

IN THE CIRCUIT COURT OF SHELBY COUNTY, TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

NEUES DIEAMOND LEBEN CHRISTIAN
on behalf of CORDELL JASHON BIRDO, minor,

Plaintiff,

v.

UT REGIONAL ONE PHYSICIANS, INC.;
CLAUDETTE JONES SHEPHARD, M.D.; and
ROBERTO LEVI-D'ANCONA, M.D.,

Defendants.

No. CT-1389-20

Div. III

JURY DEMANDED

JURY VERDICT FORM

We, the jury, in this action unanimously find as follows and make the following answers to the questions submitted by the Court:

1. Did the Defendant, Dr. Roberto Levi-D'Ancona, act with less than or fail to act with ordinary and reasonable care in accordance with the recognized standard of acceptable professional practice for an obstetrician/gynecologist (OB/GYN) in this or a similar community before 6:00 pm on January 4, 2017?

(Burden of proof is on the Plaintiff.)

☒ Yes ☐ No

2. Did the Defendant, Dr. Claudette Shephard, act with less than or fail to act with ordinary and reasonable care in accordance with the recognized standard of acceptable professional practice for an obstetrician/gynecologist (OB/GYN) in this or a similar community before 10:00 pm on January 4, 2017?

(Burden of proof is on the Plaintiff.)

☒ Yes ☐ No



(If you answered "No" to both Question 1 and Question 2, stop here, sign the verdict form, and return to the Court.)

(If you answered "Yes" to Question 1, proceed to Question 3. If you answered "Yes" to Question 2, proceed to Question 4.)

3. Did Dr. Roberto Levi-D'Ancona's failure to act with ordinary and reasonable care in accordance with the recognized standard of acceptable professional practice result in any injury to Cordell Birdo, which would not have otherwise occurred?

(Burden of proof is on the Plaintiff.)

✓ Yes

 No

4. Did Dr. Claudette Shephard's failure to act with ordinary and reasonable care in accordance with the recognized standard of acceptable professional practice result in any injury to Cordell Birdo, which would not have otherwise occurred?

(Burden of proof is on the Plaintiff.)

✓ Yes

 No

(If you answered both Question 3 and Question 4 and the answer to both Question 3 and Question 4 is "No," stop here, sign the verdict form and return to the Court.)

(If you answered "Yes" to Question 3 or Question 4 or to both of them, proceed to Question 5.)

5. Considering all fault at 100%, what percentage of fault do you attribute to each party?

(Do not assess a percentage of fault to a party unless you answered "Yes" to Question 3 or 4 applicable to that party.)

(The percentages below must add up to 100%.)

Dr. Roberto Levi-D'Ancona (zero to 100%)

50 %

Dr. Claudette Shephard (zero to 100%)

50 %

6. Without considering the percentage of fault assigned above, decide the total amount of damages sustained by the Plaintiff. What amount of damages, if any, do you find were sustained by the Plaintiff?

(Burden of proof is on the Plaintiff.)

Economic Damages

Future medical expenses \$ 8,016,500

Loss of future earning capacity \$ 3,800,000

Non-Economic Damages

Pain and suffering \$ 7,000,000

Permanent injury \$ 10,000,000

Loss of enjoyment of life \$ 10,000,000

TOTAL \$ 38,816,500



Foreperson

4/16/2026

Date