

**XXX v. XXXX; 2004 Jury
Verdicts LEXIS 43614**

05-2001-CA010542

January 23, 2004

Headline: Woman Claimed Chronic Pain Aggravated by Chow's Bite

Published Date: March 05, 2004

Topic: Animals - Dog Bite - Negligence

Injury: Scar And/or Disfigurement, Thigh

State: Florida

Court: Brevard County Circuit Court

Plaintiff Counsel

David J. Gorewitz

Firm Name: Law Offices of David J. Gorewitz

Address: Melbourne, FL

Plaintiff Name: (XXXXXX)

Defendant Counsel

XXXXXXXXXX

Firm Name: Terrano, Perez & Salgado

Address: Tampa, FL

Defendant Name: (XXXXXXXXI)

Judge: Bruce W. Jacobus

Case Summary

On Feb. 15, 2001, XXXXXXXXXXXX, 40 and unemployed due to disability, was getting the mail from her mailbox outside her Melbourne, Fla., home when she reached down to let her neighbors' female Chow smell her hand. A male Chow, also owned by her neighbors, charged and jumped on her, biting Ramos in the right thigh and left shin.

Ramos sued the Chow's owners, XXXXX and XXXXXI, for negligence.

The defense admitted liability, and the case proceeded on damages.

Injury Text:

Ramos sustained a disfiguring scar on her left shin. At the time of the bite, Ramos was suffering from chronic myofascial pain syndrome, and claimed that the injury aggravated the pain she was already suffering and set her back on the road to recovery. She contended that until this incident she had significantly recovered and the bite sent her into a relapse, which necessitated further medical treatment. She also claimed that she was traumatized by the incident, and is now scared of all dogs. She claimed that her fear of dogs causes her to be hesitant leaving her house. She sought damages for past and future medical costs to treat her chronic pain and damages for pain and suffering.

The defense argued that her treatment for her chronic myofascial pain syndrome did not change at all after the incident.

Trial Length

4.0 days

Jury Deliberation

2.0 hours

Jury Composition

5 female, 1 male

Jury Poll

6-0

PLAINTIFF NAME

XXXXXX

PROPERTY AWARD

\$ 197,100

Plaintiff Amounts:

(XXXXXXXXXX)

- \$20,000 Personal Injury: Past Medical Cost
- \$2,100 Personal Injury: Future Medical Cost
- \$175,000 Personal Injury: pain and suffering

Plaintiff Expert(s)

Dr. Gary H. Weiss
Address: Lake Mary, FL
Specialty: Chiropractic
Affiliation: **David Gorewitz**

Doug Weber
Address: Melbourne, FL
Specialty: Chiropractic
Affiliation: **David Gorewitz**

Gary Vigeant
Address: Melbourne, FL
Specialty: Massage Therapy
Affiliation: **David Gorewitz**

Defendant Expert(s)

Michael Cremer
Address: Orlando, FL
Specialty: Osteopathy
Affiliation: Jason Salgado

Michael Gutman
Address: Orlando, FI
Specialty: Psychiatry
Affiliation: Jason Salgado

Award: \$ 197,100

Award Details: The jury awarded \$197,100 in damages.



www.verdictsearch.com/index.jsp

Copyright 2004 ALM Media Properties, LLC.

All Rights Reserved

Further duplication without permission is prohibited

VerdictSearch

Florida Reporter