

1 res ipsa. It's not because, well, there was an injury  
2 involving bleeding near the brain that therefore is great  
3 bodily injury.

4 I can't make that finding, even at a probable cause  
5 hearing, unless you tell me, "Hey, there's -- there was an  
6 injury to the brain" or that there was some sort of brain  
7 trauma or something of that nature where the brain actually was  
8 injured. I don't have that.

9 In fact, it's quite the exact opposite here as I'm  
10 looking at this. His vitals -- his discharge vitals look  
11 normal, including his temperature, his heart rate. I mean,  
12 some of these are vital signs that I think -- he's a  
13 62-year-old man, and these are vital signs that many people  
14 would aspire to have at half of his age.

15 The diagnosis that you gave me was "intraventricular  
16 hemorrhage; motor vehicle crash, minor. The motorcycle rider  
17 injured in traffic accident, neck pain." That's it. And  
18 there's -- this is your medications list. There's no  
19 indication that he was even prescribed any medication.

20 And then I don't have him missing time of work, that  
21 he was disabled and missed work. I consider those. Those are  
22 factors that I look at all the time, somebody missed work or  
23 they were laid up, just even because of the physical pain that  
24 they had to endure. I don't have that information or anything  
25 of that nature that somebody was missing time.

26 I don't have any indication that there was any type of  
27 medical intervention to him, any type of procedure whatsoever  
28 by any of the doctors, and he had full consulting physicians.