

# Case Study

Disability & Employment Report #348

## ***DANCE INSTRUCTOR AND LICENSED FACIALIST FACES PROBABLE UNEMPLOYABILITY AFTER AMPUTATION***

**NATURE OF CASE:** Personal injury litigation resulting from a pedestrian versus motor vehicle accident.

**OUTCOME:** Trial verdict: \$7,858,499.

**ATTORNEY:** Michael Alder (lead) of Alder Law, P.C., Beverly Hills, CA, (310) 275-913,  
Ronald Beck of Perona, Langer, Beck & Serbin, APC, Long Beach, CA, (714) 426-6155,  
represented the plaintiff.

**VOCATIONAL EXPERT:** Richard H. Andersen, M.S., C.V.E., C.R.C., C.D.M.S., of VECTOR, Inc.  
Tamorah Hunt of Formuzis, Pickersgill & Hunt, Inc., (714) 542-8853, served as the economist.

**ATTORNEY COMMENT:** “Dick Andersen was able to tell the story of my client’s injuries and how they dramatically affected her future employability in a simple, credible and effective way. His testimony was essential to quantifying my client’s future loss of earnings. He’s simply the best in his field.”

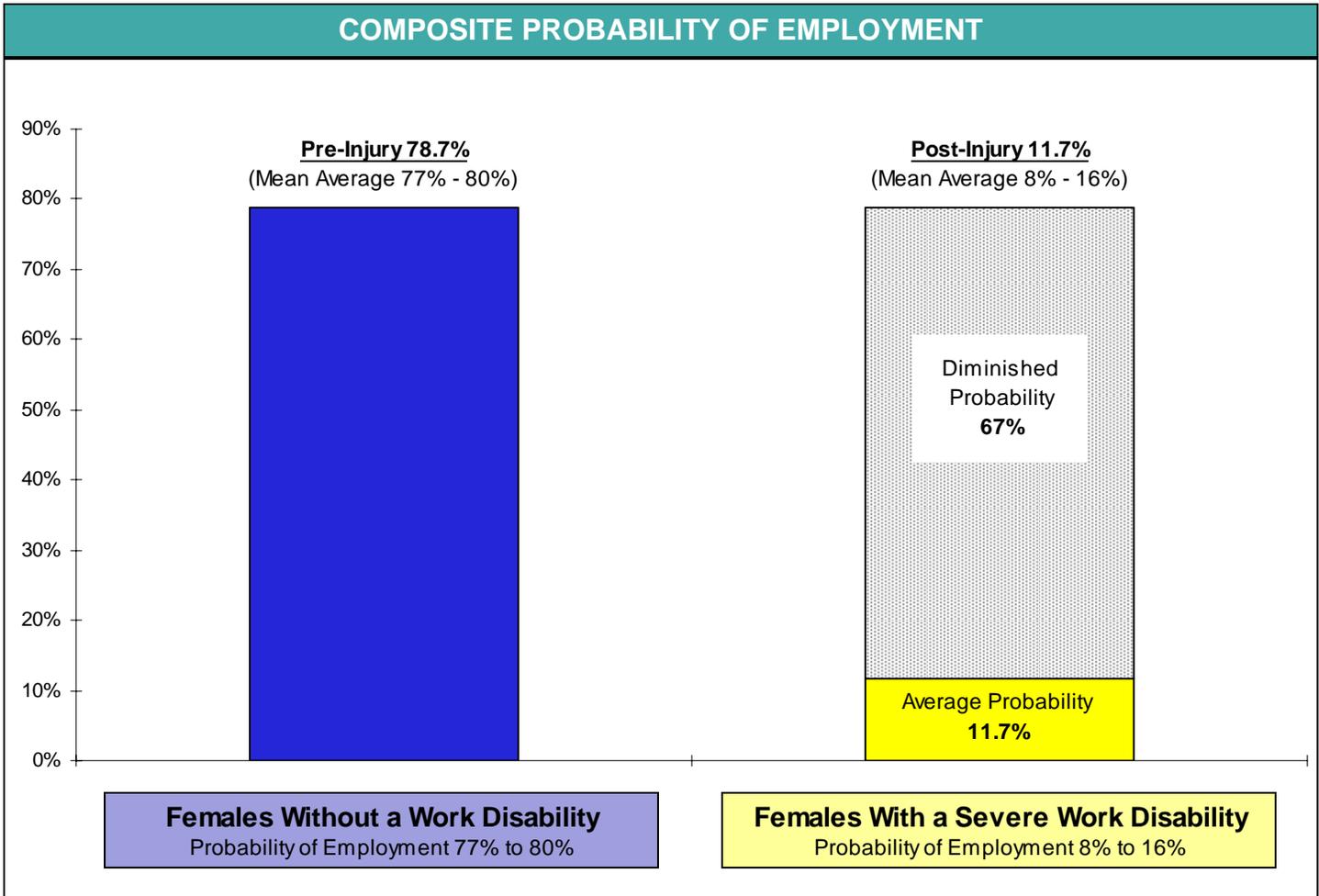
**CASE BACKGROUND:** Plaintiff, a 40 year old female who recently received a license to work as a Facialist, was struck by a car in a parking lot. She suffered severe foot and leg injuries, resulting in a right above-the-knee amputation. She continued to experience chronic, constant pain in her right stump, low back, left thigh, left knee, and left shoulder, as well as radiating pain from the top of her left leg to her left ankle, and phantom pain in her right ankle, right knee, and right calf.

**FOCUS ISSUE:** Andersen interviewed Plaintiff regarding her work history. Not only had the plaintiff recently completed a 600-hour training program to qualify her for work as a Facialist, but she had an extensive dancing background. In her native country of China, Plaintiff worked as a touring Classical and Traditional Folk Dancer from the age of 16 to 32. She then worked as a Dance Instructor for approximately 5 years. Andersen determined Plaintiff had the potential to work as a Facialist or Dance Instructor on a pre-incident basis. Due to her chronic, constant pain and right above-the-knee amputation, she was clearly not able to perform either job after subject incident.

**TESTIMONY:** At the trial, Andersen outlined how the physical requirements of the work of Facialists and Dance Instructors exceeded Plaintiff’s post-incident restrictions to sedentary work. Vocational tests administered at VECTOR in 2007 and 2008 further revealed Plaintiff’s low level of functioning. During both years, Andersen testified, the plaintiff was found to be functionally illiterate, performing below a 4.9 grade level in reading (words and comprehension), arithmetic, and spelling. In 2008, her general learning ability was placed at the below average level. Andersen opined Plaintiff would more than likely remain unemployable. Her probability of employment dropped

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significantly from 78.7% pre-incident to 11.7% post-incident (see graph). If employable, Plaintiff could maximize her vocational potential by obtaining an associate's degree in business management. This would allow her to secure part-time work in a sedentary job, such as Bookkeeper. If Plaintiff was unable to enter an associate's degree program, however, she would likely be relegated to part-time semi-skilled/unskilled work.



Source: *Current Population Survey, March 2007*  
U.S. Census Bureau

**ABOUT RICHARD ANDERSEN:** Richard Andersen holds national certifications as a Rehabilitation Counselor, Vocational Evaluator and Disability Management Specialist, with 40 years experience in vocational rehabilitation. He has also testified in Superior Court in 10 California counties. VECTOR, Inc. specializes in vocational rehabilitation counseling, disability research and forensic rehabilitation services, including vocational expert testimony on **personal injury, medical malpractice, wrongful death, wrongful termination, and harassment matters**. The firm, founded in 1975, serves both plaintiff and defense attorneys, providing the link between the physician and the economist to precisely determine damages.

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