State Court of Fulton County

E-FILED

17EV004146

10/20/2022 5:30 PM

Donald Talley, Clerk

Civil Division

IN THE STATE COURT OF FULTON COUNTY STATE OF GEORGIA

JONATHAN BUCKELEW,				
Plaintiff				
v.	CIVIL ACTION NO. 17EV004146			
MATTHEW WOMACK, MD; NORTH FULTON EMERGENCY PHYSICIANS, LLC; JAMES WALDSCHMIDT, MD; JAMES WALDSCHMIDT, MD, P.C.; PETER FUTRELL, MD; NORTH FULTON NEUROLOGY, P.C.; CHRISTOPHER NICKUM; NORTH FULTON PULMONARY SPECIALISTS, LLC; and NORTH FULTON MEDICAL CENTER, INC. d/b/a NORTH FULTON REGIONAL HOSPITAL, Defendants.	JUDGE ERIC RICHARDSON			
VERD	<u>ICT</u>			
We, the jury, return the following verdict:				
PART A – LIABILITY:				
1. Do you find by clear and convincing evidence that MATTHEW WOMACK, MD was grossly negligent, and find by a preponderance of the evidence that such gross negligence was a proximate cause of injury to Plaintiff?				
Yes	No			
If you answered "YES" to Question 1, proceed to Questions 2 through 7. If you answered "NO" to Question 1, skip Question 2 and proceed to Questions 3 through 7.				
2. Do you find that MATTHEW WOMACK, MD, at the time he provided care and treatment to Jonathan Buckelew, was as an employee and NOT an independent contractor of North Fulton Emergency Physicians, LLC?				
Yes	No			

3.	Do you find by clear and convincing evidence that JAMES WALDSCHMIDT, MD was grossly negligent, and find by a preponderance of the evidence that such gross negligence was a proximate cause of injury to Plaintiff?			
	Yes		No	
4.	negligent, and fir		ance of the evidence that	R FUTRELL, MD was grossly at such gross negligence was a
	Yes		No	
5.	5. As to CHRISTOPHER NICKUM: a) Do you find by clear and convincing evidence that CHRISTOPHER NICKUM was grossly negligent while Jonathan Buckelew was in the Emergency Department, and find by a preponderance of the evidence that such gross negligence was a proximate cause of injury to Plaintiff? 			
	Yes		No	
	negligent wh	ile Jonathan Bucl	kelew was in the Intens	HRISTOPHER NICKUM was sive Care Unit, and find by a sa proximate cause of injury to
	Yes		No	
6.	CENTER, INC.,	by and through its		NORTH FULTON MEDICAL nt, and find by a preponderance of injury to Plaintiff?
		,		91
7.	negligent, and fi		lerance of the evidence	arty MICHAEL AXT, DC was a that such negligence was a
	Yes		No	
If you answered "Yes" to any of Questions 1-7, please continue and answer all				

If you answered "Yes" to any of Questions 1-7, please continue and answer all of the remaining questions in the verdict form. If you answered "No" to all of Questions 1-7, STOP here and sign the verdict form.

PART B – DAMAGES:

we the jury a	ward Plaintiff Jonathan Buckelew				
Past Medical	Expenses in the amount of \$				
Future Medic	al Expenses in the amount of \$\\ \bar{20,000,000}\$				
Past and Future Pain and Suffering in the amount of \$					
PART C – APPORTIONMENT OF FAULT					
We find the percentages of fault as follows:					
If you checked "NO" for any Defendant(s) or non-party in Part A, you should place a "0" beside that Defendant or non-party. If you checked "YES" in Part A for any Defendant(s) or non-party, you should find a percentage for each of those Defendant(s) or non-party that you found against. The total of the percentages must equal 100%.					
60%	MATTHEW WOMACK, MD and NORTH FULTON EMERGENCY PHYSICIANS LLC.				
40%	JAMES WALDSCHMIDT, MD and JAMES WALDSCHMIDT M.D., P.C.				
	PETER FUTRELL, MD and NORTH FULTON NEUROLOGY, P.C.				
	CHRISTOPHER NICKUM and NORTH FULTON PULMONARY SPECIALISTS, LLC.				
	NORTH FULTON MEDICAL CENTER, INC.				
O	MICHAEL AXT, DC				
SO SAY WE ALL this <u>W</u> day of October, 2022.					
FOREPERSON (print name)					
	Minal				