

June 18<sup>th</sup>, 2020; my family had to say goodbye to my amazing mother, Kandace Kay Loken, because of an elective surgery gone wrong and a doctor's poor decisions. A surgery gone wrong and then she had to endure nine months of surgeries, comas, CPR, dialysis, pacemakers, respirators, feeding tubes, wound vacs, physical therapy, pain and suffering. All while her children and husband had to endure nine excruciating months of watching her struggle to survive, waiting, watching, crying and praying. Nine months of watching her deteriorate right before our eyes before her body finally had had enough and she left us at 4:30pm on June 18<sup>th</sup>.

After her passing, we made the decision to pursue a malpractice lawsuit. We really struggled to find an attorney to help us. This is when we learned that because we lived in North Dakota recovery for her wrongful death was limited to \$500,000. Many attorneys told us they could not take our case because of how expensive the case would be to pursue because of all the medical experts needed and that recovery would be limited to a maximum of \$500,000.

This is when we learned the value placed on my mother's life according to the ND was maxed out at \$500,000. If my mother Kandace had lived in one of 22 other states the value of her life would have been left up to a jury and not limited to a 30 year old law in ND where the max is \$500,000. If this happened just across the street in MN her life would have been not been limited by this unfair cap.

Another thing we learned; if my mom was killed by any other wrongful action, for example a car accident, the value of her life would not have been found limited by this cap. And there would no limit to the dollar amount we could seek. But being it was medical malpractice; her life value was 'capped'. Our pain and suffering was 'capped'. No consideration to what an amazing human Kandace Loken was before her life was cut short. She was a loving wife of 43 years and she raised 3 successful kids. She adored her 9 grandchildren every chance she could get, they were all truly the light of her life. Everyone described her as the life of the party, and she loved sharing Christmas time with family and shopping with her sister.

We will truly miss her forever and it is in her honor that we are here to speak to you, to try to change this cap so that other families don't have to go through what ours had to endure.