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**Case Summary**

**Case Number:** A 9504517  
**Case Caption:** YVONNE L BROWER vs. DAVID B SCHWARTZ M D  
**Judge:** FRED J CARTOLANO  
**Filed Date:** 9/8/1995  
**Case Type:** A340 - PROF TORT- MEDICAL MALPRACTICE  
**Total Deposits:** \$ 970.00 Credit  
**Total Costs:** \$ 1584.85

**Case Options**

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**Case History**

Doc Image#	Date	Description	Amount
	11	9/10/2003 ENTRY WITHDRAWING VIDEOTAPE DEPOSITION	
		12/9/2002 CERTIFICATE OF JUDGMENT FILED IN HAMILTON COUNTY AGAINST YVONNE L BROWER ON 12/09/2002 CJ02010003	
		12/9/2002 PRECIPE FOR CERTIFICATE OF JUDGMENT FILED FOR COURT COSTS AGAINST 316.10 YVONNE L BROWER	
		11/13/2002 MONEY RECEIVED & COST PAID BY YVONNE BROWER	25.00-
		10/23/2002 REQUEST FOR RELEASE OF EVIDENCE TO PLIANTIFF	
		10/17/2002 MONEY RECEIVED & COST PAID BY DAVID & YVONNE BROWER	25.00-
		9/16/2002 MONEY RECEIVED & COST PAID BY DAVID BROWER	20.00-
		8/15/2002 MONEY RECEIVED & COST PAID BY YVONNE BROWER	15.00-
		7/30/2002 MONEY RECEIVED & COST PAID BY DAVID J. BROWER	15.00-
		6/19/2002 MONEY RECEIVED & COST PAID BY DAVID BROWER	25.00-
		5/22/2002 MONEY RECEIVED & COST PAID BY YVONNE BROWER	25.00-
		4/16/2002 MONEY RECEIVED & COST PAID BY YVONNE BROWER	25.00-
		3/18/2002 MONEY RECEIVED & COST PAID BY YVONNE BROWER	25.00-
		2/19/2002 MONEY RECEIVED & COST PAID BY YVONNE BROWER	25.00-
		1/4/2002 MONEY RECEIVED & COST PAID BY YVONNE BROWER	15.00-
		12/5/2001 MONEY RECEIVED & COST PAID BY DAVID & YVONNE BROWER	25.00-
		10/30/2001 MONEY RECEIVED & COST PAID BY DAVID & YVONNE BROWER	25.00-
		10/2/2001 MONEY RECEIVED & COST PAID BY DAVID AND YVONNE BROWER	25.00-
		8/29/2001 MONEY RECEIVED & COST PAID BY DAVID OR YVONNE BROWER	25.00-
		8/14/2001 MONEY RECEIVED & COST PAID BY YVONNE BROWER	25.00-
	92	7/24/2001 ENTRY WITHDRAWING VIDEOTAPE DEPOSITIONS	
		7/10/2001 MONEY RECEIVED & COST PAID BY YVONNE BROWER	50.00-

	6/5/2001	MONEY RECEIVED & COST PAID BY YVONNE BROWER	25.00-
	4/25/2001	MONEY RECEIVED & COST PAID BY YVONNE BROWER	25.00-
	3/27/2001	MONEY RECEIVED & COST PAID BY YVONNE BROWER	25.00-
	2/27/2001	MONEY RECEIVED & COST PAID BY YVONNE L BROWER	50.00-
	12/4/2000	ISSUE DESK - DEPOSIT BY DAVID J BROWER	25.00-
	10/24/2000	MONEY RECEIVED & COST PAID BY YVONNE BROWER	50.00-
	9/21/2000	MONEY RECEIVED & COST PAID BY DAVID & YVONNE BROWER	50.00-
	9/18/2000	*** VIDEO TAPE DEPOSITION OF DR POLZIN FILED NO. 002163 BY NOT LISTED	
	9/7/2000	MONEY RECEIVED & COST PAID BY YVONNE BROWER	50.00-
	8/4/2000	MONEY RECEIVED & COST PAID BY YVONNE BROWER	50.00-
	7/6/2000	MONEY RECEIVED & COST PAID BY YVONNE BROWER	50.00-
	5/1/2000	ENTRY OF DISMISSAL C990742 5/1/2000#6)	
	1/19/2000	COURT OF APPEALS OF HAMILTON COUNTY CASE NO. C-990742	
	11/8/1999	DOCKET STATEMENT FILED. C990742	
	10/20/1999	NOTICE OF APPEAL FILED. NO. C990742 COPY SENT TO PAMELA W POPP	
	10/1/1999	NOTICE OF APPEALABLE JUDGMENT SENT BY ORDINARY MAIL TO ALL PARTIES REQUIRED BY LAW.	
	10/1/1999	DEFENDANT'S MEMORANDUM IN OPPOSITION TO PLAINTIFF'S MOTION NOTWITHSTANDING THE VERDICT	
	9/30/1999	MOTION FOR JUDGMENT NOTWITH STANDING THE VERDICT	
182	9/30/1999	JUDGMENT ENTRY	
259	9/22/1999	JURY QUESTIONS	
258	9/22/1999	JURY QUESTIONS	
257	9/22/1999	JURY QUESTIONS	
260	9/22/1999	VERDICT FOR DEFT	
256	9/22/1999	CAUSE CONCLUDED 6TH DAY VERDICT IN FAVOR	
	9/20/1999	WITNESS LIST	
	9/20/1999	PLAINTIFF, YVONNE L. BROWER'S PROPOSED JURY INSTRUCTIONS	
259	9/17/1999	APPLICATION REQUESTING PERMISSION TO BROADCAST, TELEWISE, PHOTOGRAPH, RECORD COURTROOM PROCEEDINGS	
141	9/17/1999	CAUSE PROGRESSED 5TH DAY	
	9/17/1999	STENOGRAPHER FEES	
	9/17/1999	DEFENDANT, DAVID R. SCHWARTZ, M.D.'S , PROPOSED JURY INSTRUCTIONS	
	9/16/1999	STENOGRAPHER FEES	
118	9/16/1999	CAUSE PROGRESSED 4TH DAY	
	9/16/1999	STENOGRAPHER FEES	
117	9/16/1999	CAUSE PROGRESSED 3RD DAY	
	9/15/1999	DEFENDANTS MEMORANDUM IN OPPOSITION TO PLAINTIFFS MOTION IN LIMINE TO EXCLUDE EVIDENCE	
	9/15/1999	SUBPOENA FOR WITNESS ISSUED TO DAVID T BROWER	
	9/14/1999	SUBPOENA FOR WITNESS RETURNED AND ENDORSED DAVID BROWNER 0914 1999	
	9/14/1999	STENOGRAPHER FEES	
78	9/14/1999	CAUSE PROGRESSED 2ND DAY	
	9/14/1999	STENOGRAPHER FEES	
77	9/14/1999	CAUSE PROGRESSED 1ST DAY	
76	9/14/1999	JURY IMPANELED AND SWORN PROSPECTIVE JURORS SWORN ON VOIR DOIRE	
75	9/14/1999	ENTRY REQUESTING OFFICIAL STENOGRAPHER	

107 9/13/1999 APPLICATION REQUESTING PERMISSION TO BROADCAST TELEVISE PHOTOGRAPH, RECORD COURTROOM PROCEEDINGS

9/13/1999 STANDARD STENO DEPOSITION OF PAUL BLOUSTEIN MD FILED # 992504 BY PLAINTIFFS \*\*\*\*3CRD\*\*\*\*

9/13/1999 PLAINTIFF'S AMENDED PRE-TRIAL STATEMENT

9/13/1999 MOTION IN LIMINE TO EXCLUDE EVIDENCE

9/13/1999 NOTICE OF DISMISSAL (PARTIAL)

9/13/1999 \*\*\* VIDEO TAPE DEPOSITION OF JONATHAN C GARRISON MD FILED NO. 992538 BY NOT LISTED

9/13/1999 \*\*\* VIDEO TAPE DEPOSITION OF WILLIAM LOVETT DM FILED NO. 992522 BY NOT LISTED

9/13/1999 SUBPOENA FOR WITNESS ISSUED TO DAVID BROWER

9/10/1999 \*\*\* VIDEO TAPE DEPOSITION OF STEPHAN KRAELING MD FILED NO. 992511 BY DEFENDANT

9/10/1999 STANDARD STENO DEPOSITION OF WILLIAM J POLZIN FILED # 992516 BY NOT LISTED \*\*\*\*3CRD\*\*\*\*

9/10/1999 STANDARD STENO DEPOSITION OF YVONNE BROWER FILED # 992508 BY DEFENDANT \*\*\*\*3CRD\*\*\*\*

9/10/1999 STANDARD STENO DEPOSITION OF YVONNE BROWER FILED # 992510 BY DEFENDANT \*\*\*\*3CRD\*\*\*\*

9/10/1999 STANDARD STENO DEPOSITION OF STEPHAN KRAELING MD FILED # 992512 BY DEFENDANT \*\*\*\*3CRD\*\*\*\*

9/10/1999 \*\*\* VIDEO TAPE DEPOSITION OF ANN GELKE MD FILED NO. 992515 BY DEFENDANT

9/10/1999 STANDARD STENO DEPOSITION OF YVONNE BROWER FILED # 992509 BY DEFENDANT \*\*\*\*3CRD\*\*\*\*

186 9/10/1999 ORDER TO COMPEL TESTIMONY

182 9/10/1999 PARTIAL JUDMGENT ENTRY OF DISMISSAL

9/10/1999 STANDARD STENO DEPOSITION OF YVONNE L BROWER FILED # 992500 BY NOT LISTED \*\*\*\*3CRD\*\*\*\*

9/10/1999 STANDARD STENO DEPOSITION OF YVONNE L BROWER FILED # 992499 BY NOT LISTED \*\*\*\*3CRD\*\*\*\*

9/10/1999 STANDARD STENO DEPOSITION OF BRUCE J LANARD MD FILED # 992501 BY NOT LISTED \*\*\*\*3CRD\*\*\*\*

9/10/1999 STANDARD STENO DEPOSITION OF WILLIAM LOVETT MD FILED # 992502 BY NOT LISTED \*\*\*\*3CRD\*\*\*\*

9/9/1999 NOTICE OF FILING OF THE VIDEOTAPE AND TRANSCRIPT OF THE DEPOSITION OF BILLIE HOLLE, R.N.

9/9/1999 MOTION FOR AN ORDER TO COMPEL TESTIMONY

9/9/1999 MOTION IN LIMINE RE: ADDITIONAL EXPERT OPINION

9/9/1999 \*\*\* VIDEO TAPE DEPOSITION OF BILLIE HOLLE RN FILED NO. 992480 BY DEFENDANTS

9/9/1999 STANDARD STENO DEPOSITION OF BILLIE HOLLE RN FILED # 992481 BY NOT LISTED \*\*\*\*3CRD\*\*\*\*

9/8/1999 PLAINTIFFS' PRE-TRIAL STATEMENT

9/8/1999 NOTICE OF ADDITIONAL EXPERT OPINION

9/3/1999 PRE TRIAL STATEMENT OF DEFENDANT THE JEWISH HOSPITAL

9/3/1999 STANDARD STENO DEPOSITION OF BETTY J EDWARDS MD FILED # 992450 BY DEFENDANT \*\*\*\*3CRD\*\*\*\*

9/3/1999 NOTICE TO TAKE VIDEO DEPOSITION OF WILLIAM LOVETT, M.D. FOR TRIAL PURPOSES

9/3/1999 NOTICE OF FILING OF DEPOSITION OF BETTY J. EDWARDS, M.D.

9/2/1999 PRETRIAL STATEMENT OF DEFENDANT, DAVID B. SCHWARTZ, M.D.

9/1/1999 NOTICE OF FILING OF VIDEOTAPE DEPOSITION OF JOSEPH SCLAFANI, M.D.

9/1/1999 \*\*\* VIDEO TAPE DEPOSITION OF JOSEPH F SCLAFANI MD FILED NO. 992421 BY DEFENDANT \*\*\*\*3CRD\*\*\*\*

8/30/1999 \*\*\* VIDEO TAPE DEPOSITION OF DR JOSEPH F SCLAFANI FILED NO. 992399 BY DEFENDANTS \*\*\*FILED UNDER SEAL\*\*\*

8/10/1999 SUBPOENA FOR WITNESS RETURNED AND ENDORSED WILLIAM POLZIN MD 08 10 99

174 8/9/1999 ORDER APPOINTING SPECIAL PROCESS SERVER

8/9/1999 NOTICE TO TAKE VIDEO DEPOSITION DUCES TECUM OF WILLIAM POLZIN, M.D.

8/6/1999 NOTICE OF SCHEDULING OF EXPERT WITNESSES

8/5/1999 NOTICE TO TAKE THE DEPOSITION OF JOSEPH SCLAFANI, M.D.

8/3/1999 AMENDED NOTICE OF DEPOSITION DUCES TECUM

7/29/1999 NOTICE TO TAKE VIDEO DEPOSITION FOR TRIAL PURPOSES

7/27/1999 NOTICE OF DEPOSITION DUCES TECUM

7/26/1999 NOTICE TO TAKE VIDEO DEPOSITION

7/26/1999 NOTICE TO TAKE DEPOSITION(S) VIDEO

7/16/1999 NOTICE OF DEPOSITION DUCES TECUM

7/1/1999 MOTION TO EXTEND TIME TO FILE A MOTION A MOTION FOR SUMMARY JUDGEMENT AND/OR IN THE ALTERNATIVE, MOTION TO EXCLUDE PLAINTIFF'S EXPERT WITNESS, BETTY EDWARDS, M.D.

2/5/1999 PLAINTIFF'S IDENTIFICATION OF EXPERT WITNESSES

12/31/1998 SUBPOENA FOR WITNESS RETURNED AND ENDORSED DAVID BROWER 12-24-98

12/24/1998 SUBPOENA FOR WITNESS ISSUED TO DAVID BROWER

12/8/1998 SUBPOENA FOR WITNESS RETURNED AND ENDORSED DAVID BROWER 12/04/98

118 12/4/1998 ORDER APPOINTING SPECIAL PROCESS SERVER

12/4/1998 SUBPOENA FOR WITNESS ISSUED TO DAVID BROWER

7/16/1998 NOTIFICATION FORM FILED.

157 4/30/1998 ENTRY ENTRY OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL PECK FOR CALDERHEAD

4/29/1998 NOTICE OF STAY

4/29/1998 NOTIFICATION FORM FILED.

4/7/1998 MOTION TO WITHDRAW AS COUNSEL

3/12/1998 NOTICE EXTENDING STAY

2/12/1998 PLTF'S IDENTIFICATION OF ADDITIONAL EXPERT WITNESS

1/28/1998 NOTIFICATION FORM FILED.

1/16/1998 MOTION TO VACATE TRIAL DATE AND AMEND CASE MANAGEMENT ORDER

12/17/1997 NOTICE OF REHABILITATION MANDATING STAY

10/16/1997 NOTICE OF DEPOSITION DUCES TECUM

10/16/1997 NOTICE OF DEPOSITION DUCES TECUM

10/1/1997 NOTICE OF SUBSTITUTION OF COUNSEL RAPP FOR PAYNE & CONDIT

4/23/1997 NOTICE OF SERVICE

1/31/1997 NOTICE OF SERVICE

1/21/1997 MOTION TO VACATE AND RESCHEDULE TRIAL DATE

1/17/1997 NOTICE OF DEPOSITION DUCES TECUM

1/9/1997 NOTICE OF DEPOSITION DUCES TECUM

1/9/1997 NOTICE OF DEPOSITION DUCES TECUM

1/9/1997 NOTICE OF SERVICE

12/5/1996 DEFTS AMENDED IDENTIFICATION OF EXPERT WITNESSES

12/2/1996 DEFENDANT'S IDENTIFICATION OF EXPERT WITNESSES

10/31/1996 NOTICE OF SERVICE

8/29/1996 NOTICE OF SUBSTITUTION OF COUNSEL COMBS FOR GOLDBERG

8/27/1996 NOTICE OF SUBMISSION OF DEFENDANT'S ANSWERS TO PLAINTIFF'S FIRST SET OF INTERROGATORIES

8/5/1996 NOTICE OF DEPOSITION

0017 7/31/1996 ENTRY GRANTING MOTION OF DEFENDANTS TO COMPEL PRODUCTION OF AUDIOTAPE(S)

7/1/1996 REPLY MEMORANDUM OF DEFTS THE JEWISH HOSPITAL OF CINCINNATI, INC. AND KIMBERLY BYRNE R.N. TO PLTF'S MEMORANDUM OF LAW IN OPPOSITION TO DEFTS MOTION TO COMPEL PRODUCTION OF AUDIOTAPES SUMMARY JUDGMENT

6/28/1996 MOTION IN SUPPORT OF DEFT JEWISH HOSPITAL'S MOTION TO COMPEL AUDIO TAPES AND/OR STATEMENTS FOR INSPECTION

6/27/1996 PLTF YVONNE L. BROWER'S MOTION FOR A PROTECTIVE ORDER

6/25/1996 MOTION TO COMPEL PRODUCTION OF AUDIOTAPES &/OR STATEMENTS FOR INSPECTION & COPYING PURSUANT TO RULES 26 (B)(3) & 34(A)

6/25/1996 NOTICE OF SERVICE OF PLTF'S AMENDED RESPONSES TO FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS PROPOUNDED BY DEFTS THE JEWISH HOSPITAL AND KIMBERLY BURN RN

6/25/1996 MOTION FOR ATTORNEY FEES AND EXPENSES WITH SUPPORTING MEMORANDUM; MEMORANDUM IN OPPOSITION TO MOTION FOR ORDER COMPELLING ANSWERS TO INTERROGATORIES AND FOR ATTORNEY FEES FILED BY DEFTS THE JEWISH HOSPITAL OF CINCINNATI AND KIMBERLY BYRNE

6/12/1996 MOTION FOR ORDER COMPELLING ANSWERS TO INTERROGATORIES AND FOR ATTORNEY'S FEES

5/1/1996 REPLY MEMORANDUM OF DEFTS THE JEWISH HOSP OF CINTI INC AND KIMBERLY BYRNE RN TO MEMORANDUM OF PLTF IN OPPOSITION TO ORIGINAL MOTION OF THE JEWISH HOSP OF CINTI INC & KIMBERLY BYRNE RN FOR SUMMARY JUDGMENT

4/29/1996 PLTF'S SUPPLEMENTAL MEMORANDUM OF LAW IN OPPOSITION TO THE MOTION FOR SUMMARY JUDGMENT OF DEFTS JEWISH HOSPITAL OF CINCINNATI, INC., & KIMBERLY BYRNE, R.N.

2/5/1996 REPLY MEMORANDUM OF DEFTS THE JEWISH HOSP OF CINTI INC AND KIMBERLY BYRNE R N

2/2/1996 PLTF'S MOTION FOR CONTINUANCE

2/2/1996 PLTF'S MEMO. OF LAW IN OPPOSITION TO THE MOTION FOR SUMMARY JUDGMENT OF DEFTS JEWISH HOSP. OF CINTI. INC. AND KIMBERLY BYRNE R.N. \*\*AFFIDAVITS OF THOMAS W. CONDIT, ESQUIRE AND YVONNE L. BROWER ATTACHED

1/17/1996 NOTICE OF APPEARANCE OF COUNSEL

1/16/1996 MOTION OF DEFTS THE JEWISH HOSPITAL OF CINTI. INC. AND K. BYRNE RN FOR SUMMARY JUDGMENT

1/16/1996 AFFIDAVIT OF KIMBERLY BYRNE R.N.

1/4/1996 PLTF'S ANSWERS TO FIRST SET OF INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS PROPOUNDED BY DEFTS THE JEWISH HOSPITAL AND KIMBERLY BYRNE RN

1/3/1996 PLTF'S RESPONSES TO REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS PROPOUNDED ON BEHALF OF DEFTS DAVID B SCHWARTZ MD AND GYNECOLOGIC AND OBSTETRIC CONSULTANTS OF GREATER CINTI INC

12/11/1995 PLTF'S ANSWER TO INTERROGATORIES PROPOUNDED ON BEHALF OF DEFTS DAVID B SCHWARTZ M.D. AND GYNECOLOGIC AND OBSTETRIC CONSULTANTS OF GREATER CINTI. INC.

0066 12/7/1995 ENTRY OF RE-ASSIGNMENT

10/25/1995 ANSWER OF DEFTS, THE JEWISH HOSPITAL OF CINTI., INC. AND KIMBERLY BYRNE, R.N. TO COMPLAINT AND JURY DEMAND

10/10/1995 ANSWER OF DEFT COMMUNITY INSURANCE CO

10/5/1995 ANSWER ON BEHALF OF DEFTS DAVID B. SCHWARTZ, M.D. AND GYNECOLOGIC & OBSTETRIC CONSULTANTS OF GREATER CINTI. INC. WITH JURY DEMAND \*\*\*DOCKETED TWICE IN ERROR\*\*\*

10/5/1995 NOTICE OF SUBMISSION

10/5/1995 ANSWER ON BEHALF OF DEFTS DAVID B. SCHWARTZ, M.D. AND GYNECOLOGIC & OBSTETRIC CONSULTANTS OF GREATER CINTI. INC. WITH JURY DEMAND

9/28/1995

POSTAL RECEIPT RETURNED, COPY OF SUMMONS AND COMPLAINT DELIVERED TO JEWISH HOSPITAL OF CINCINNATI ON 09/26/95, FILED

9/22/1995 SUMMONS ISSUED BY CERTIFIED MAIL TO JEWISH HOSPITAL OF CINCINNATI INC

9/22/1995 WRITTEN REQUEST FOR CERTIFIED MAIL SERVICE OF SUMMONS AND COMPLAINT ON JEWISH HOSPITAL OF CINCINNATI INC

9/22/1995 ISSUE DESK - POSTAGE DEP. BY Y BROWER/POSTAGE 5.00-

9/21/1995 NOTICE TO NON-ATTORNEY AND/OR PRO SE AS TO UNDELIVERED SERVICE ON K BYRNE RN

9/19/1995 NOTICE TO NON-ATTORNEY AND/OR PRO SE AS TO UNDELIVERED SERVICE ON JEWISH HOSPITAL OF CINCINNATI INC

9/18/1995 POSTAL RECEIPT RETURNED, COPY OF SUMMONS AND COMPLAINT DELIVERED TO DAVID B SCHWARTZ M D ON 09/14/95, FILED

9/18/1995 POSTAL RECEIPT RETURNED, COPY OF SUMMONS AND COMPLAINT DELIVERED TO JEWISH HOSPITAL OF CINCINNATI ON 09/14/95, FILED

9/18/1995 POSTAL RECEIPT RETURNED, COPY OF SUMMONS AND COMPLAINT DELIVERED TO COMMUNITY MUTUAL INSURANCE CO ON 09/14/95, FILED

9/18/1995 POSTAL RECEIPT RETURNED, COPY OF SUMMONS AND COMPLAINT DELIVERED TO GYNECOLOGIC AND OBSTETRIC CONSULTANTS OF GREATER CINCINNON 09/14/95, FILED

9/18/1995 POSTAL RECEIPT RETURNED, COPY OF SUMMONS AND COMPLAINT DELIVERED TO K BYRNE RN ON 09/14/95, FILED

9/8/1995 INITIAL CASE DEPOSIT PAID BY YVONNE L BROWER 150.00-

9/8/1995 COMPLAINT FILED

9/8/1995 SUMMONS ISSUED BY CERTIFIED MAIL TO DAVID B SCHWARTZ M D

9/8/1995 SUMMONS ISSUED BY CERTIFIED MAIL TO GYNECOLOGIC AND OBSTETRIC CONSULTANTS OF GREATER CINCINNATI

9/8/1995 SUMMONS ISSUED BY CERTIFIED MAIL TO JEWISH HOSPITAL OF CINCINNATI INC

9/8/1995 SUMMONS ISSUED BY CERTIFIED MAIL TO COMMUNITY MUTUAL INSURANCE CO

9/8/1995 SUMMONS ISSUED BY CERTIFIED MAIL TO K BYRNE RN

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