

CURRICULUM VITAE - *James R. Howell*

Born: April 7, 1958 in Fort Worth, Texas

Education: Butler County Community College
Associate of Arts
Business Administration
Summa Cum Laude
May 1982

Wichita State University
Bachelor of Arts
Business Administration/Economics
Cum Laude
May 1984

Washburn University School of Law
Juris Doctorate
Law
May 1987

Wichita State University
Master Business Administration (Candidate)

Family: Stephanie (wife)
Christian (son)
Shannon (daughter)

Professional:

Licenses: Kansas Supreme Court
United States District Court for District of Kansas
United States Tenth Circuit Court of Appeals

Memberships: Wichita Bar Association
Kansas Bar Association
American Bar Association
American Trial Lawyers Association
Kansas Trial Lawyers Association
Million Dollar Advocates Forum

Offices & Committees:

Wichita Bar Association:

Medical/Legal Practice Committee - 1999 to present (Chairman 2001-2003)
Civil Practice Committee - 1999 to present

Kansas Bar Association:

Fellow of the Kansas Bar Association

Kansas Trial Lawyers Association

Secretary (2003-2005)

Amicus Curiae Committee (Chairman 2003-present)

Journal of the Kansas Trial Lawyers Association (Chairman of the Board of Editors - 2005 to present)

Publications/Seminars:

May 2000 Wichita Bar Association
Statutory Provisions & Other Customs Relating to Settlement & Court Approval
Outline Materials - *Settlement Hearing and Approval*

May 2001 Wichita Bar Association
How to Settle a Personal Injury Case
Program Chair, Moderator, Presenter

March 2002 Wichita Bar Association
Basic Medicine for The Lawyer & Medical Records Update
Program Chair, Moderator, Presenter

May 2003 Wichita Bar Association
CSI - Wichita - Medical Forensics for the Lawyer
Program Chair, Moderator

March 2004 Kansas Bar Association
Kansas Health Institute
Presenter - *Current Trends in the Use of Expert Witnesses in Medical Malpractice*

May 2004 Wichita Bar Association
Current Damages Issue in Personal Injury & Commercial Cases
Outline Materials - *Damages in Personal Injury Cases*

May 2005 Wichita Bar Association
ABCs of Motor Vehicle Cases - Investigation to Settlement
Program Chair, Moderator, Presenter

May 2005 Wichita Bar Association
Use of Expert Witnesses in Personal Injury Cases
Program Chair, Moderator, Presenter

March 2005 Kansas Trial Lawyers Association Journal
Don't Forget - KTLA is a Friend of the Court

November 2005 Kansas Trial Lawyers Association Journal
Future Consequences of a Present Injury - Maximizing Damages

Goals and Attributes:

Mr Howell subscribes to the conviction that every case is important - no matter how severe the injury or complex the litigation. He has made it his practice to only represent plaintiffs in personal injury and wrongful death cases. His primary focus has always been to maximize awards while maintaining a sincere professional relationship with his clients. His goal is exemplified by his professional success. During his professional career, Mr. Howell has participated in the litigation of cases in the personal injury and commercial litigation arena resulting in settlements and verdicts in excess of \$19 million. These cases range from complex medical negligence cases to simple motor vehicle accidents. With meticulous attention to detail and an ever expanding network of experts, consultants and world wide information databases, Mr. Howell has consistently been able to obtain superior results for each of his clients. It has been Mr. Howell's continuing practice to maintain personalization and good communication with all his clients in an effort to maintain a successful legal practice with satisfied clients.

Experience And Primary Areas of Litigation Interest

Upon graduating from Law School, Mr. Howell joined Orlin Wagner as an associate in Wichita, Kansas and taught business law as an adjunct professor at Butler County Community College. Mr. Wagner and Mr. Howell later formed the partnership of Wagner & Howell. While a partner with Wagner & Howell, Mr. Howell practiced in the areas of probate, domestic relations, construction law, title and real estate law, oil & gas law, corporate law, commercial litigation and personal injury litigation. Upon the retirement of Orlin Wagner, Mr. Howell joined the law firm of Larry Wall & Associates. While at Larry Wall & Associates, Mr. Howell's primary practice emphasis was with personal injury litigation ranging from automobile accidents to medical malpractice. Mr. Howell left Larry Wall & Associates in 1996, to join Bradshaw, Johnson & Hund where he specialized in medical malpractice, severe personal injury and wrongful death cases. Upon the dissolution of the firm in 2004, Mr. Howell joined Prochaska, Craig, Giroux & Howell. Mr. Howell continues to specialize in cases involving medical malpractice, personal

injury and wrongful death.

Representative Cases:

Medication Error/Hospital, Nursing and Pharmacy Negligence - Medication error resulting in severe hypoxic brain damage of a newborn twin. Life care plan in excess of \$20 million. Settlement subject to confidentiality agreement.

Obstetrical Negligence - Excessive use of vacuum extraction and failure to perform a timely c-section results in severe hypoxic brain damage. Life care plan in excess of \$12 million. Settlement subject to confidentiality agreement.

Obstetrical Negligence - Failure to perform a c-section following fetal distress caused by external cephalic version causes profound hypoxic brain injury.. Life Care Plan \$20 million. Confidential Settlement.

Hospital and Nursing Negligence - Nursing negligence, under-staffing and failing to implement policy changes recommended by JCAHO involving ventilators leaves working mother of two in a persistent vegetative state. Life Care Plan \$22 Million. Confidential Settlement.

Obstetrical/Family Practice Negligence - Failure to diagnose placental abruption by medical resident, faculty supervisor and obstetrician as part of collaborative family practice program leads to profound hypoxic brain injury. Life Care Plan \$20 Million. Confidential Settlement.

Hospital/Obstetrical Negligence - Hospital closes operating rooms for cleaning, but allows admission of patients for labor and delivery. Prolapsed cord occurs, but operating rooms empty. Delay in emergency c-section causes profound hypoxic brain injury. Life Care Plan \$22 Million. Confidential Settlement.

Family Practice Negligence - Failure to diagnose and treat Wegeners Granulomatosis (rare kidney virus) leads to loss of kidneys, prolonged dialysis and kidney transplant. Care Plan in excess of \$10 million. Confidential Settlement.

Construction Accident - Negligent operation of crane and improper rigging causes permanent injury to leg and foot. Settlement - \$800,000.

Neurosurgical Negligence - Neurosurgeon removes wrong lumbar disc resulting in fusion of multiple levels. Complete recovery. Verdict of \$250,000.00.

Family Practice Negligence - Failure to diagnose and treat pulmonary embolism following gall bladder surgery results in death of working pregnant mother with three children. Settlement subject to confidentiality agreement.

Family Practice/ Emergency Medicine Negligence - Failure to diagnose sub-arachnoid hemorrhage results in quadriplegia. Settlement subject to confidentiality agreement.

Chiropractic Negligence - Chiropractor performs lumbar manipulation resulting in herniated disc and permanent disability. Settlement subject to confidentiality agreement.

Medication Error/Pharmacy Negligence - Prescription filled in error leads to toxic overdose, brain damage and death. Settlement subject to confidentiality agreement.

Psychiatric Negligence - Psychiatrist maintains sexual relationship with patient causing severe mental disability. Settlement subject to confidentiality agreement.

Psychologist Negligence - Psychologist maintains sexual relationship with patient causing further mental disability. Confidential Settlement.

Family Practice Negligence - Failure to diagnose malignant melanoma results in fatal spread of cancer and reduced life expectancy. Settlement subject to confidentiality agreement.

Surgical Negligence - Failure to diagnose and treat post-operative bleed following a colon resection leads to death. Settlement subject to confidentiality agreement.

Premises Liability - Glass shelf falls striking foot of customer resulting in tarsal tunnel and permanent disability. \$1.3 Million verdict.

Construction Accident - Unsafe operation of fork lift causes pipes to fall and strike foot of worker resulting in permanent injury to foot. Settlement for \$500,000.00.

Construction Accident - Failure to inspect reaving on crane results in collapse of boom crane, severance of workers arm and eventual death. Settlement subject to confidentiality agreement.

Nursing Home Negligence - Nursing home aide causes bi-lateral hip fractures when transferring resident from wheelchair to whirlpool bath. Hospitalization followed by death. Settlement subject to confidentiality agreement.

Premises Liability - Grocery store fails to follow protocol in produce section for the inspection of floors results in customer slipping on grape and fracturing hip. Complete recovery. Settled \$120,000.00

Trucking Negligence - Woman killed by inattentive driving by operator of wheat truck's failure to keep a proper lookout. Settled for \$400,000.00

Motor Vehicle Negligence - Man suffers herniated disc as a result of negligent driver running stop sign. Complete recovery. Settled for \$250,000.00.

Family Practice/Radiology/Physician Assistant Negligence - Failure to diagnose dissecting aortic aneurysm by physicians assistant, radiologist and family practice physician leads to death.

Confidential Settlement.

Radiology Negligence - Failure to properly interpret x-ray finding of subluxation of spinal vertebra causes cord injury and permanent paralysis. Confidential Settlement.

Surgical Negligence - Failure to diagnose and timely operate on post-operative spinal hematoma leads to permanent loss of bowel and bladder control and leg paralysis. Confidential Settlement.

Hospital Negligence - Failure to properly assess and monitor patient admitted to hospital for suicide attempt. Man hangs himself on door with t-shirt. Confidential Settlement.

Hospital/Radiology/Family Practice Negligence - Hospital's defective call light system leads to patient fall and hip fracture. Fracture missed by radiologist and family practice physician. Delay leads to avascular necrosis and hip replacement. Confidential Settlement.

Surgical Negligence - Surgeon negligently diagnosis parotid tumor as benign lymph mass. Performs simple lymphendectomy and severs seventh nerve resulting in permanent right-sided facial palsy. Confidential settlement.

Pediatric Neurology Negligence - Failure to diagnose brain cancer and treat resulting hydrocephalus in teenager leads to permanent brain injury. Confidential Settlement.