

**JURY VERDICT AND SETTLEMENT REPORTING FORM**

THIS CASE RESULTED IN: Plaintiff awarded policy limits of home owner’s insurance policy.

PLAINTIFF(S): Jean Paige and David Paige on behalf of their minor child, Adam Paige  
DEFENDANT(S): Bernadette and Todd Swann  
CASE NO: 315460-V COUNTY: Montgomery STATE: Maryland  
JUDGE: None COURT: Circuit

**VERDICT/SETTLEMENT:**

TYPE OF CASE: Dog bite  
DATE OF RESULT: MEDIATION RESULT, IF ANY: N/A  
GROSS AMOUNT OF VERDICT/SETTLEMENT: \$300,000.00  
NET VERDICT: \$300,000.00  
COMPARATIVE NEGLIGENCE PERCENTAGES:  
VERDICT BREAKDOWN:  
Pain & Suffering: N/A Punitive Damages: N/A  
Past Medical: N/A Property Damages: N/A  
Past Wage Loss: N/A Interest: N/A  
Future Medical: Unknown Other Damages:  
Attorney’s fees awarded? No Case on appeal? No  
To whom and how much? N/A Is case closed? Yes

**ATTORNEYS:**

Name(s) & City of Trial Counsel for Plaintiff(s): Steven VanGrack, Rockville

Name(s) & City of Trial Counsel for Plaintiff(s): Clifford Robinson, Towson

**INJURIES & TREATMENT:**

Describe injuries and treatment:

As a result of a vicious dog attack, Adam Paige’s face was torn open extending from the left to right side, including the left portion of his lip. On the left side of his face, there was a 7-cm laceration extending into another 5-cm laceration with lacerations on the right side of his face. The left lower lip laceration was full-thickness through and through. Adam Paige was taken by ambulance to the emergency room at The Johns Hopkins Hospital in Baltimore, Maryland, where he was treated for the injuries.

Adam Paige received follow-up treatment from Drs. Tang Ho, Michael Boyajian, Gregory Dick, and Lee Haller. Dr. Ho was the primary treating physician, specializing in otolaryngology at Johns Hopkins University, Dr. Boyajian is a specialist in plastic surgery at Children’s National Medical Center, Dr. Dick is a specialist in facial plastic surgery, and Dr. Haller specializes in child and adolescent psychiatry.

Can these injuries be accurately described as soft tissue injuries? No

Were bone fractures involved? No

If bones were fractured, please identify by name: N/A

Which bones, if any, were set (reduced) by surgery? N/A

If back was injured, did surgery result? N/A

Give location of any permanent scarring, if any: Face

Describe any permanent motion limitations or disabilities: None

Past medicals claimed: \$

Past wage loss claimed: N/A

Future medicals claimed: \$

Future wage loss claimed: None

### **DESCRIPTION OF CASE:**

Describe facts of case:

On July 24, 2008, Adam Paige, 8 years old, and his brothers, Michael Paige, 8 years old and the identical twin to Adam, and Joseph Paige, 12 years old, were at the home of Todd Swann and Bernadette Swann, to play in the Swann's backyard swimming pool. At the time of the incident, the Swann's owned a 2 year old, non-neutered, Pit Bull dog known as "Hooch." While the children were playing, suddenly and without warning, Hooch attacked Adam Paige, taking his face in his mouth. Adam Paige was taken by ambulance to the emergency room at The Johns Hopkins Hospital in Baltimore, Maryland, where he was treated for the injuries he sustained from Hooch's attack. As a result of the vicious attack, Adam Paige's face was torn open extending from the left to right side, including the left portion of his lip. On the left side of his face, there was a 7-cm laceration extending into another 5-cm laceration with lacerations on the right side of his face. The left lower lip laceration was full-thickness through and through.

Todd Swann and Bernadette Swann owed a duty to Adam Paige to exercise reasonable care in the handling of their dog and to ensure that the dog would not harm others. They breached their duty to Adam Paige and were unreasonable, careless and negligent in the handling of their dog Hooch by the failing to keep Hooch under control and to pay careful and reasonable attention to conditions triggering Hooch's aggressive behavior.

Liability was clearly established when Joseph Paige revealed that he had been at the Swann's home prior to the incident of July 24, 2008 and that Hooch had had his mouth over Joseph's hand. While the bite did not break the skin, red marks were visible where the dog clenched Joseph's hand in his mouth. Joseph was told not to tell anyone that Hooch had his mouth around Joseph's hand.

During an investigation into Hooch's past, it was discovered that he was not registered with the Baltimore County Department of Health, Animal Control Division. Further, the Swann's were aware of Hooch's propensity for harm and displayed "Beware of Dog" signs on their property.

The vicious dog bite of July 24, 2008 has left Adam with tremendous physical and psychological scarring. As an identical twin, Adam and his brother Michael loved to “fool” their teachers and friends into thinking that they were the other twin. However, following the attack, Adam Paige was left with massive facial scarring. People stare at him and asked “What happened to your face?” Adam told his mother that he was “too ugly to look at.” Like most boys, Adam loved to play soccer and baseball. However, his coaches are afraid to play him in games and Adam fears that he will be hit in the face.

The insurance policy limits were \$300,000.00.

**EXPERT WITNESSES:**

Raquel Teitel, Ph.D., Psychologist, Silver Spring, Maryland (Plaintiff)  
Lee H. Haller, M.D., Pediatric Psychologist, Potomac, Maryland (Plaintiff)  
Tang Ho, M.D., Surgeon, Baltimore, Maryland (Plaintiff)  
Gregory O. Dick, M.D., Plastic Surgeon, Rockville, Maryland (Plaintiff)  
Michael Boyajian, M.D., Plastic Surgeon, Rockville, Maryland (Plaintiff)

**OTHER DATA:**

Plaintiff 1:    Age: 8                    Sex: M

Defendant’s Primary Insurance Carrier:    State Farm Fire and Casualty Company

Information provided by:    Steven VanGrack                    Date: November 30, 2009  
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√        We would like to receive a complimentary copy of our published versions of this case.