

June 19, 2006

## **FOUR YEAR DELAY AND NO KIDNEY - TRANSPLANT KAISER PATIENT SEEKS PUNITIVE DAMAGES BASED ON MISGUIDED KAISER KIDNEY PROGRAM**

Sacramento, Calif.—“I need a kidney, I need help and I can't wait any longer,” said a frustrated Kaiser kidney patient Bernard Burks, who was put on a list of patients awaiting a kidney transplant at UC Davis back in 2002. Burks filed a lawsuit against Kaiser Permanente of Oakland, California today alleging that Kaiser's four year delay in providing him the life saving kidney transplant has further increased the chances of his body rejecting any kidney once he is finally able to receive one.

In November of 2004, Burks was notified he was being transferred from the UC Davis transplant program to Kaiser's newly established kidney transplant program. For Burks, that meant being transferred to yet another long list of ailing patients awaiting transplants in what seemed to be a never-ending line to nowhere.

Attorney Michael J. Bidart, of Shernoff Bidart & Darras in Claremont, California said, “This case fits the mold for a huge punitive damage award because so much harm has been done to all these patients waiting for life saving treatment.”

Bidart, widely considered the nation's preeminent attorney on HMO Bad Faith insurance matters, received national attention after obtaining a verdict of \$120 million in the case of Goodrich v Aetna—the largest verdict ever awarded against an HMO.

According to the complaint, Burks is seeking an award of punitive damages against Kaiser in order to punish them for their alleged egregious corporate policies and practices which caused harm not only to him personally, but to hundreds of other Kaiser patients. By way of the lawsuit, Burks is asking the Court to punish Kaiser based on the severe reprehensibility of Kaiser's alleged misconduct and profitability.

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