.5 hrs at \$500 per hr	\$2250
✓ 2/28/2011	Dano Leli, MD Pltf psychology expert pretrial conf \$300	\$300
✓ 4/29/2011	Anita Laswell, PhD Pltf nutrition expert preparation & trial appearance	\$10400
✓ 4/29/2011	Pltf rehab expert prep and Trial testimony	\$4191.50
✓ 4/29/2011	Dano Leli, PhD Pltf psych expert trial testimony	\$1500
✓ 4/29/2011	Bernard Pettingil forensic economist expert preparation for trial Including prep of report & charts for demonstration counsel w/counsel and trial appearance	\$8747.50

EXHIBIT "B"

Page total: \$ 25,139.00

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
✓ 4/29/2011	Lou Ann Jonse RN Plt nurse expert prep and trial appearance and expenses from Phoenix AZ	\$7008.07
✓ 7/29/2011	Didier Cros, MD Pltf neurology expert Trial testimony for prep and 3 ½ days out of office \$9000 airline ticket \$681.40	\$17431.40
✓ 9/11/2011	John Dawson MD Pltf burn expert for Appearance at trial portal to portal 24 hour period 2 at \$500 per day - \$10,000 travel expenses-flight, taxi parking \$820	\$10,820
1/24/2006	Stephen Hoffmann MD Expert \$2000 retainer fee	\$2000
2/14/2006	Christine Krager RN expert review	\$1000 WITHDRAWN
3/20/2007	Stephen Cooley rehab expert retainer fee \$3000	\$3000
3/31/2007	Analytic Economics Inc Economic expert 3.2 hrs at \$300 per hr	\$960
5/4/2007	Mark Exposito MD neurology expert 2 hr at \$375 per hr	\$750 WITHDRAWN
5/4/2007	Jay Fine MD Plastic surgery expert 1 hour at \$500	\$500 WITHDRAWN

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
5/22/2007	Stephen Hoffmann MD expert \$550 per hr 5 ½ hrs	\$3025
6/8/2007	Donald Gilden D 2.75 hrs at \$500 per hr	\$1375 WITHDRAWN
6/25/2007	Stephen Hoffmann MD expert witness \$550 per hr ½ hr	\$225
7/13/2007	Martin Menkin MD Pltf treating neurologist at ORM - 1 hour	\$450 WITHDRAWN
10/16/2007	Ann Merrill, RN nutrition nurse 2.5 hr at \$200 per hr	\$500 WITHDRAWN
10/16/2007	Stephen Cooley Rehab expert 47 hrs at \$150 per hr	\$4050
10/16/2007	Peter Preganz MD conference	\$350 WITHDRAWN
12/1/2007	Donald Gilden, MD expert 3.5 hr at \$500 per hr	\$1750 WITHDRAWN
1/22/2008	Donald Gilden MD Expert	\$250 WITHDRAWN
1/23/2008	Ann Merrill, RN nutrition support nurse 5.5 hr at \$200 per hr	\$1100
1/30/2008	Dr. Elpidio Abreu deposition fee	\$300
2/1/2008	Christopher Brandt, MD expert witness	\$1200 WITHDRAWN

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
2/7/2008	David Goldstein MD 7hrs at \$375 per hr	\$2625.00 WITHDRAWN
2/18/2008	Stephen Cooley rehab expert 18 hrs at \$150 per hr	\$2805.80
2/25/2008	Christine Krager RN nurse expert \$100 per hr	\$3265 WITHDRAWN
3/17/2008	Analytical Economic Inc. Economist expert 9.3 hrs at \$350 per hr	\$3255
4/17/2008	David Goldstein MD 15.5 hrs at \$375 per hr	\$5812.50 WITHDRAWN
5/14/2008	Analytical Economics INC Pltf expert economist 2 hrs at \$350 per hr	\$700 WITHDRAWN
5/20/2008	Stephen Hoffmann, MD ? hrs at \$550 per hr	\$2250 WITHDRAWN
5/31/2008	Ann Merrill, RN 37 hrs at \$200 per hr	\$7000
9/18/2008	Joseph Berger, MD neurology expert 5 hr at \$500 per hr	\$1500 WITHDRAWN
10/22/2008	Didier Cros, M.D. Peripheral neuropathy expert	\$1000
12/3/2008	Bari Conte, ARNP expert 14.5 hrs at \$150/hr	\$2185 WITHDRAWN
12/19/2008	David Goldstein MD expert witness 5.5 hrs at \$375 per hr	\$2062.50 WITHDRAWN

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
1/21/2009	David Goldstein MD Pltf expert 1 hr at \$375	\$375 WITHDRAWN
3/13/2009	David Heimbach, MD expert witness retainer fee	\$1000 WITHDRAWN
4/20/2009	Evan Schlam MD dermatology expert 3 hrs at \$450 per hr	\$1350 WITHDRAWN
4/21/2009	Jay Fine MD dermatology expert 3 hrs at \$450 per hr	\$1350 WITHDRAWN
4/25/2009	John Dawson MD retainer fee	\$1500
10/14/2009	Analytical Economics Inc Pltf economic expert 3.8 hrs at \$350 per hr	\$1330 WITHDRAWN
6/12/2009	Anita Laswell, PhD nutrition expert retainer fee	\$1000
6/17/2009	Robert S. Litman Pharmacist expert 6.5 hr at \$400 per hr	\$2600 WITHDRAWN
6/24/2009	Lou Ann Jones RN expert 3 hrs at \$200 per hr	\$600
8/4/2009	Lou Ann Jones RN nurse expert, 16 hrs at \$200 per hr	\$2600
8/6/2009	Stephen Hoffman MD 30 hours at \$550 per hr	\$16,500
8/26/2009	Stephen Hoffmann MD 30 hours at \$550 per hr	\$15,400

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
8/26/2009	David Goldstein MD 11.5 hrs at \$400 per hr	\$4600 WITHDRAWN
9/2/2009	Lou Ann Jones nurse expert 18 hrs at \$200 per hr	\$3600
9/11/2009	Peter Preganz MD Conference and deposition \$350 per hr	\$437.50
9/24/2009	Anita Laswell PhD nutrition expert 5 hrs	\$2250
10/9/2009	Henry Murray MD depo fee, defense expert 3 hrs at \$500 per hr	\$1500 WITHDRAWN
10/22/2009	Robert S. Litman, Pharm expert. 4.5 hr at \$400	\$1800 WITHDRAWN
10/28/2009	Christine Krager RN \$100 per hr, 49 hrs	\$4900 WITHDRAWN
11/4/2009	Annalynn Skipper, Ph.D nutritionist, defense expert deposition	\$625
11/4/2009	Robert Litman Pharmacist 2.5 hrs at \$400 per hr	\$1000 WITHDRAWN
11/5/2009	defense expert Grant Anhalt Dermatology 3 hrs at \$600 per hr	\$1800
11/6/2009	Paul Auwaerter, M.D. Defense expert depo fee 4 hrs at \$500 per hr	\$2000

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	
11/24/2009	Anita Lasswell PhD 28.5 hrs @ \$250 per hr	\$6895	
11/25/2009	Bernard Pettingil, PhD forensic economist	\$1500	
12/10/2009	Bernard Pettingil Ph.D forensic economist expert 5.75 hrs at \$375 per hr	\$2211.25	
12/11/2009	Stephen Cooley Rehab expert 6.3 hrs at \$150 per hr	\$945	
1/5/2010	David Goldstein, M.D. Expert for Pltf review and sign affidavit	\$100	WITHDRAWN
1/5/2010	Stephen Hoffman, MD expert for pltf review and sign affidavit	\$100	
1/5/2010	John Dawson, MD expert for Pltf review and sign affidavit	\$100	
1/5/2010	Didier Cros, MD expert for Pltf review and sign affidavit	\$100	
1/5/2010	Lou Ann Jones, RN expert for Pltf review and sign affidavit	\$100	
1/13/2010	Pedro T. Oliveros MD conference \$600 per hr	\$600	
3/10/2010	CA Manthous, M.D. Review case materials and phone conf 4 hrs at \$500 per hr	\$2500	WITHDRAWN

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
7/28/2010	Robert S. Litman, Pharmacy expert fees for conf	\$2200 WITHDRAWN
✓ 8/19/2010	Pedro Oliveros, M.D. conference & prep for video depo	\$600
✓ 8/26/2010	Deposition for use at trial \$85 per hr	\$1530
✓ 9/1/2010	Pedro Oliveros, M.D. expert and treating doctor Videotape depo for use Trial - 4 hours	\$1500
9/24/2010	Kelly Whitlow, Pharmacy Expert	\$2250
10/8/2010	Frank Woodrich, Ph.D. Pltf rehab expert 1 hr at \$600 per hr	\$600
10/20/2010	Robert S. Litman Expert pharmacist 1 hr at \$400 per hr	\$400 WITHDRAWN
11/3/2010	Louann Jones, RN 6.75 hours at \$200 per hr	\$1,350
✓ 12/21/2010	½ hour conference Dano Leli, Ph.D.	\$150
TOTAL		\$152,218.92

Page total: \$3,780.00

TRANSCRIPTS OF COURT HEARINGS

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>		
10/1/2010	Hearing - Judge Robert Evans	\$339.10		
5/12/2010	Hearing -Judge Robert Evans	\$213.92		
12/18/2008	Hearing	\$121.85		
1/31/2011	Hearing Judge O’Kane	\$487.20		
4/1/2011	Hearing Judge O’Kane	\$323.55		
10/1/2010	Hearing Judge Robert Evans	\$339.10		
7/6/2010	Hearing Judge Evans	\$210.59		
1/11/2010	Transcript of Pretrial Conference with all attorneys	\$124.60		
1/28/2010	Judge Robert Evans	\$448.00		
12/15/2009	Judge Evans	\$95.00		
12/15/2009	Judge Evans	\$191.50		
1/11/2018	Judge O’Kane	\$63.63		
10/19/2010	Judge Evans	\$339.10		
2/14/2008	Judge Adams	\$264.00		
			TOTAL	\$3,561.44

EXHIBIT “C”

DEPOSITION TRANSCRIPTS

<u>DATE</u>	<u>DEPONENT</u>	<u>AMOUNT</u>	
9/28/2005	Howard Smith MD	\$301.25	
9/26/2005	Juan Torres, MD	\$318.75	
7/24/2007	Kershid Ahmed, MD	\$823.75	WITHDRAWN
10/8/2010	Dr. Frank Woodrich	\$358.43	WITHDRAWN
2/20/2007	Video tape depo of Zahira Rosario, MD	\$643.00	WITHDRAWN
✓ 2/23/2007	Laurie Johnson	\$692.20	
8/8/2006	Unsworn statement Laurie Johnson	\$144.65	
3/16/2011	Winston Lightburn & Mark Sias	\$240.00	
✓ 3/8/2011	Zahira Rosario MD (Second Deposition)	\$451.85	
2/21/2011	DVD depo of Winston Lightburn	\$72.00	
✓ 1/20/2011	Ronald Knipe, MD	\$232.85	
11/24/2010	Longdistance call for Depo of Dr. Frank Woodrich	\$126.24	WITHDRAWN
✓ 9/24/2009	Anita Laswell, PhD	\$435.00	
✓ 12/1/2009	Laurie Johnson	\$334.95	
11/18/2009	Joseph Li, M.D.	\$966.75	WITHDRAWN
✓ 11/6/2009	Paul Auwaerter, MD	\$830.80	

EXHIBIT "D"

<u>DATE</u>	<u>DEPONENT</u>	<u>AMOUNT</u>	
11/5/2009	Grant Anhalt, MD	\$678.20	WITHDRAWN
✓ 9/24/2009	Videotape depo Anita Laswell, PhD	\$703.50	
✓ 9/28/2009	Didier Cros, MD	\$524.60	
10/21/2009	Dr. Henry Murray	\$934.00	WITHDRAWN
1/31/2009	Marielle Lazard	\$268.95	WITHDRAWN
✓ 2/2/2009	Kris Peppiatt, RN	\$757.60	
✓ 1/29/2009	Amy Burnett-Emyard RN	\$757.60	
✓ 8/27/2009	Lou Ann Jones, RN	\$633.50	
8/21/2009	David Goldstein, MD	\$632.50	WITHDRAWN
✓ 9/8/2009	Stephen Hoffmann, MD (Video)	\$950.40	
✓ 9/10/2009	Stephen Hoffmann, MD	\$1854.75	
9/14/2009	David Goldstein, MD	\$608.50	
✓ 10/8/2009	Lou Ann Jones, RN	\$574.50	
✓ 10/20/2009	John Dawson, MD	\$513.20	
✓ 10/26/2009	Didier Cros, MD	\$764.50	
11/17/2009	Marc Grossman, MD	\$784.00	WITHDRAWN
9/2/2009	John Promes, MD	\$470.50	
8/16/2005	Ronald Knipe, MD	\$298.75	

<u>DATE</u>	<u>DEPONENT</u>	<u>AMOUNT</u>	
11/14/2007	3 depositions Benita Qualls, Peggy Powell And Wendy Morris	\$329.10	WITHDRAWN
✓ 11/14/2007	3 depositions David Qualls, Sr., David Qualls, Jr. & Leslie Gonzalez	\$763.40 # 254.46	
12/1/2007	Gayle Smith	\$526.25	WITHDRAWN
9/21/2007	Danny Ordonez	\$466.25	WITHDRAWN
✓ 8/14/2007	Cynthia Waddell, ARNP	\$337.50	
8/8/2007	Lelina Lykins, RN	\$200.94	WITHDRAWN
8/24/2007	Melissa Muringer, RN	\$462.75	WITHDRAWN
✓ 6/27/2007	Catherine Hollingsworth ARNP	\$413.75	
✓ 4/26/2007	Ernest Block, MD	\$467.50	
✓ 2/22/2007	Howard Smith MD	\$1133.00	
✓ 2/20/2007	Zahira Rosario MD	\$571.40	
2/26/2007	Maureen Barta	\$97.50	WITHDRAWN
1/12/2011	Video depo Dr. Pedro Oliveros	\$72.00	
✓ 10/12/2010	Lou Ann Jones, RN	\$104.60	
✓ 12/15/2010	Kelly Ann Whitlow	\$1165.40	
8/15/2010	Joe Mendillo	\$41.00	WITHDRAWN
✓ 10/15/2010	Carolyn Bracket	\$497.20	
✓ 10/28/2010	Stephen Hoffmann, MD	\$290.75	

<u>DATE</u>	<u>DEPONENT</u>	<u>AMOUNT</u>	
10/12/2010	Carol Paris	\$248.70	WITHDRAWN
✓ 9/26/2010	video depo Bernard Pettingil	\$300.00	
10/21/2010	Frank Woodrich, PhD	\$358.43	WITHDRAWN
✓ 9/17/2010	Diem Fenstra	\$376.50	
✓ 9/29/2010	Bernard Pettingil	\$279.10	
✓ 9/21/2010	Stephen Cooley	\$436.50	
9/1/2010	Pedro Oliveros, MD	\$422.74	
9/23/2010	Angelita Camonayan	\$384.30	WITHDRAWN
8/26/2010	video depo Peter Preganz Jr.	\$125.00	
8/26/2010	transcript Peter Preganz Jr	\$903.70	
8/23/2010	Jim Huff	\$552.70	WITHDRAWN
✓ 6/22/2010	Paul Auwaerter, MD	\$559.50	
✓ 11/4/2009	Annalynn Skipper	\$948.25	
✓ 1/29/2010	Steven Novella, MD	\$479.00	
1/11/2010	Brian Bromagen	\$294.60	WITHDRAWN
✓ 12/23/2009	Laurie Johnson	\$334.95	
✓ 12/4/2008	Eugene Waterval, Holly Yowell & Lois Sanchez	\$676.60	\$ 271.80 \$ 205.50
3/8/2011	Beatrice Schafhauser	\$458.70	WITHDRAWN

<u>DATE</u>	<u>DEPONENT</u>	<u>AMOUNT</u>	
✓ 3/20/2008	4 depositions Peggy Brown Bruce Johnson Joe Cherhin <u>Amy Witherspoon</u>	\$602.45 . \$ 195.70	
4/17/2008	David Chetfield, DO	\$242.25	WITHDRAWN
6/3/2008	Teri Robinson, RN	\$416.25	WITHDRAWN
6/17/2008	Juan Torres, MD	\$367.50	WITHDRAWN
5/14/2008	Anna Alvarez, RN	\$416.25	WITHDRAWN
			TOTAL \$24,726.99

Page total: \$ 195.70

MISCELLANEOUS EXPENSES

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
✓ 4/21/2011	Transcript cross-exam of Paul Auwaeter MD in trial	\$199.50
8/11/2006	Orange County Clerk filing complaint (in addition to Previous amount)	\$4.00
8/1/2006	Sheriff-Orange County service of process filing complaint	\$120.00
✓ 5/18/2011	John Womack, private investigator for extra days Working at Johnson trial	\$1325.00
✓ 4/29/2011	transcript of trial proceedings	\$1307.55
9/11/2013	mediation Steven Sawicki mediator	\$1600.00
12/14/2009	Upchurch Mediation Group fee for mediation	\$933.20
✓ 10/29/2010	Metro Process Service trial subpoenas served on 33 witnesses	\$2235.00
5/2/2011	Brett Womack, paralegal assisted at trial 12 days at \$200 per day	\$2400.00
✓ 4/18/2011	Mike Womack emergency delivery of records from Miami to Orlando during trial	\$500.00
✓ 4/28/2011	Courtyard of Marriott Orlando	\$12,913.38
	TOTAL	\$23,537.63

EXHIBIT "E"

Page total: \$18,480.43

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT IN AND
FOR ORANGE COUNTY, FLORIDA

CASE NO.: 48-2006-CA-006827-0

LAURIE JOHNSON,

Plaintiff.

vs.

ORLANDO REGIONAL MEDICAL
CENTER, ORLANDO REGIONAL
HEALTHCARE SYSTEMS, INC.,
HOWARD SMITH, M.D.,
Defendants.

NOTICE OF FILING PLAINTIFF'S AMENDED ADDENDUM TO AFFIDAVIT OF COSTS

The Plaintiff, LAURIE JOHNSON, by and through undersigned counsel, hereby gives Notice of Filing her Amended Addendum to Affidavit of Costs, amending the original Addendum to Affidavit of Costs dated December 20, 2018. Please note that all original costs are listed but this Amended Addendum to Affidavit of Costs reflects the **withdrawn** costs.

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing was filed to the Florida Court E-Filing Portal this 15 day of July, 2021 and e-mailed: Richard B. Mangan, Jr., Esquire, Richard.Mangan@rissman.com.

VICTOR H. WOMACK, P.A.
7700 North Kendall Drive
Dadeland Square, Suite 708
Miami, FL 33156
(305) 279-2130
Attorney for Plaintiff

By: 

VICTOR H. WOMACK
F.B.N. 185491

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT IN AND
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CASE NO.: 48-2006-CA-006827-0

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HEALTHCARE SYSTEMS, INC.,
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Defendants.

AMENDED
ADDENDUM TO AFFIDAVIT OF COSTS

STATE OF FLORIDA)
COUNTY OF ORANGE)

BEFORE ME, personally appeared, Victor H. Womack, who, first being duly sworn and under oath states the following:

Victor H. Womack hereby files this Addendum to the original Affidavit of Costs filed herein and states as follows:

The following expenses are hereby added to the original list of expenses as follows:

EXPERT WITNESS BILLS

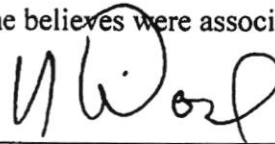
<u>Date</u>	<u>Description</u>	<u>Amount</u>
9/22/2009	Anita B. Laswell PhD. Expert witness 28.5 hrs at \$250 per hour	\$6,895.00

10/8/2010	Metro West Medical/ Dr. Hoffmann expert 16 hrs @ \$550 per hr	\$8,800.00	WITHDRAWN
12/21/2010	Dr. Goldstein expert witness 1.75 hrs @\$425 per hr	\$743.75	WITHDRAWN
11/30/2010	Kelly Whitlow expert witness \$250 per hr 1 hr	\$250.00	

DEPOSITION TRANSCRIPTS

<u>Date</u>	<u>Deponent</u>	<u>Amount</u>
✓ 12/23/2009	David Mozingo, M.D.	\$841.00
✓ 10/3/2007	Cynthia Waddell, ARNP	\$337.50
10/3/2007	Liliana Lykins, RN	\$280.00
10/3/2007	Milagros Zamaro Melissa Payne Elisa Gomez	\$665.00
✓ 2/22/2007	Howard Smith, MD	\$845.00

Victor H. Womack hereby adopts the above-listed costs as part of his original Affidavit of Costs, which reflects an itemization of the costs he believes were associated with the trial of this matter.



VICTOR H. WOMACK, Fla. Bar #18549
 7700 North Kendall Drive
 Dadeland Square, Suite 708
 Miami, FL 33156
 (305) 279-2130
 Attorney for Plaintiff

Page total: \$2,023.50

Sworn and subscribed to me this 15 day of July, 2021.

Laura Milian Ebbage
(Signature of Notary Public, State of Florida)



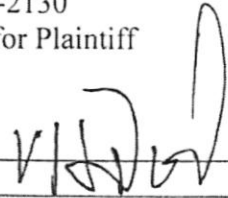
(Print Name of Notary Public)

Personally Known to me

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing was served through Florida E-Portal this **15th day of July, 2021** to: **Richard B. Mangan, Jr., Esquire**, Richard.Mangan@rissman.com, 1 N. Dale Mabry Highway, Suite 1100, Tampa, FL 33609.

VICTOR H. WOMACK, P.A.
7700 North Kendall Drive
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Miami, FL 33156
(305) 279-2130
Attorney for Plaintiff

BY: 
Victor H. Womack, F.B.N. 185491