

Kaul v Christie, et als

Settlement terms

1. Monetary compensation

(90% of all monies will be donated to The Spine Africa Project to implement healthcare and educational programs equally between the US + Africa + India)

1. Clinical services

a. US = \$ 28,171,028.828568999213 trillion

b. Africa + India + Colombia = \$22,406.70 billion

2. Educational services:

a. Global = \$1.45 billion

3. Intellectual property

a. Global = \$11,000 billion

~~Total = \$152,240.39 billion~~ \$ 28,171,062.239,418,999,213. P.L.

2. Reformation of the New Jersey Board of Medical Examiners (NJBME)

The current process of political appointment must be replaced by one in which Medical Board members are elected by New Jersey physicians. This will minimize the influence that the New Jersey insurance industry has on both policymaking and decisions taken by the NJBME. This changes will ensure that corporate interests are gradually removed from the public health arena, which will lead to a lowering of healthcare costs and a de-politicization of New Jersey medicine. The elections should occur every four years and could use the current electoral machinery.

3. Reformation of the financing of New Jersey political campaigns

The corrupting influence of money must be removed from the political process. To commence this change legislation must be enacted that prohibits corporations or private entities from giving money/gifts/commercial promises to candidates seeking the office of the governor. This position must be won on the strength of arguments alone and a system of public debates commencing six months before the election will allow the electorate to choose the most qualified candidate. The debate system will be funded from tax revenues.

4. Development and implementation of educational standards for Minimally Invasive Spine Surgery (MISS)

Under the auspices of The Society for Advanced Spinal Intervention (SASI) defendant NJBME will collaborate to develop a standard for the educational requirements necessary to perform cervical, thoracic and lumbar minimally invasive spine surgery and which must include all forms of minimally invasive discectomy and fusion. The standard will provide the foundation on which a multi-disciplinary fellowship can be developed. This will educate post-graduate physicians from the

disciplines of orthopedics, neurosurgery, interventional pain and physiatry and establish a globally accepted training standard.

5. Public apology

1. A public apology, signed by defendants Christie, Heary and Przybylski to Dr. Kaul's patients in the US and Africa whose lives were negatively impacted by the defendants wrongful acts. The apology must be published on the following media platforms:

- a. The New York Times- print + digital
- b. The New Jersey Star Ledger- print + digital
- c. The Bergen Record- print + digital
- d. The London Guardian- print + digital
- e. The Sydney Morning Herald- print + digital
- f. The Times of India- print + digital
- g. The New York Post- print + digital
- h. The BBC- digital
- i. The LA Times- print + digital

2. A separate public apology to Dr.Kaul's children whose lives were harmed as a consequence of the defendants wrongful acts. The apology must be published on the media platforms listed above and nine weeks after the apology described in 1.

The apologies must be approved by Dr. Kaul prior to publication.

6. Reinstatement of unrestricted plenary medical license

Notice of the reinstatement must be communicated via e-mail and registered mail to the following bodies.

1. The General Medical Council of the United Kingdom
2. The Federation of State Medical Boards
3. The medical licensing boards for every state in the US union.
4. The Indian Medical Council.
5. The Medical Licensing Authority of the UAE.
6. The Nigerian Medical Council.

The notices must be completed within 9 weeks of the reinstatement and proof of service provided to Dr.Kaul.

Economic damages for the United StatesClinical services

The calculations and data used to establish the monetary damages for each of the 50 states are described below. Dr. Kaul intended to replicate the NJSR outpatient model across the United States and internationally. The US expansion intended to open clinics in nine states every year commencing in 2013. His reputation, upon which he had built his business, was destroyed by the defendants media and internet strategy. This materially harmed his existing interests and has prevented him from developing the NJSR model in both the US and international markets. The damage caused to his reputation is irreparable, because Google will continue to indefinitely report the negative press caused by the defendants wrongful actions.

Dr. Kaul was 47 in April 2012 when defendant NJBME suspended his license. Based upon the life expectancy of an individual born in 1964 and raised in Western society he will live to 94 or 2059.

All monetary amounts are reported in millions.

1. New Jersey

**\$2,817,066,784,197,069.18729575424
(2012-2059)**

In 2003 Dr. Kaul's gross personal income was \$0.79 million and in the month of April 2012 his corporations collected \$1.2 million. The professional, facility and anesthetic fees generated for the period from March 2011-April 2012 were \$52 million. The corporations had demonstrated a 60% collection rate over a period of 9 years. Using the actual \$1.2 million collected in April with an expected 60% of the \$52 million fees generated the following calculation was estimate the amount of money that would have been collected in 2012 if the defendants had not committed their wrongful acts:

$$\$52,000,000 \times 60\% = \$31,200,000(a)$$

$\$1,200,000 \times 12 = \$14,400,000(b)$ which aggregates the monthly collections prior to April and takes the conservative position that the monthly next 8 months of 2012 would only have been \$1.2 million/month

A slightly greater weight (60%) is given to (a) as it's derivation is closer to an actual number. The weighted average of (a) and (b) = **\$20,520,000**

The factor by which the gross annual receipts had increased from 2003 to 2012 is calculated as below:

2003- \$790,000
2012-\$20,520,000

$$20,520,000 \text{ divided by } 790,000 = 25.94$$

25.94 is the 9 year index of revenue growth and is the number used to calculate the gross annual receipts to 2059.

2012-2021: $20,520,000 \times 25.94 = 532,228,800$
2021-2030: $532,228,800 \times 25.94 = 13,807,571,472$
2030-2039: $13,807,571,472 \times 25.94 = 358,168,403,983.68$

2039-2048: $358,168,403,983.68 \times 25.94 = 9290888399336.6592$
 2048-2057: $9290888399336.6592 \times 25.94 = 241005645078792.939648$
 2057-2059: 2 years equates to a multiplication factor of 1.16888. Therefore $1.16888 \times 241005645078792.939648 = 2,817,066,784,197,069.18729575424$

2. Alabama + Alaska + Arkansas + California + Colorado + Connecticut, Delaware + Florida + Georgia
\$ 15,965,236,454.22
(2013-2059)
Table 1.

The calculations commence in 2013 and use \$3.9 million as the starting point of annual revenue generation. This number is the amount Dr. Kaul' corporations generated in 2003 at a point when his reputation was significantly weaker than the level it had reached at the end of March 2012. Had the defendants acts not occurred then it is reasonable to conclude that based on his reputation the NJSR stateside expansion would have generated at least \$3.9 million after its first year of business. The multiplication by 5.26 is used to calculate the amount to 2058 with the 2059 value derived by factoring (multiplication and then addition) the relative value of one year's worth of 5.26 of the value calculated for 2058. The same technique has been used to calculate the amounts for all other states as below.

3. Hawaii + Indiana + Illinois + Iowa + Kansas + Kentucky + Louisiana + Maine + Maryland
\$ 19,248,221,135.00
(2014-2059)
Table 2.

4. Massachusetts + Minnesota + Michigan + Missouri + Montana + Nebraska + New Hampshire + New Mexico + Montana
\$ 742,028,019.48
(2015-2059)
Table 3.

5. Nevada + New York + North Carolina + North Dakota + Ohio + Oklahoma + Oregon + Pennsylvania + Rhode Island
\$ 64,931,491.08
(2016-2059)
Table 4

6. South Carolina + South Dakota + Tennessee + Texas + Utah + Vermont + Virginia + Washington + West Virginia
\$ 57,623,881.554
(2017-2059)
Table 5

7. Wisconsin + Wyoming + Indiana + Arizona
\$ 20,618,849.40
(2018-2059)
Table 6

The total monetary damage sustained for US clinical services for the period 2012-2059 is:

\$ 2,817,102,882,856,899.92129575424 million divided by 1,000,000,000

=

\$ 28,171,028.828568999213 trillion