

COPY

IN THE CIRCUIT COURT FOR RUTHERFORD COUNTY, TENNESSEE

AT MURFREESBORO

JOEY DIDOMENICO, )  
 As surviving spouse of decedent )  
 LAURE DIDOMENICO, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 TERRY WITT, M.D., )  
 )  
 Defendant. )

CASE NO: 71897  
JURY DEMAND

Consolidated with:

JOEY DIDOMENICO, individually, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 TERRY WITT, M.D., )  
 )  
 Defendant. )

CASE NO: 72649  
JURY DEMAND

JURY VERDICT FORM

We, the Jury, unanimously answer the questions submitted by the Court as follows:

- Has Joey DiDomenico, individually and as surviving spouse of Laure DiDomenico (the Plaintiff), proven by a preponderance of the evidence that Dr. Witt violated the recognized standard of acceptable professional practice (“standard of care”) for an obstetrician/gynecologist in Murfreesboro or a similar medical community in his care of Ms. DiDomenico on July 2, 2015?

Yes       No

*If your answer to #1 is “No,” please sign the form and return it to the Judge.*

*If your answer to #1 is “Yes,” please proceed to question #2.*

2. Has Joey DiDomenico, individually and as surviving spouse of Laure DiDomenico (the Plaintiff), proven by a preponderance of the evidence that Dr. Witt's violation of the standard of acceptable professional practice ("standard of care") was the legal cause of Ms. DiDomenico's death?

  ✓   Yes                             No

*If your answer to #2 is "No," please sign the form and return it to the Judge.*

*If your answer to #2 is "Yes," please proceed to question #3.*

3. Decide the total amount of damages sustained. What amount of damages, if any, have been proven by the Plaintiff by a preponderance of the evidence:

**Economic Damages:**

[a] Laure DiDomenico Lost Earning Capacity, and value of household services	\$ <u>735,000</u>
[b] Funeral & Burial Expenses	\$ <u>5301.07</u>

**Non-Economic Damages:**

[c] Pecuniary Value of Laure DiDomenico's life (But not including loss of consortium, lost earning capacity, or value of household services)	\$ <u>75,000</u>
[d] Loss of Consortium due to death – Joey DiDomenico	\$ <u>120,000</u>
[e] Loss of Consortium due to death – Isabella DiDomenico	\$ <u>120,000</u>
[f] Loss of Consortium due to death – Joe DiDomenico	\$ <u>0</u>
[g] Loss of Spousal Consortium during life – Joey DiDomenico	\$ <u><del>25,000</del> 25,000</u>
[h] Pain and suffering – Laure DiDomenico	\$ <u>0</u>

TOTAL      \$ 1,080,301.07

*If you have answered questions #1 and #2 "Yes," and awarded damages in #3, please proceed to question #4.*

4. Has Joey DiDomenico, individually and as surviving spouse of Laure DiDomenico (the Plaintiff), proven by a preponderance of the evidence that Dr. Witt intentionally destroyed Ms. DiDomenico's sign-in sheet to wrongfully evade liability and that the destroyed sign-in sheet contained material evidence pertaining to the case?

       Yes

  ✓   No



\_\_\_\_\_  
Foreperson

Date:   12/13/18