

# **APPENDIX 1**

## **Compilation of Cumulative and Annual Numbers in First Six Annual Reports**

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
1	Number of NAs in service at end of reporting period	323	349	306	302	287	30		297	287	309
2	Number of NA applications requested from the OIA	1,837	2,106	2,182	2,219	2,276	2,305	76	37	57	29
3	Number of NA applications OIA received	436	490	514	531	572	614	24	15	41	42
4	Number of persons added to OIA pool	323	43	42		439	481	42	15	31	42
5	Number of NAs in S. Cal. pool	195	178	169	168	169	177		168	169	177
6	Number of NAs in N. Cal. pool	128	136	117	110	103	112		110	103	112
7	Number of NAs in San Diego pool	N / A	35	40	42	50	61		42	50	61
8	Number of NAs who resigned, retired, died or terminated.		17	30	24	94	104	16	24	32	11
9	Number of NAs OIA terminated					58	67	1		14	9
10	Number of NAs who serve on more than one of our panels	N / A	N / A	20	23	34	39		23	34	39
11	Number of NAs admitted to the panel / percent of those who applied	323 / 75%	75%	395 / 77%	411 / 77%	439 / 78%	481 / 78%	42	15	31	42
12	Number NAs who are former judges / percent of pool		102 / 29%	102 / 33%	93 / 31%	105 / 37%	109 / 35%			105 / 37%	109 / 35%
13	Number of NAs in the N Cal panel who are former judges / percent of panel	38 / 30%	47 / 35%	46 / 39%	41 / 37%	43 / 42%	41 / 37%			43 / 42%	41 / 37%

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
14	Number of NAs in the S Cal panel who are former judges / percent of panel	51 / 26%	45 / 25%	47 / 29%	46 / 27%	55 / 33%	60 / 34%			55 / 33%	60 / 34%
15	Number of NAs in the San Diego panel who are former judges / percent of panel	N / A	10 / 29%	9 / 32%	11 / 26%	17 / 34%	21 / 34%			17 / 34%	21 / 34%
16	Number of cases in which a NA has been selected	557	1,062	1,851	2,642	3,551	4,297	809	804	936	763
17	Number of cases in which NA was jointly selected / percent of cases in which a NA has been selected	194 / 35%	350 / 33%	588 / 32%	805 / 31%	1,041 / 29%	1,241 / 29%	242 / 30%	220 / 27%	240 / 26%	206 / 27%
18	Number of cases in which the NA picked by strike and rank method / percent of cases in which a NA has been selected	362 / 65%	710 / 67%	1,260 / 68%	1,834 / 69%	2,506 / 71%	3,050 / 71%	565 / 70%	584 / 73%	695 / 74%	555 / 73%
19	Number of cases in which the NA selected by court order	1	2	3	3	4	6	2	0	1	2
20	Number of cases with jointly selected NA where NA is in OIA pool / percent of cases with jointly selected NA	120 / 62%	229 / 65%	428 / 73%	531 / 66%	696 / 67%	842 / 68%	166 / 69%	141 / 64%	168 / 70%	152 / 74%
21	Number of cases with jointly selected NA where NA not in OIA pool / percent of cases with jointly selected NA	74 / 38%	121 / 35%	160 / 27%	274 / 34%	345 / 33%	399 / 32%	76 / 31%	79 / 36%	72 / 30%	54 / 26%
22	Number persons in OIA pool who had served as NA / percent of pool	166 / 51%	216 / 62%	241 / 79%	258 / 87%	260 / 91%	276 / 90%	191 / 62%	199 / 67%	202 / 70%	195 / 63%
23	Range in number of cases that are or have been assigned to OIA NAs	0-20	0-29	0 - 76	0 - 86	0 - 97	0 - 105		0 - 20	0 - 42	0 - 23

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
24	Number of times the NA at the high end of range was jointly selected?	13	23	59	66	73	78			9	10
25	Average number of appointments per person in OIA pool	4	4	5	8	9.25	10.36		3	2.9	2.22
26	Median number of appointments per person in OIA pool	3	3	2	4	5	5		1	2	1
27	Mode number of appointments per person in OIA pool		1	0	0	1	1		0	0	0
28	Have all persons in OIA pool been listed at least once on an LPA?	No, 15 NA added in last week, 1 in last 2 months	No, 8 NAs added on or after 11-27-00	Yes	No, 1 NA added 12-26-02	No, 5 added 12/8-12/29/03	Yes			No, 5 added 12/8-12/29/03	Yes
29	Range of times N. Cal. panel members listed on an LPA	0-23	1-50	8-107	1 - 158	0 - 202	6 - 333			0 - 60	6 - 62
30	Average and median number of times N Cal panel members listed on an LPA		29 / 32	66 / 69	95 / 102	138 / 155	194 / 212			41 / 44	42 / 44
31	Mode number of times N Cal panel members listed on an LPA		33	39	131	165	32			45	45
32	Range of times S. Cal. panel members listed on an LPA	0-16	0-36	1-72	0 - 113	0 - 141	1 - 192			0 - 40	1 - 37
33	Average and median number of times S Cal panel members listed on an LPA		17 / 19	36 / 42	54 / 61	82 / 95	115 / 132			23 / 23	23 / 23
34	Mode number of times S Cal panel members listed on an LPA		15	44	79	102	115			23	21

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
35	Range of times S an Diego panel members listed on an LPA	N / A	3-13	1-34	4 - 64	0 - 84	3 - 130			0 - 27	2004
36	Average and median number of times San Diego panel members listed on an LPA		8 / 8	11 / 12	38 / 35	49 / 54	61 / 72			17 / 19	14 / 15
37	Mode number of times San Diego panel members listed on an		8	12	53	50	72			19	15
38	Number of evaluations the OIA mailed out	N / A	1,112	2,354	3,034	4,468	5,828	1,244	682	1,438	1,360
39	Number of evaluations returned / percent of evaluation mailed out	N / A	435 / 39%	1,074 / 46%	1,433 / 47%	2,066 / 46%	2,656 / 46%	635 / 51%	358 / 53%	633 / 44%	590 / 43%
40	Number of responses from claimant side / number from claimant attorneys/ number from pro pers	N / A	33% of all responses	367 / 304 / 63	496 / 412 / 84	730 / 611 / 119	958 / 805 / 153	223 / 186 / 37	130 / 108 / 21	234 / 199 / 35	228 / 194 / 34
41	Number of responses from respondent attorneys	N / A	67%	668	885	1262	1,611	390	216	376	349
42	Number of demands for arbitration the OIA has received from Kaiser / from N. Cal / from S. Cal. / from San Diego	1,159	1,716 / 835 / 822 / 59	2,968 / 1,453 / 1,364 / 151	4,021 / 1,928 / 1,843 / 250	5,010 / 2,428 / 2,251 / 331	5,871 / 2,845 / 2,621 / 405	1,030 / 474 / 465 / 91	1,053 / 476 / 478 / 99	989 / 500 / 408 / 81	861 / 417 / 370 / 74
43	Average number of days it has taken Kaiser to submit post-OIA demands for arbitration (DFA) to the OIA	9 days	8 days	8 days	8 days	8 days	8 days	8 days	8 days	8 days	6 days
44	Mode number of days to submit post-OIA DFA's	0 days	0 days	0 days	0 days	0 days	1 day	1 day	1 day	1 day	1 day

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
45	Median number of days to submit post-OIA DFA's	4 days	4 days	4 days	4 days	4 days	4 days	4 days	5 days	5 days	4 days
46	Range of number of days to submit post-OIA DFA's	0-302 days	0-330 days	0-330 days	0 - 330 days	0 - 463 days	0 - 463 days	0-234 days	0 - 247 days	0 - 463	0 - 95 days
47	Number of DFA's in the OIA system that were mandatory	1	100	825	1,748	2,688	3,516	724	922	940	828
48	Number of opt-in DFA's submitted to the OIA	1,158	1,616	2,143	2,273	2,322	2,355	306	131	49	33
49	Number of pre-OIA opt-in DFA's submitted to the OIA	215	224	229	230	230	230	7	1	0	0
50	Average number of days it has taken Kaiser to submit pre-OIA DFA's to the OIA	446 days	453 days	477 days	482 days	482 days	482 days	1,374 days	1,616 days	N/A	N/A
51	Median number of days to submit pre-OIA DFA's	336 days	344 days	360 days	361 days	361 days	361 days	1,408 days	1,616 days	N/A	N/A
52	Mode number of days to submit pre-OIA DFA's	13 days	13 days	13 days	13 days	13 days	13 days	none	1,616 days	N/A	N/A
53	Number of pre-OIA still open		37	10	2	0	0	10	2	0	0
54	Number of claimants who opted-in to the OIA system	486	924	1,374	1,456	1,489	1,512	192	76	29	23
55	Number of opt-in claimants who affirmatively refused to enter the OIA system	22	39	43	44	46	47	3	1	2	1
56	Number of opt-in DFA's that settled before the deadline to opt-in had arrived	3	9	8	8	11	11		0	0	0

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
57	Number of opt-in DFA's withdrawn before the deadline to opt-in had arrived	3	5	12	17	19	19	7	5	1	0
58	Number of opt-in DFA's returned to Kaiser due to lack of response from claimants	329	569	698	744	755	763	96	54	15	6
59	Number of opt-in DFA's whose deadline to opt-in had not expired	100	70	8	4	2	3	8	4	2	3
60	Number of cases in which a NA has been selected (excluding cases where NA recused self)	557	1,062	1,779	2,521	3,388	4,092			891	721
61	Time to Selection of NA in cases w/ no 90 day or disqualifications / Number of cases / Percent of NA selections	28 days 452 81%	25 days 814 79%	24 days 1,305 73%	25 days 1,705 68%	25 days 2,150 63%	25 days 2,550 62%	23 days 507 66%	27 days 410 55.7 %	25 days 464 52%	24 days 409 57%
	Time to Selection of NA in cases w/ only 90 day postponements/ Number of cases/ Percent of NA selections	109 days 70	106 days 159 15%	105 days 356 20%	109 days 639 25%	111 days 1,016 30%	111 days 1,297 32%	104 days 199 26%	115 days 283 37.7%	114 days 380 43%	111 days 289 40%
	Time to Selection of NA in cases w/ Disqualifications/ Number of cases/ Percent of NA selections	98 days 32	73 days 46 5%	64 days 88 5%	64 days 116 5%	66 days 129 4%	64 days 141 3.5%	61 days 44 6%	62 days 27 3.6%	75 days 14 2%	51 days 12 1.5%
	Time to Selection of NA in cases w/ 90 day and disqualifications/ Number of cases/ Percent of NA selections	192 days 3	167 days 7 1%	148 days 30 2%	160 days 61 2%	158 days 93 3%	158 days 104 2.5%	143 days 23 3%	164 days 30 4%	162 days 33 4%	160 days 11 1.5%
	Time to Selection of NA in All Cases/ Number of Cases/	43 days	41 days 1,026	44 days 1,779	52 days 2,521	56 days 3,388	57 days 4,092	50 days 773	67 days 750	69 days 891	61 days 721

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
62	Number of cases in which a NA recused self after appointment	10 cases	36 cases	72 cases		183 cases	205 cases	37 cases		49 cases	42 cases
63	Number of cases which have a NA (Excluding cases that have a recusal)	557	1,026	1,779	2,521	3,388	4,092	773		891	721
64	Number of cases with NA selection, but no postponement or disqualification / percent of cases with NA	452 / 81%	814 / 77%	1,305 / 73%	1,705 / 68%	2,150 / 63%	2,550 / 62%	507 / 66%	410 / 55%	464 / 52%	409 / 57%
65	Average number of days to select NA in no postponement/ disqualification cases	28 days	25 days	24 days	25 days	25 days	25 days	23 days	27 days	25 days	24 days
66	Mode number of days to select NA in no postponement/ disqualification cases	22 days	22 days	22 days	22 days	22 days	22 days	22 days	22 days	22 days	23 days
67	Median number of days to select NA in no postponement/ disqualification cases	26 days	24 days	24 days	24 days	24 days	24 days	23 days	24 days	24 days	23 days
68	Range number of days to select NA in no postponement/ disqualification cases	1 to 101 days	1 to 101 days	0 - 101 days	0 - 101 days	0 - 101 days	0 - 101 days	0 - 94 days	0 - 86 days	0 - 62 days	3 - 57 days
69	Number cases in which party has obtained a 90 day postponement (includes cases with no NA) / percent of cases where NA selection has begun	113 / 17%	234 / 19%	538 / 26%	993 / 31%	1,016 / 30%	1,770	303 / 35%		380 / 43% (includes Rule 28)	343
70	Number of 90 day postponements obtained by claimants	111	228	530	982	1,415	1,755	301		433	340



Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
71	Number of 90 day postponements obtained by respondents	2	6	8	11	12	15	2		1	3
72	Number of cases with postponements but no NA selected.	42	63	82		106	83	82		106	83
73	Number of cases with NA selected and postponement was only delay	70	159	356	639	1,015	1,297	199	283	380	289
74	Average number of days to select NA in postponement only cases	109 days	106 days	105 days	109 days	111 days	111 days	104 days	115 days	114 days	111 days
75	Mode number of days to select NA in postponement only cases	115 days	112 days	112 days	112 days	112 days	112 days	113 days	112 days	112 days	113 days
76	Median number of days to select NA in postponement only cases	115 days	113 days	113 days	113 days	114 days	114 days	113 days	115 days	115 days	114 days
77	Range number of days to select NA in postponement only cases	35 - 141 days	28 - 141 days	20 - 141 days	20 - 262 days	20 - 262 days	20 - 329 days	20 - 137 days	23 - 242 days	23 - 206 days	22 - 329 days
78	Number of cases where an NA has been disqualified but no there was postponement	25	46	88	116	129	141	44	27	14	12
79	Number of times claimants have disqualified a NA		51	63		227	278	31		46	53
80	Number of times respondents have disqualified a NA		25	33		71	73	14		7	3
81	Cases w/ one disqualified NA Two disqualified NAs Three disqualified NAs Four disqualified NAs Five disqualified NAs Six disqualified NAs	22 3 0 0 0 0	41 5 0 1 0 0	120 14 0 1 0 0	188 20 1 2 1 0	232 22 3 2 1 0	261 21 5 3 3 1			46 2 1 0 0 0	32 2 2 1 2 0

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
82	Average number of days to select a NA in cases with disqualified NA but no postponement	98 days (includes recusals)	73 days	64 days	64 days	66 days	64 days	61 days	62 days	75 days	51 days
83	Median number of days to select a NA in cases with disqualified NA but no postponement	84 days (includes recusals)	64 days	60 days	59 days	61 days	60 days	58 days	70	70	51 days
84	Mode number of days to select a NA in cases with disqualified NA but no postponement	79 days (includes recusals)	52 days	56 days	56 days	56 days	56 days	56 days		69	N/A
85	Range number of days to select a NA in cases with disqualified NA but no postponement	30 - 245 days (includes recusals)	29 - 127 days	28 - 161 days	26 - 236 days	26 - 236 days	26 - 236 days	28 - 161 days		42 - 155	33 - 76 days
86	Number of cases with both postponement and disqualifications	3	7	30	61	93	104	23	30	33	11
87	Average number of days to select NA in cases with both postponement and disqualification	192 days	167 days	148 days	160 days	158 days	158 days	143 days	164 days	162 days	160 days
88	Median number of days to select NA in cases with both postponement and disqualification	203 days	154 days	147 days	155 days	156 days	155 days	146 days	160 days	159 days	148 days
89	Mode number of days to select NA in cases with both postponement and disqualification	N/A	N/A	144 days	141 days	155 days	148 days	144 days	141 days	139 days	148 days

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
90	Range number of days to select NA in cases with both postponement and disqualification	154-218 days	122-253 days	78 - 253 days	78 - 383	78 - 253 days	78 - 253 days	78 - 172 days	91-232 days	95 - 224 days	128 - 213 days
91	Average number of days in all cases to select a NA (excluding recusals)	43 days	41 days	44 days	52 days	56	57 days	50 days	67 days	69	61 days
92	Number of cases OIA has or is administering	681	1,228	2,199	3,204	4,176	5,028	916	998	968	851
93	What number and percentage of our cases are medical malpractice cases?	641 / 94%	1,169 / 95%	2,012 / 91.5%	2,873 / 90%	3,786 / 91%	4,577 / 91%	816 / 89%	853 / 86%	911 / 94%	790 / 93%
94	Number of benefits and coverage cases / percent of all administered cases	3	11 / 1%	32 / 1.5%	55 / 2%	71 / 2%	86 / 2%	17 / 2%	22 / 2%	15 / 2%	15 / 2%
95	Number of premises liability / percent of all administered cases	9	17	34 / 1.5%	51 / 1.6%	76 / 2%	97 / 2%	12 / 1%	15 / 1.5%	24 / 3%	21 / 2.5%
96	Number of other tort cases / percent of all administered cases	2	5	24 / 1%	39 / 1.2%	49 / 1%	54 / 1%	15 / 2%	12 / 1%	9 / 1%	6 / .5%
97	What number of unknown cases / percent of all administered cases	26	26	97 / 4.5%	182 / 5.7%	183 / 4%	188 / 4%	56 / 6%	92 / 9%	2 / 0%	5 / .5%
98	Number of cases in which attorneys represent claimants / percent of all administered cases	483 / 71%	889 / 72%	1,616 / 73.5%	2,392 / 75%	3,123 / 75%	3,818 / 76%	683 / 75%	773 / 77%	754 / 78%	710 / 83%
99	Number of cases in which claimants represent themselves / percent of all administered cases	198 / 29%	339 / 28%	583 / 26.5	811 / 25%	1,050 / 25%	1,210 / 24%	233 / 25%	225 / 23%	214 / 22%	141 / 17%

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
100	Number of applications for fee waivers requested by claimants	99	183	271	335	395	447	88	65	60	52
101	Number of completed applications the OIA has received	60	114	180	245	325	375	66	65	79	55
102	Number of fee waiver requests OIA granted	56	104	161	226	302	358	56	65	75	56
103	Number of fee waiver requests OIA denied	1	5	11	15	15	17	6	3	0	2
104	Number of denied cases where claimant subsequently failed to pay the fee and cases closed as abandoned		0	2	3	3	3			0	0
105	Number of cases where Kaiser objected to the fee waiver request		0	3	4	4	4	3	1	0	0
106	How did OIA rule in cases where Kaiser has objected to fee waiver?		NA	granted 1, denied 2	granted 2, denied 2	granted 2, denied 2	granted 2, denied 2	granted 1, denied 2		----	----
107	Number of fee waiver requests pending	3	5	8	0	3	0	8		3	0
108	Number of claimants who did not return requested fee waiver applications and left the system for non-payment of the fees	3	3	11	15	24	28	5	4	9	4
109	Number of times the OIA has temporarily removed NAs from pool for failure to timely serve disclosures	3 (suspensions total - no reason)	3	4	6	8	9	2	2	3	1

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
110	Number reinstated to OIA pool		4	5	8	9	2			3	1
111	Number of times the OIA has temporarily removed NA from pool for failure to submit a timely AMC		3	8	17	34	1		4	8	17
112	Number re-instated to the OIA pool		3	6	16	33	1		2	8	16
113	Number of cases in which the OIA has received a completed MSM form		649	1,004	1,423	1,821	332		357	421	403
114	Number of cases in which the OIA has never received a completed MSM form that was due		267	440	575	728	139		184	165	171
115	Number of times NA temporarily suspended from OIA pool for failure to serve an award		0	2	5	6			2	3	1
116	Number of open cases	615	617	766	912	865	796	766	912	865	796
117	Number of open cases awaiting the payment of the filing fee or completed the fee waiver request		32	40	56	33	32		40	56	33
118	Number of open cases in process of selecting NA	214	120	102	146	165	102		146	159	165
119	Number of open cases with NA selected	562	497	632	726	650	632		726	650	598
120	Number of open cases where the arbitrator management conference been held / percent of open cases	442	404 / 66%	466 / 74%	503 / 55%	510 / 59%	470 / 59%	466 / 74%	503 / 55%	510 / 59%	470 / 59%

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121	Number of open cases where the parties held the mandatory settlement meeting	75	102	106	114	145	159	106	114	145	159
122	Number of cases where the hearing had been held, but the OJA had not yet been served with the decision		8	2	4	5	3	2	4	5	3
123	Number of open mandatory cases / percent of the open cases			551 / 72%	812 / 89%	823 / 95%	775 / 97%	551 / 72%	812 / 89%	823 / 95%	775 / 97%
124	Number and percent of all cases that are closed	168 / 25%	611 / 50%	1433 / 65%	2,292 / 72%	3,311 / 79%	4,232 / 84%		847	997	912
125	Number of cases that have not closed on time	0	1	1	6	18	22	0	3	8	2
126	Number of cases closed "other" ways (Consolidated/Other/Judgment on Pleadings/Split)			10	20	28	18			8	7

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127	Number of closed cases by category and percent of closed cases										
	Settlements	73	273 / 45%	630 / 44%	1,017 / 44%	1,519 / 46%	1,896 / 45%	350 / 44%	381 / 45%	485 / 49%	370 / 41%
	Withdrawn	49	125 / 20%	285 / 20%	493 / 22%	727 / 22%	973 / 23%	157 / 20%	197 / 23%	232 / 23%	246 / 27%
	Dismissed	4	17 / 3%	44 / 3%	71 / 3%	81 / 3%	114 / 3%	23 / 3%	27 / 3%		34 / 4%
	Abandoned	5	15 / 2%	53 / 4%	81 / 4%	125 / 4%	165 / 4%	38 / 5%	29 / 3%	22 / 2%	39 / 4%
	Summary Judgments	14	69 / 11%	183 / 13%	277 / 12%	365 / 11%	440 / 10%	109 / 14%	93 / 11%	44 / 4%	73 / 8%
	Award after Hearing	22	111 / 18%	228 / 16%	350 / 15%	483 / 15%	626 / 15%	122 / 15%	119 / 14%	85 / 9%	143 / 16%
	Consolidated/Other/Split/Judgment on Pleadings										
128	Number of closed cases that have settled / percent of total closed cases	73 / 11%	273 / 45%	630 / 44%	1017 / 44%	1,519 / 46%	1,896 / 45%	350 / 44%	381 / 45%	485 / 49%	370 / 41%
129	Average number of days to settle		225 days	253 days	271 days	287 days	293 days	278 days	300 days	317 days	320 days
130	Median number of days to settle		232 days	253 days	262 days	280 days	286 days	273 days	288 days	312 days	301 days
131	Mode number of days to settle		69 days	119 days	231 days	280 days	280 days	119 days	363 days	286 days	280 days
132	Range number of days to settle		11-570 days	4 - 802 days	4 - 986 days	1 - 1485 days	1 - 1,485 days	11 - 802 days	17 - 986 days	1 - 1485 days	7 - 1,285 days

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
133	Number of settled cases in which the claimant in pro per	10	25	65	91	138 (1 mixed)	156 (1 mixed)	39	24	48 (1 mixed)	18
134	Number of cases that closed as withdrawn/percent of closed cases	49 (opt in)	125 / 20%	285 / 20%	493 / 22%	727 / 22%	973 / 23%	157 / 20%	197 / 23%	232 / 23%	246 / 27%
135	Number of cases that closed as withdrawn w/ pro per claimants	29 (of 52 total)	61	131	205	296	374	72		89	78
136	Average number of days for withdrawn cases to close		190 days	165 days	203 days	212 days	221 days	199 days	222 days	231 days	247 days
137	Median number of days for withdrawn cases to close			165 days	176 days	187 days	198 days	160 days	193 days	212 days	243 days
138	Mode number of days for withdrawn cases to close			112 days	112 days	112 days	126 days	245 days	120 days	74 days	47 days
139	Range number of days for withdrawn cases to close			5 - 744 days	3 - 1,036 days	3 - 1,036 days	1 - 1,036 days	5 - 744 days	3 - 1,036 days	9 - 903 days	3 - 789 days
140	Number of cases closed as dismissed by NA / percent of closed cases	4	17 / 3%	44 / 3%	71 / 3%	81 / 2%	114 / 3%	23 / 3%	27 / 3%	22 / 2%	34 / 4%
141	Number of cases closed as dismissed w/ pro per claimants		12	28	39	50	75	13	11	14	25
142	Number of cases closed as abandoned / percent of closed cases	5	15 / 2%	53 / 4%	81 / 4%	125 / 4%	165 / 4%	38 / 5%	29 / 3%	44 / 4%	39 / 4%
143	Number of cases closed as abandoned w/ pro per claimants		7	36	50	77	93	29	14	27	15
144	Number of cases closed by summary judgment for respondent / percent of closed cases	14	69 / 11%	183 / 13%	277 / 12%	365 / 11%	440 / 10%	109 / 14%	93 / 11%	85 / 9%	73 / 8%



Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
145	Number of cases closed by summary judgment for respondent w/ pro per claimant	12	52	133	197	263	317	77	63	65	53
146	Number of cases where summary judgment granted because claimant lacked an expert		14	84	108	136	156	50	24	27	20
147	Number of cases where summary judgment granted because claimant filed no opposition		13	52	86	125	160	30	35	38	33
148	Number of cases where summary judgment granted because DFA made after the statute of limitations		5	16	23	27	34	10	6	4	7
149	Number of cases where summary judgment granted because the claimant failed to show causation			12	18	19	20	12	6	1	1
150	Number of cases where summary judgment granted because no triable issue of fact		27	18	40	56	65	7	21	15	9
151	Number of cases where summary judgment granted for any other reasons ( <i>Res judicata</i> , waiver or release, no evidence of negligence.)		5	1	2	2	5		1	0	3
152	Average number of days for summary judgment cases to close		266 days	289 days	286 days	297 days	306 days	299 days	280 days	333 days	355 days
153	Median number of days for summary judgment cases to close		252 days	271 days	271 days	278 days	292 days	271 days	271 days	309 days	334 days

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
154	Mode number of days for summary judgment cases to close		141 days	221 days	153 days	232 days	232 days	163 days	286 days	287 days	334 days
155	Range number of days for summary judgment cases to close		77 - 492 days	77 - 767 days	77 - 769 days	77 - 871 days	77 - 871 days	96 - 767 days	108 - 533 days	147 - 871 days	153 - 603 days
156	Number of cases closed after hearing / percent of closed cases	22	111 / 18%	228 / 16%	350 / 15%	483 / 15%	626 / 15%	122 / 15%	119 / 14%	121 / 12%	143 / 16%
157	Number of cases where Kaiser prevailed / percent of cases w/ hearings	17 / 77%	74 / 66%	144 / 63%	212 / 61%	298 / 62%	393 / 63%	76 / 62%	68 / 57%	74 / 61%	95 / 66%
158	Number of cases where Kaiser prevailed after hearing w/ pro per claimant	7	31	44	58	68	80	18	14	7	12
159	Number of cases where claimant prevailed / percent of cases w/ hearings	5 / 23%	37 / 33%	84 / 37%	138 / 39%	185 / 38%	233 / 37%	46 / 38%	51 / 43%	47 / 39%	48 / 34%
160	Number of cases where claimant prevailed after hearing w/ pro per claimant		1	5	9	12	16	4	4	3	4
161	Number of NAs who wrote awards after hearing			136 different NAs	176 different NAs	214 different NAs	246 different NAs			85 different NAs	93 different NAs
162	Number of NAs who wrote only one award after hearing			78	91	99	104			59	63
163	Number of NAs who wrote two awards after hearing			36	42	54	60			20	20
164	Average number of days to end of hearing			318 days	345 days	369 days	386 days			447 days	443 days

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
165	Average number of days for hearing cases to close	213 days	278 days	328 days	357 days	381 days	398 days	372 days	410 days	461 days	456 days
166	Median number of days for hearing cases to close	223 days	271 days	315 days	334 days	348 days	363 days	352 days	370 days	418 days	439 days
167	Mode number of days for hearing cases to close		288 days	288 days	288 days	344 days	344 days	265 days	264 days	322 days	203 days
168	Range of days for hearing cases to close	104 - 319 days	39 - 538 days	39 - 737 days	39 - 1,181 days	39 - 1,181 days	23 - 1,181 days	88 - 737 days	128 - 1,181 days	154 - 1,092 days	23 - 1,091 days
169	Average number of days for OIA cases to close	154 days	229 days	259 days	273 days	287 days	295 days	281 days	296 days	319 days	326 days
170	Median number of days for OIA cases to close	153 days	230 days	252 days	264 days	274 days	284 days	271 days	281 days	308 days	311 days
171	Mode number of days for OIA cases to close	69 days	344 days	288 days	274 days	274 days	266 days	251 days	274 days	286 days	280 days
172	Range number of days for OIA cases to close	4 - 319 days	4 - 570 days	4 - 802 days	3 - 1,181 days	1 - 1,485 days	1 - 1,485 days	5 - 802 days	3 - 1,181 days	1 - 1,485 days	3 - 1,285 days

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
173	Number of closed cases and average number of case to close, by category		611 cases	1,351 cases	2,140 cases	3,105	3,961			922	848
	Decided after Hearing		278 days	328 days	357 days	381 days	398 days			461 days	456 days
	Summary Judgment		266 days	289 days	286 days	297 days	306 days			333 days	355 days
	Settled		225 days	253 days	271 days	287 days	293 days			317 days	320 days
	Dismissed		266 days	281 days	289 days	315 days	315 days			376 days	317 days
	Withdrawn		172 days	190 days	203 days	212 days	221 days			231 days	247 days
	Other Closures	154 days									
	Overall Average		229 days	259 days	273 days	287 days	295 days			370 days	326 days
174	Number of cases where claimants have received an award in their favor/ percent of all cases w/ awards	5 / 23%	37 / 33%	84 / 37%	138 / 39%	185 / 38%	233 / 37%	46 / 38%	51 / 43%	47 / 39%	48 / 34%
175	Largest claimant award	\$175,000	\$5.6 million	\$5.6 million	\$5.6 million	\$5.6 million	\$5.6 million	\$1.1 million	\$3.8 million	\$1.3 million	\$3.3 million
176	Average claimant award		\$272,971	\$207,571	\$277,000	\$276,000	\$299,000	\$156,001	\$399,000	\$273,000	\$386,000
177	Median claimant award		\$102,740	\$80,421	\$96,000	\$106,000	\$125,000	\$79,024	\$168,000	\$160,000	\$249,500
178	Mode claimant award		\$175,000	\$175,000	\$175,000	\$175,000	\$250,000	\$175,000	\$30,000	\$15,000	\$250,000
179	Range in claimant awards	\$6,560-\$175,000	\$6,560 - \$5.6 million	\$2,500 - \$5.6 million	\$500.00 to \$5.6 million	\$1 to \$5.6 million	\$1 to \$5.6 million	\$2,500 - \$1.1 million	\$500 - \$3.8 million	\$1 to \$1.3 million	\$3,000 to \$3.3 million

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
180	Number of claimants who have requested expedited process	9	22	32	42	45	60	10	9	3	15
181	Number of requests for expedited process made to OIA (not an NA)	7	18	26	34	36	47	8	8	2	11
182	Number of requests for expedited process the OIA granted / number denied without prejudice	5 / 1	12 / 6	19 / 7	26 / 8	28 / 8	38 / 9	7 / 1	7 / 1	2 / 0	10 / 1
183	Number of requests to OIA for expedited process to which Kaiser objected	1	3	6	7	7	8	3	1	0	1
184	Number of requests for expedited process to which Kaiser objected but OIA granted/ number OIA denied	0 1	1 2	4 2	5 2	5 2	6 / 2	3 0	1 0	N/A	1 / 0
185	Number of requests for expedited process granted by NA after prior OIA denial		1	1	1	1	2	0	0	0	1
186	Number of requests for expedited process made to NAs / number granted / number denied	1 1	5 4 1	7 4 3	8 7 1	9 8 1	13 11 2	2 1 1	1 1 0	1 1 0	4 3 1
187	Percent expedited cases constitute of all OIA cases		1%	22 / 1%	31 / 1%	32 / 1%	44 / 1%			1 / 968 = .1%	11 / 1%
188	Number of expedited cases remaining open		3	2	2	1	5	2	2	1	5
189	Smallest number of days for an expedited case to close / how was it closed		20 days - settled	20 days - settled	20 days - settled	20 days - settled	20 days - settled	20 days - settled	20 days - settled	65 days - settled	23 days - Judg Resp

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
190	Smallest number of days for an expedited case to close after hearing		39 days	39 days	39 days	39 days	23 days - Judg Resp			N/A - all settled	23 days - Judg Resp
191	Have all expedited cases closed within their set time periods?		Yes	yes	yes	yes - 1 award late	yes - 1 award late			yes	yes
192	Are open expedited cases on schedule?		Yes	yes	yes	yes	yes			yes	yes
193	Average number of days for an expedited case to close		127 days	149 days	149 days	152 days	146 days		101 days	207 days	121 days
194	Median number of days for an expedited case to close				117 days	117 days	118 days		86 days	207 days	131 days
195	Mode number of days that an expedited case to close				104 days	104 days	104 days			N/A	N/A
196	Range number of days for expedited cases to close		20 - 430 days	20 - 436 days	20 - 476 days	20 - 476 days	20 - 476 days		41 - 217 days	65 - 349 days	23 - 202 days
197	Number of expedited cases w/ benefits and coverage issues		0	2	2	2	2		0	0	0
198	Have the expedited cases w/ benefits and coverage issues been completed closed within their set time periods?			Yes	yes	yes	yes			N/A	N/A
199	Number of cases designated as complex by NAs	2	13	40	54	64	97	30	14	13	33
200	Number of closed complex cases		2	23	41	60	77	22	18	18	17
201	Average number of days for a complex case to close			576 days	632 days	648 days	644 days			690 days	627 days

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
202	Median number of days for a complex case to close		596 days	617 days	626 days	629 days				654 days	635 days
203	Mode number of days for a complex case to close			679 days	504 days	623 days				N/A	N/A
204	Range number of days for a complex case to close		228 - 798 days	228 - 1,036 days	228 - 1,036 days	228 - 1,036 days				339 - 1,004 days	434 - 779 days
205	Number of complex cases so designated because of complex medical issues		17	24	29	42				7	13
206	Number of complex cases so designated because of complex discovery issues		14	18	21	30				4	9
207	Number of cases designated as extraordinary	0	2	3	9	10	2	1		6	1
208	Number of closed extraordinary cases		0	1	5	7				4	2
209	Average number of days for extraordinary cases to close			1,181 days	1,018 days	1,022 days				977 days	1,032 days
210	Number of Rule 28 extensions of time had been granted which extended cases beyond 18 months		5	110	184	260 cases	43	55		77	78 cases
211	Number of Rule 28 cases that are open / number that are closed		22 / 32	72 / 38	47 / 137	53 / 207		35 / 20		47 / 65	53 / 69
212	Average number of days in which Rule 28 cases close		583 days	639 days	654 days	656 days				679 days	661 days

Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
213	Median number of days in which Rule 28 cases close		604 days	593 days	604 days	630 days	624 days			647 days	603 days
214	Mode number of days in which Rule 28 cases close		476 days		476 days	637 days	585 days			585 days	570 days
215	Range of number of days in which Rule 28 cases close		292 - 1,126 days	292 - 802 days	292 - 1,126 days	292 - 1,126 days	168 - 1,285 days			471 - 1,092 days	168 - 1,285 days
216	Number of cases where NAs granted a Rule 28 extension to hold an AMC without extending the 18 month deadline			21		93	109	20		31	16
217	<u>Number of Rule 28</u>										
	Postponement of AMC		61	21	61	93	109	20		31	16
	Court ordered postponement		3		3	4	5			2	1
	postponement extending 18 month time period		110	54	110	184	269	43		77	81
	postponement to submit filing fee		42	4	42	63	66	4		15	3
	postponement of hearing within time period		9	5	9	79	128	3		70	49
	postponement of NA selection		24	5	24	88	118	2		64	29
	OIA grants postponement proceedings					4	5			4	1
	NA grants postponement proceedings		15		15	17	19			2	2



Line		3-29-99 to 3-28-00	3-29-99 thru 2000	3-29-99 thru 2001	3-29-99 thru 2002	3-29-99 thru 2003	3-29-99 thru 2004	2001	2002	2003	2004
218	Number of cases closed after hearing w/ designation of a party arbitrator	14)	9	14	27	35	45			8	10
219	Number of open cases w/ designation of a party arbitrator			20	25	27	29		25	17	22
220	Number of open cases w/ designation of a party arbitrator from both parties	30		4	7	8	17		7	7	10
221	Number of evaluations OIA sent to NA / number returned / percent returned (does not include blank forms)		556 / 468 / 84%	1,177 / 964 / 82%	1,517 / 1,277 / 84%	2,234 / 1,852 / 83%	2,914 / 2,448 / 84%	622 / 493 / 79%	341 / 286 / 84%	719 / 576 / 80%	680 / 597 / 88%