

# Experts: Cosby faces big financial threat

BY DAVID INGRAM,  
NOLEEN WALDER  
AND JOHN MCCRANK  
REUTERS

NEW YORK — Civil lawsuits accusing Bill Cosby of sex abuse and defamation could do major damage to the entertainer's wealth, regardless of how a criminal prosecution plays out, lawyers who have handled similar cases said Thursday.

Cosby, who has been accused by more than 50 women of sexually abusing them in incidents dating back decades, was charged in suburban Philadelphia on Wednesday in the only criminal case he has faced. The actor and comedian is charged with aggravated indecent assault against one of the women, a second-degree felony carrying a maximum penalty of 10 years in prison and a \$25,000 fine.

The financial assets of the entertainer, who personified the model American family man in a long-running hit television show, are more at risk from at least seven ongoing civil suits that have been filed or joined by 13 women.

Cosby, 78, has denied the criminal and civil allegations. He has sued some of his accusers for defamation, and his lawyers have questioned their motives, suggesting they are after money.

A loss in the civil litigation could be very costly for Cosby, whose career made him one of the wealthiest people in the U.S. entertainment industry, several plaintiffs lawyers not involved in the suits said. Jury awards in cases where a person has claimed sex abuse or defamation can run into the tens of millions of dollars, not including his legal fees.

"This is going to be enormously expensive for Cosby," said Paul Callan, a New York lawyer who suc-



Actor and comedian Bill Cosby (center) arrives with attorney Monique Pressley (right) for his arraignment on sexual assault charges at the Montgomery County Courthouse in Elkins Park, Pennsylvania, on Wednesday. Cosby was charged on Wednesday with sexually assaulting a woman in 2004 after plying her with drugs and alcohol, marking the first criminal case against a once-beloved performer whose father-figure persona was already left tattered by dozens of misconduct allegations.

MARK MAKELA | REUTERS

cessfully represented the estate of retired American football player O.J. Simpson's ex-wife in a civil case after Simpson was acquitted in her killing.

## Particularly vulnerable

In a statement Wednesday, a lawyer for Cosby, Monique Pressley, denounced the charges as unjustified and said Cosby would be exonerated. A spokesman for Cosby declined to comment Thursday.

The allegations against Cosby, with so many accusers claiming they were drugged before he allegedly sexually assaulted them, mean he is particularly vul-

nerable to civil punitive damages, the lawyers said. Punitive awards are meant to punish and deter a defendant, while compensatory awards cover actual costs of plaintiffs.

Various media estimates have put Cosby's net worth at between \$380 million and \$450 million in recent years. His ability to pay is likely to be a factor in a civil award or settlement, lawyers said.

"Any jury assessing this starts with, what amount of money punishes him given his net worth?" Brad Edwards, a Florida lawyer who represents sex abuse plaintiffs, said. "Even if you said \$20 million, you're talking

about a fraction of his net worth," he added, so a jury could go even higher in determining a punitive award.

Big U.S. jury awards have to survive review by judges. Some states cap awards, and a punitive award generally must be less than 10 times the compensatory award.

In court papers filed Dec. 14 in one suit, Cosby's lawyers said women suing Cosby in Massachusetts are "engaged in a campaign to assassinate Mr. Cosby's reputation and character" in order to "extract financial gain."

## Lower standard of proof

The mounting allegations

harmed Cosby's finances long before the criminal charge this week.

Television networks have pulled reruns of the once wildly successful sitcom "The Cosby Show," streaming video service Netflix Inc. canceled a planned special featuring Cosby in 2014, and the network NBC, which Cosby once tried to buy in 1992 as part of a group of investors, canceled plans for a new television show featuring him.

Several stops on Cosby's early 2015 comedy tour, titled "Far From Finished," were canceled, while others attracted protesters and hecklers. In July, Walt Dis-

ney Co. removed a bust of Cosby from its Hollywood Studios theme park near Orlando, Florida.

Two of the pending civil suits allege Cosby abused women. They were filed in California. Five others filed in California, Massachusetts and Pennsylvania say Cosby defamed women by denying what they said publicly. One suit has seven plaintiffs.

Plaintiffs in civil suits have a lower standard of proof to meet than prosecutors do in criminal cases.

If Cosby loses a defamation case it could be just as costly as the loss of a sex abuse case because a jury would see defamation as "revictimization," according to John Manly, a California lawyer who represents sex abuse plaintiffs. "For a trial lawyer, it's a distinction without a difference," he said.

Cosby could ask that the civil suits be put on hold pending a criminal trial, but judges might not agree, in part because Cosby counter-sued some accusers, said Edwards, the Florida lawyer.

In July, a New York jury rejected allegations by a woman that the chief executive of her former investment firm had assaulted her, but the jury still awarded her \$18 million after agreeing she had been sexually harassed, retaliated against and defamed.

A win in the criminal case would not mean Cosby is off the hook. Manly, the California lawyer, said it could even add to public outrage and prompt a jury to award large damages.

If his financial future were under serious threat from the civil cases, Cosby may not find that bankruptcy court offers much protection. Court judgments based on intentional actions do not get wiped away like other debts, the lawyers said.

## Better results offset costs of prostate surgery at specialty centers

BY LISA RAPAPORT  
REUTERS

Men who get prostate cancer surgery at hospitals that do a lot of these procedures may have better results, and those better outcomes might help offset the added cost of care at specialized facilities, a U.S. study suggests.

Plenty of evidence for prostate cancer and a host of other medical conditions links the best outcomes to the most experienced surgeons. The current study adds a fresh analysis of the economic benefits of sending patients to facilities that perform the procedure often, even if they might be far from home or have higher fees than community hospitals.

"The data reinforces the dictum that getting it right the first time is always the most cost effective approach," senior study author Dr. Sarmad Sadeghi of the Norris Comprehensive Cancer Center at the University of Southern California in Los Angeles said by email.

"Our analysis shows that societal costs of long-term care for prostate cancer will be reduced as a result of fewer treatment failures," Sadeghi added.

Researchers focused on radical prostatectomies, procedures that excise tumors by removing the prostate gland as well as surrounding tissue.

Most U.S. surgeons who do these operations handle less

than 10 cases a year, but they account for an estimated 40 percent of prostatectomies, Sadeghi and colleagues report in the journal Prostate Cancer and Prostatic Diseases.

The research team used data on typical outcomes to estimate how costs might change if more prostatectomies were performed by what they call "high-volume" surgeons, who did at least 250 of the procedures each year.

When patients saw the high-volume surgeons, they were less likely to have cancer recur, to require salvage radiation therapy after initial treatment or to develop tumors that spread beyond

the prostate, the analysis found.

To calculate the potential cost savings associated with more experience, researchers estimated what would happen in four different scenarios based on the proportion of operations done by high-volume surgeons, ranging from 50 to 80 percent of procedures.

Compared with when high-volume surgeons did only half the surgeries, when they did 80 percent of the cases the estimated costs savings per operation were \$177, \$357 and \$559 at five, 10 and 20 years, respectively.

These savings would offset the estimated referral costs of up to \$1,833 per pros-

tatectomy for sending patients to the high-volume centers, the researchers calculated.

Limitations of the study include the fact that these cost savings are based on a mathematical model built on several different previous studies done at different times. The results also are based on the current typical progression of prostate cancer, which might change with advances in treatment.

It also is possible that the calculations underestimated the potential cost savings because the researchers focused on cancer recurrence but didn't look at other expensive outlays related to managing complications such as impo-

tence and incontinence that can be more common with less experienced surgeons, Dr. Quoc-Dien Trinh, a urologist at Brigham and Women's Hospital in Boston who wasn't involved in the study, said by email.

Patients also should be careful not to focus on the surgeon's experience level until after they determine whether they actually need surgery, because many men with slow-growing tumors don't necessarily need prostatectomies, said Dr. Daniel Barocas, a researcher in surgical quality and outcomes at Vanderbilt University Medical Center in Nashville, Tennessee, who wasn't involved in the study.



## WHAT IS IT?

Send your answers for this week's What Is It (above) to: Robert Croul, 1095 North Road, Newburgh, Maine 04444. Readers may respond by email to recestate@midmaine.com. Be sure to write "What is it?" in the subject line.



ROBERT  
CROUL



The Dec. 19 Bangor Daily News "What Is It?" was correctly identified as an antique post lamp by Erny Levesque of Saint David, Phyllis Wiggan of Thomaston, Brenda Harrington of Spruce Head, Erwin Flewelling of Northport and Maggie Williams of Eagle Lake. These were used on town squares, streets and in front of houses. They often began with a candle light, then converted to oil, then gas, and many survive today electrified.

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