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**PRESS RELEASE - FOR IMMEDIATE RELEASE**

**DENVER JURY RETURNS \$440,000 VERDICT AGAINST 20/20 INSTITUTE  
FOR LASIK BLUNDER**

Scott Czarniak and Adrienne Czarniak v. 20/20 Institute, LLC

United States District Court for the District of Colorado, Civil Action No. 10 CV 03115

On Thursday, May 10, 2013, a jury in Denver, Colorado, returned a verdict of \$440,000 against 20/20 Institute, LLC (“20/20 Institute”) for LASIK surgery negligence. On May 8, 2009, Plaintiff Scott Czarniak had surgery at 20/20 Institute where its laser technician, Jacquelyn Tallant, entered the wrong surgical treatment plan into the laser. The LASIK surgeon, Matthew K. Chang, M.D., failed to notice the technician’s mistake. Even after corrective surgery, the patient was left with a permanent partial visual disability due to problems with his quality of vision, including blur, glare, halos, diminished night vision, and loss of contrast sensitivity.

Plaintiffs Scott and Adrienne Czarniak resided in Avon, Colorado, at the time of the surgery.

Dr. Chang is an independent contractor, who performed LASIK surgery at 20/20 Institute one to two days per month, while maintaining his own practice at the Buckley-Chang Eye Institute, in Colorado Springs, Colorado. On the day of Mr. Czarniak’s surgery, Dr. Chang was scheduled to perform a total of 44 additional surgical procedures, on 23 additional patients.

20/20 Institute is the largest advertiser of LASIK services in Colorado, and boasts that it is the “official LASIK provider” to the Denver Broncos, Colorado Avalanche and Indianapolis Colts. Through its owner, Mark S. Danzo, O.D., 20/20 Institute denied responsibility for its technician’s mistake.

The jury apportioned fault 85% to the surgeon and 15% to 20/20 Institute. Judgment was entered exclusively against 20/20 Institute.

Plaintiffs also brought a consumer fraud claim for alleged false advertising concerning 20/20 Institute’s claim to be the “official LASIK provider” to professional sports teams, and because the patient paid \$1,200 for a “20/20 Lifetime Commitment” of no apparent benefit. The jury concluded that 20/20 Institute’s marketing and advertising did not violate the Colorado Consumer Protection Act.

Plaintiffs were represented by Todd J. Krouner and Diana M. Carlino, from the Law Office of Todd J. Krouner, in Chappaqua, New York, and Keith Cross of Cross & Bennett, LLC, in Colorado Springs, Colorado.

Defendants were represented by C. Gregory Tiemeier of Tiemeier & Stich, P.C., in Denver, Colorado, and J. Scott Lasater and Randy Segó of Lasater & Martin, P.C., in Highlands Ranch, Colorado.

The trial lasted 10 days in the United States District Court, in Denver, Colorado. The Honorable Richard P. Matsch presided.