Closing Argument

Ladies and gentlemen, throughout the trial we have proven Mr. Dan Linn’s negligence towards his daughter, Helen Linn. Let us review the four elements of negligence:

1.Duty- The duty given to Mr.Linn by LAW was responsibility to get his daughter treatment after she was diagnosed as mentally incompetent, putting her back into his legal custody based upon (FL ST 394.459). This diagnosis established that Helen was the responsibility of Mr. and Mrs. Linn even though she was an adult. This duty was not only affirmed by the testimony of the witness Doctor Wolinsky but also by the defense’s own expert witness Doctor Ortega.

2.Breach- Mr. Linn broke his obligation to his daughter by denying her the proper treatment needed. He did this knowing the threat his daughter posed a threat to society and he knew of this threat based upon both the diagnosis of an accredited Psychiatrist and the reports issued by the police over her threatening actions. Mr. Linn ignored his obligation to seek treatment for the mentally ill Helen who was placed in his custody.

3.Causation- Because of Mr. Linn’s negligence, Helen never received the treatment that she needed. Because of his negligence, her conditioned worsened. Because of his negligence, four innocent children were murdered, these children whose only crime was that of being at a nursery on the wrong day at the wrong time and whose lives were violently stolen away, three innocent children were seriously wounded, and an innocent bystander was shot simply because Mr. Linn refused to seek treatment for his deeply disturbed daughter.

4.Damages- Over a million dollars in medical expenses, over $500,00 worth of burned property and GREAT emotional distress. Four children died as a result of Mr. Linn’s negligence, these children who had their entire lives ahead of them and who will now never grow up to experience life, happiness, and joy. Three children were grievously wounded and who will now live the rest of their lives tormented by the memories of the atrocities that were committed that day. And finally Chuck Testa, a promising young swimmer whose career was paved for him with a full ride scholarship based upon his talent for competitive swimming, had his future shattered by a bullet that ended his career, the scholarship, and his ability to participate in the sport he loves.

As you see, Mr. Linn clearly fits all four elements of negligence.

Throughout this trial, the evidence offered by the opposing council has shown nothing but fraud on their part. With evidence contradicting other evidence, the defense has brought nothing but confusion to the court. Not only that, but their witnesses have contradicted each other and the Statement of Facts given at the beginning of the trial. In fact, Mr. Linn gave answers to certain questions about Helen that not only contradicted his written testimonial, but also conflicted with authenticated, legal documents. Mr. Linn testified yesterday as to not knowing that his daughter was seeing a psychiatrist, this we know to be a blatant lie which contradicts the sworn statement he made. Further adding to this, his sworn statement too is a lying in stating that Helen only saw her doctor for a year. So we know Mr. Linn lies not just under oath while in court but also in written sworn statements. The defense tries to fight our evidence by saying that it is fake, yet evidence like the prescription paper, with its signature which Doctor Wolinsky testified to as being a forgery, and the prescription bottle, with its incorrect dates and addresses, contained more inconsistencies than were ever shown in our evidence. And of this prescription, the defense attempts to blame Helen’s behaviour on Doctor Wolinsky’s prescribing Mr. Linn and the opposing council will once again try to play the ignorant and distraught father who mourns for his daughter, but because of the psychiatric help that Helen had been receiving since she was a minor and also all the warnings given to Mr.Linn, you as the jury MUST understand it is not true. The real grieving comes from our clients, all of them (including those who are not in court today). Our clients, those who might have tucked their precious child into bed the night before, not knowing that good night kiss would be their last. The opposing council stated in their opening statement that it was up to you as jurors to decide if this makes Mr.Linn a monster. We as the plaintiff council do not look at what has occurred makes him a monster, but it’s up to you to decide if Mr.Linn’s actions make him a negligent father. Maybe they’re one in the same. That is for you to decide.

Thank you.