

Quantum Evaluation
HOW BIG IS THE PIE?

- I. Value Ranges
 - A. Neck Injury
 - 1. Soft Tissue
 - 2. Bulge
 - 3. Herniation
 - 4. Surgery Recommendation
 - 5. Surgery
 - 6. Multiple Surgeries
 - B. Back Injury
 - 1. Soft Tissue
 - 2. Bulge
 - 3. Herniation
 - 4. Surgery Recommendation
 - 5. Surgery
 - 6. Multiple Surgeries
 - C. Extremity Injury
 - 1. Fracture
 - 2. Sprain
 - D. Traumatic Brain Injury
 - E. Headaches
 - F. Emotional / Mental
 - 1. Depression
 - 2. Anxiety
 - G. ER visit only
- II. Applying the Facts to the Range - Who, What, Where, When, Why
 - A. Who is there?
 - 1. Judge
 - 2. Attorney
 - 3. Plaintiffs
 - B. What happened?
 - 1. Bad facts make bad law!
 - 2. Common mistake?
 - 3. Clear liability?
 - C. Where are you?
 - 1. Venue
 - 2. Jury Members
 - a. Average income
 - b. Type of work
 - 3. How do they compare to the plaintiffs?
 - a. How will they view the people there?
 - 4. Did the community react to the plaintiffs' loss?
 - D. When did this happen?
 - 1. How long ago?
 - 2. Excessive treatment because case has dragged on?

- E. Why didn't this settle before litigation?
 - 1. Causation questions?
 - a. Prior and Subsequent accidents
 - (1) Medical testimony for overlapping injury
 - (a) MRIs
 - i) bulges before, now herniations
 - (2) Clear and distinct injuries
 - (3) Different parts of the body
 - 2. Liability questions?
 - a. Law at issue
 - b. Comparative Fault
 - c. All or nothing

III. Supporting the Value

- A. High/Low - Acknowledge both ends of the spectrum
- B. Policy Limits
- C. Underinsured insured
 - 1. Insured's assets exceed policy
 - 2. Insured's assets do not exceed policy
- D. Mathematical Formula
 - 1. (Treatment Time X set value) + actual costs
 - 2. Medicals X 3