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\$217-million

mistake

A misdiagnosis left Allan Navarro forever disabled. "Put it to 'em," his attorney told jurors. They did. PAGE 4



Ken Helle/tbt*

Allan Navarro, right, with wife Marilyn and relatives: A doctor sent Navarro home in 2000, not knowing he was having a stroke.

A \$217-MILLION MISTAKE

ER ERROR COSTS DOCTORS; \$100M IN PUNITIVE DAMAGES TO BE DONATED

By Colleen Jenkins cjenkins@tampabay.com

A misdiagnosis by emergency room doctors left Allan Navarro forever disabled.

"Put it to 'em," Navarro's attorney told jurors Tuesday.

The jury's answer: a \$100.1-million verdict.

The punitive damages award followed last week's record-breaking verdict of nearly \$117-million to Navarro for economic and pain and suffering damages.

Before hearing the verdict Tuesday afternoon, his attorneys vowed to donate all punitive damages to charities that serve people with brain and spinal-cord injuries.

"So that people will find hope in what we did today," attorney Steve Yerrid said.

Navarro's journey to the courtroom began six years ago. A former pro basketball player in the Philippines, he went to the University Community Hospital Carrollwood emergency room Aug. 9, 2000, complaining of nausea, headache, dizziness and double vision. A doctor sent him home five hours later with a painkiller prescription and a diagnosis of sinusitis.

No one realized Navarro was having a stroke. He returned the next morning and had surgery to relieve brain swelling. He was in a coma for three months and emerged totally and permanently disabled.

Before his illness, Navarro was a machine operator earning just above minimum wage. Now 50, he is confined to bed or a wheelchair.

Navarro's attorneys sued the doctors and physicians groups who provided emergency care services at the hospital. The hospital was not sued. Testimony revealed that an unlicensed physician's assistant initially examined Navarro, and the attending physician based his diagnosis on that exam.

On Monday, the physicians groups began bankruptcy proceedings in federal court. Brian Stokes, the doctors' attorney, said Carrollwood Emergency Physicians and

The tally

Compensatory damages: \$116,749,187

Past pain and suffering for Allan Navarro: \$9-million

Future medical expenses: \$15-million Future pain and suffering: \$375-million Damages to his wife, Marilyn Navarro: \$52.5-million

Damages to his son, Scottie Navarro: \$1.5-million

Punitive damages: \$100,100,000

Franklin, Favata & Hulls groups have not been in business since 2004 and have no more than \$100,000 in their bank accounts.

Yerrid said several of the doctors who once held the contract for the hospital's ER still work there under a different physicians group. Carrollwood Emergency Physicians also filed a tax return that showed it paid \$7.5-million in salaries in 2005, Yerrid said.