Effective Use of Demonstrative Evidence in Brain Injury Litigation:

How to better recognize and emphasize subtleties in injuries in order to increase your cases value

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Demonstrative evidence is an investment in Traumatic Brain Injury cases:

- Know your case
- Know the science
- Know the technology available to you
- Work with experts and medical illustrators who will help you to help your audience understand & better appreciate the injuries involved
- Know what the injuries mean for your client and their family in the long term

Technology & Visuals:
Animations, 3D Models, Exhibit Boards, Films...

- What all is available to you for your case... at the point of the demand package, deposition, mediation and trial?
- How can a medical illustrator help to explain the complications involved in a TBI to a lay audience?
How Do I Keep the Jury Interested?
Most people are visual learners... It also helps to make a complicated topic more digestable by relating it to something they can understand...

Brain Cortex Functional Control

FRONTAL LOBE
- Learning & behavior (control, abstract reasoning, problem solving, judgment, planning, concentration)
- Emotion and behavioral control, personality

PARIETAL LOBE
- Making sense of the world (error recognition, attention, imagination, mathematics)

PREMOTOR AREA
- Voluntary eye movement

Primary motor Area
- Balance

Primary sensory Area
- Taste

Voluntary motor Area
- Vision

Speech production (parsing)

LANGUAGE SPOKEN SYNTAX, UNDERSTANDING SPEECH

TEMPORAL LOBE
- Hearing

Hearing Intentional area, integrates touch, auditory and visual input, emotions

Coup-Contrecoup Injury
Motion of skull is suddenly stopped by muscles, ligaments and bones of neck or by impact with solid structure

Fluid-filled space surrounding brain

Brain continues motion, impacting with skull

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Congratulations to Stephen M. Smith, Esq., of the Brain Injury Law Center in Hampton, VA, Carlton F. Bennett, Esq., of Bennett & Zydon, PC in Virginia Beach, VA, and Edward E. Scher, Esq., of the Law Office of Edward Scher in Richmond, VA, who obtained a verdict in the amount of $10,200,000.00 for a woman who sustained brain injuries in a car collision. The plaintiff was a restrained front seat passenger in a vehicle that rolled over multiple times. The case was complicated by the fact that the plaintiff had a history of previous head injury resulting from a fall in 1987, from which she had numerous neuropsychological deficits that persisted for several years. Plaintiff’s counsel successfully presented arguments that emphasized neuropsychological evaluations immediately preceding the collision, showed few significant deficits in comparison to the evaluations taken after the collision. Small brain injuries evidenced during MRIs were correlated with the trauma during the collision.

This award was the largest verdict in Norfolk Circuit Court history. Mr. Smith, Mr. Bennett, and Mr. Scher used multiple MediVisuals exhibits to help demonstrate the plaintiff’s injuries. For more information regarding MediVisuals, please call the Richmond office (Eastern U.S.), the Dallas office (Western U.S.), or our new office in Palm Beach, Florida. We also invite you to visit www.medivisuals.com for more information.
Congratulations to Stephen M. Smith, Esq. of The Brain Injury Law Center in Hampton, Virginia, and Edward E. Scher, Esq. of Richmond, Virginia, for their record verdict regarding a mild traumatic brain injury from a slip and fall. Mr. Smith and Mr. Scher obtained a $12,264,302 verdict after a 7 day trial.

Smith, who is President of the Brain Injury Association of Virginia said, “The plaintiff was living her dream by working as a Master cosmetologist and owning and managing a Day Spa and Salon with 25 employees. The defendant establishment’s negligence destroyed this dream. The plaintiff lost her independence and pride.”

Mr. Smith used multiple MediVisuals case specific illustrations as well as the MediVisuals “Soft Brain and Clear Skull” 3-D model set and MediVisuals’ “Traumatic Brain Injury Animation Sequences” to help explain how the brain injuries occurred as a result of the fall. For more information regarding MediVisuals, please call the Richmond office (Eastern region), the Dallas office (Western region) or go to www.medivisuals.com.