Meet Boyk Law’s Unofficial New Office Dog, Emma

October’s Raving Fan of the Month

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A 2012 Virginia Commonwealth University study showed employees who bring dogs to work produced lower levels of cortisol (the hormone released during times of stress), which is why we are trying to have Emma, Anneke Godbois’s five-year-old Pug Shae Pet mix, visit us at the office. Feel free to come to our downtown office to pay her a visit!

The dentists would not allow parents to accompany their kids during treatment, even after repeated requests, rarely did they ask parents’ permission before beginning the dental work, and they would often threaten to call Child Services when parents objected to the invasive or unnecessary treatment. A select group of highly skilled attorneys from across the country spearheaded an effort that would eventually lead them to being able to secure a settlement for the parents of more than $43 million from Small Smiles’ insurers.

We took on more than 500 child dental injury cases on behalf of kids from across the country. Since the settlement money will be put into trust accounts for the more than 3,000 children nationwide who had qualifying claims against the dental chain.

“We were able to recover, primarily for the trauma they suffered. The lasting tragedy of this case is that many of these children suffered permanent damage and many will never go back to a dentist again.”

“When children are the most vulnerable of us all – they depend on adults to care, provide, and protect them.” – Attorney Wes Merillat

When we took on this litigation, we encountered barriers after barrier after barrier. Clinics moved. Doctors left the state. Small Smiles were short on cash.

On behalf of kids from across the country, Wes Merillat, who was one of three attorneys selected and appointed by the Federal Court to oversee the litigation, negotiation, and settlement with Small Smiles’ insurers. That group included one of our own attorneys, Wes Merillat, who was one of three attorneys selected and appointed by the Federal Court to oversee the litigation, negotiation, and settlement with Small Smiles’ insurers.

Happier days are now new for children who were abused as patients of the Small Smiles dental clinics. After years of battling in court, the Small Smiles claimants finally secured a global settlement of $43 million, bringing closure to thousands of families across the United States.

With locations nationwide as well as in Toledo, Small Smiles dental centers specialized in pediatric dentistry and were one of the few dental firms that accepted Medicaid insurance. But instead of helping children and families who could not afford dental insurance, Small Smiles dentists took advantage of the kids by performing unnecessary treatment in order to fraudulently bill Medicaid and make more money. An FBI investigation found that Small Smiles dentists nationwide were drilling and filling cavities that were not visible, performing painful root canals and other dental procedures without any local anesthesia or “laughing gas”, strapping down children’s arms and legs so that they could not move during the procedures, and refusing to stop treatment or send the children out at night and would also threaten to call Child Services.

Through this month’s issue of the Boyk Bulletin are stories of the kids who overcame the odds, parents who stood up for their children, and the attorneys who overcame the obstacles in order to bring closure to thousands of families across the United States.
A Father Recounts His Daughter’s Struggle With Autism & Her Fear of Small Smiles

“Before going to Small Smiles, my daughter Amanda had a pretty smile and then everything started falling apart.” – Michael Stuck

Michael Stuck is a soft-spoken man who works hard to care for his 27-year-old daughter, Amanda, who has developmental disabilities and is on the autism spectrum. When she started going to Small Smiles at 18, the dentist ground down her teeth so badly that she needed dentures. Her father had no idea what was going on until after the last visit was done, since he was not allowed to accompany his daughter to the back treatment rooms.

“When I first heard about what Small Smiles was doing to kids, I was pretty upset,” Michael, Amanda’s father, said. “Before going to Small Smiles, my daughter Amanda had a pretty smile and then everything started falling apart. They wouldn’t let me go back there with her and that was suspicious to me. I never thought that there would be a lawsuit. Amanda is autistic and she told me that they strapped her arms down but that she was scared to tell me until after the last visit was done.”

He didn’t know what was really going on until our office alleged parents that their kids may have been abused behind closed doors.

“When I read the Boyk newsletter I saw the story about the case against Small Smiles and I called in to join the lawsuit because I was so mad,” Michael continued. “When the treatment they was doing to the kids – that’s not a way to treat kids,” Barbara said. “I always felt like I was going to die because it was so scary to be strapped down.”

Barbara and Jontae were happy with the settlement because they finally feel like justice was served.

“Michael said. “I’m glad we did because I was really happy with the way that the case was handled. The most important part was that everyone was concerned for my daughter’s safety. Small Smiles being autistic, it’s sometimes hard to talk to her but she felt comfortable with everyone there, especially Attorney Wes Morill. He did a wonderful job with the case; he’s a really good attorney. I would recommend him to anybody.”

Single Mom Talks About Aftermath Of A Single Visit To Small Smiles

When Tiffany Walters received a phone call from Attorney Wes Morill late one night while making dinner, the last thing on her mind was the Small Smiles lawsuit. It had been 11 years since that fateful day when both of her children ran out of the clinic screaming and three years since the lawsuit began.

So when Wes told her that a settlement had finally been reached, Tiffany burst into tears and called her kids to join her in the kitchen.

“I never expected anything to come out of this,” Tiffany said, “I just wanted my scenarios to be heard. When I first learned about the Small Smiles lawsuit, I had no idea that there were other kids who were abused, too. It’s taken us so long to get over what was done to them. My son is psychological and right and because of Small Smiles he refuses to see another dentist at all. Both of my kids had to have surgeries on their mouth as a result of the abuse and my daughter was teased for year at school because she was always too scarred to go to a dentist to get her teeth fixed. After few attempts at finding someone she was comfortable with, she finally built up the courage to go.”

“Tiffany’s son Cain was just five-years-old when he was strapped down and given root canals without any anesthesia. He suffered an asthma attack when restrained, making it impossible for him to breathe. At the same time, her two-and-a-half-year-old daughter Hakele was strapped down in another room, having all of her front teeth yanked out of her mouth without being numbed at all. When Tiffany finally got to go back, she found her children hysterical, blood pouring from their mouths. Hakele ran straight past her own mother and out of the front door of the clinic, desperate to escape.

“I was nervous all the time when I was there,” Jontae said. “I always felt like I was going to die because it was so scary to be strapped down.”

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“Tiffany said. “I’ve been a single mother throughout this whole process. I’ve done this all by myself. But this means so much for me all we went through with Hakele’s multiple surgeries. You guys were so great about keeping in contact and making sure that I always had updates. I really feel like you are our family too. I can’t thank you enough.”

Cases of Interest: October 2016

Surgery Complications Result in Paralysis As Man Waits To Find Out What Went Wrong

Our firm is investigating what went wrong during our client’s spinal surgery, which caused serious complications and the need for additional surgeries. Our client has since considered a lawsuit to recover for her medical expenses and lost wages.

A young woman lost her life in a car accident on State Route 85 in Canton after a pick-up truck pulled out in front of her, causing her to spin out and hit a utility pole. Our goal is to handle all legal aspects of the case, including correspondence with the insurance company, so that her husband may focus on her legacy and the family’s grief as they remember her beautiful loved one.

Birthday Fun at Boyk Law

Happy birthday to:
- Cindy White (9/27)
- Lisa Blackburn (9/29)
- Cindy White (9/27)
- Lea Michael who turns 30!
- Tiffany Ratliff (9/19)
- Josh Nagel (9/6)

Boyk Law celebrated the September birthdays with lunch from Chipotle on September 27th.

Birthday Fun

Driver Pulls Out In Front Of Motorcycle Rider, Tosses Him 20 Feet & Lands Him In ICU

Our client was traveling down Glendale Avenue on his motorcycle when another driver pulled out in front of him, causing him to strike her car and fly 20 feet off the road. He was transported to Toledo Hospital where he spent three days in the Intensive Care Unit to treat a traumatic brain injury, six rib fractures, a bruised lung, and fractured toe. Surgery was needed to repair the toe and our client is still facing months of recovery.

Recipe: Tiffany’s Tried-and-True Potato Soup

Tiffany Ratliff is our in-house Specialist, wears this easy, crock pot soup all Fall and Winter long. It is a family favorite.

INGREDIENTS
- 1 – 30oz bag frozen hash-brown potatoes (cooked work best)
- 2 – 15oz cans chicken broth
- 1 – 10.75oz can cream of chicken soup
- ½ tsp chopped onion
- 1 – 8oz package cream cheese (softened)
- 1 cup shredded cheddar cheese
- 6 slices bacon, cooked and crumbled
- 2 green onions, sliced
- ½ cup chopped onion
- 2 cans green beans
- 4 cups chicken broth
- 2 tsp garlic powder
- 1 tsp dried thyme
- ½ tsp black pepper
- 1 tsp salt
- ¼ cup butter

DIRECTIONS
1. In a crock pot, combine potatoes, chicken broth, soup, onion, and pepper. Cook on low for 5-6 hours.
2. Add the cream cheese and cook 30 minutes or until cream cheese is melted, stirring occasionally, until combined.
3. When serving, top with cheese, bacon, and green onions.

A Grandmother Works To Give Normal Life To Grandson After Small Smiles Capped Most Of His Teeth

When you hear Barbara Nelson talk about her grandson, Jontae Pryor, the passion for protecting him rings through loud and clear even though her tone is quiet.

Like other parents and guardians, Barbara had no idea when she took Jontae to Small Smiles that the 5-year-old was strapped down when he was given root canals and caps on his baby teeth. She didn’t learn the truth until after the last visit was done.

“When my grandson told me what was going on, I went down to put Small Smiles and told them that is not the way it is should be,” Barbara said. “You shouldn’t strap someone down or hold someone down just to put your kids apart. They wouldn’t let me go back there with her and that was suspicious to me. I always felt like I was going to die because it was so scary to be strapped down.”

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Give Normal Life To Grandson

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INGREDIENTS

- 6 slices bacon, cooked and crumbled
- 1 cup shredded cheddar cheese
- ¼ teaspoon black pepper
- 1 – 10.75oz can cream of chicken soup
- 1 – 30oz bag frozen hash-brown potatoes
- 4 cups shredded small red potatoes
- 2 cups celery
- 4 cups whole milk
- 2 8-ounce packages cream cheese
- 4 cups mild cheddar cheese, shredded
- 1 16-ounce bag fresh green onions

DIRECTIONS

1. In a crock pot, combine potatoes, chicken broth, soup, onion, and pepper.
2. Cover and cook on low 5-6 hours.
3. Add the cream cheese and cook 30 minutes or until cream cheese is melted, stirring occasionally, until combined.
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We want to see photos of your pets! Send in a pic of your dog, cat, fish, or other pet, along with your name, address, and phone number, to community@charlesboyk-law.com or text it to 567-395-2212 and we will choose one of the entries to win a set of four movie tickets!

Happier days are now here for children who were abused as patients of the Small Smiles dental clinics. After years of fighting in court, the Small Smiles claims finally secured a global settlement of $43 million, bringing closure to thousands of families across the United States.

With locations nationwide as well as in Toledo, Small Smiles dental centers specialized in pediatric dentistry and were one of the few dental firms that accepted Medicaid insurance. But instead of helping children and families who could not afford dental insurance, Small Smiles dentists took advantage of the kids by performing unnecessary treatment in order to fraudulently bill Medicaid and make more money.

An FBI investigation found that Small Smiles dentists nationwide were drilling and filling cavities that were never present, performing painful root canals and other dental procedures without any local anesthetic or ‘laughing gas,’ wrapping down children’s arms and legs so that they could not move during the procedures, and refusing to stop treatment or wake the children even after they unainted and vomited on themselves, all in the name of corporate profits.

The dentists would not allow parents to accompany their kids during treatment, even after repeated requests, rarely did they ask parent’s permission before beginning the dental work, and they would often threaten to call Child Services when parents would object to the intrusive or unnecessary treatment.

A select group of highly skilled attorneys from the country spearheaded an effort that finally led them to bringing a case to court. After six years of fighting in court, the Small Smiles clinic was finally forced to settle for a global settlement with Small Smiles’ insurers.

That group included one of our own attorneys, Wes Merillat, who was one of three attorneys selected and appointed by the Federal Court to oversee the litigation, negotiation, and settlement with Small Smiles’ insurers.

Pursuant to court order, the settlement has been placed into a Trust Account for the more than 5,000 children nationwide who had qualifying claims against the dental chain. We took on more than 500 child dental injury cases on behalf of kids from across the country. Since the settlement money will be put into trusts until the kids turn 18, our hope is that the awards will allow them to pay for college, create savings accounts, and get a head start on adulthood.

“Children are the most vulnerable of us all – they depend on adults to care, provide, and protect them.” – Attorney Wes Merillat

When we took on this litigation, we encountered barrier after barrier after barrier. Clinics moved. Doctors left the state. Small Smiles tried to draw us out of court multiple times. They finally filed bankruptcy. Then we were left to chase down insurance coverage by locating and fighting Small Smiles’ insurance companies. For six years, we dedicated ourselves to busting through every barrier. At the end of the day, what we were able to recover, particularly given the bankruptcy, was significant – very significant.

While, however, it does give these children some- thing, it does not fix the trauma they suffered. The lasting tragedy of this case is that many of these children suffered permanent damage and will never go back to a dentist again.

“It was a flagrant abuse of power,” Wes said. “Children are the most vulnerable of us all – they depend on adults to care, provide, and protect them. Purposely hurting and abusing children for profit is a tragedy that ought to infuriate everyone to action.”

Throughout this month’s issue of the Boyk Bulletin are stories of the kids who overcame the abuse they endured at the hands of dentists and whose families are today. It is important to note that many of the children photographed smile without showing their teeth, which is an clear sign of how poorly they were treated at Small Smiles.

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