

**University Hospitals
HealthSystem**

University Hospitals
of Cleveland

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April 19, 2003

Ronald A. Mingus;
Reminger & Reminger Co
1400 Midland Building
101 Prospect Avenue, West
Cleveland, OH 44115-1093

Re: Gortney, et al. v. Western Reserve Center, et al.
Stark County Court of Common Pleas
Case No.: 2002 CVO 3755
Your File Number: 4107-02-1276A-01

Dear Mr. Mingus,

I have reviewed material in the above matter, including the depositions of Mr. and Mrs. Brian Gortney and medical records from Mercy Medical Center, Doctor's Hospital, Ohio Neck and Head Surgeons, Lakewood Hospital, Dr. Richard Klapchar, Dr. John Zak, Dr. Robert T. Spangler, Dr. Voogesang, Dr. Leroy J. Le Fever, Dr. Lawrence Penbose, Head and Neck Diagnostics of America, Dr. Jack Baker, Dr. Terry Stocker, Dr. Hal Huggins, Dr. Donald Case, Dr. Tabet, Dr. Carl Peshoff, Dr. Mark Fiorentino, Dr. Jack Singluff and Dr. Christopher Hussar (I had some difficulty reading Dr. Hussar's hand written notes). In addition, I have read the report of Dr. Hussar.

Mr. Gortney gives a history of facial pain going back to his teenage years. He has seen multiple physicians for this problem in Ohio and elsewhere, including many in private practice and physicians at the University of Pittsburgh and the Cleveland Clinic Foundation. He has undergone many surgical procedures to

address problems thought to be related to his pain. In 1998 and 1999 he sought treatment from Dr. Zak and underwent a surgical procedure on 12/21/98 and 5/24/99.

In my review of these records, I did not find that the procedures by Dr. Zak led to any infections or other complications. I also did not find evidence of an oral infection that was not treated by Dr. Zak and his associates. A bone scan in April 2000 showed abnormal uptake in the jaw bones, but a gallium scan done a week later was completely normal. In the setting of a patient with surgeries to the jaw, an abnormal bone scan is very non-specific. Presumably this is why the bone scan was followed by a Gallium scan, which did not show evidence of infection. The records I reviewed also demonstrate that Mr. Gortney's facial pain syndrome clearly predated his treatment by Dr. Zak. I do not have any specific comments on the procedures done by Dr. Zak, other than to say that the diagnosis and management of cavitations remains controversial. However, I can say that to a reasonable degree of medical certainty that Dr. Zak or Dr. Diamatis did not fail to treat an infection in the oral cavity. I also disagree with Dr. Hussar's assertion that infections of the oral cavity tend to disseminate and cause bodily damage. The role of cavitations in human health outside the mouth is purely speculative.

Please call with any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'K. Armitage', written in a cursive style.

Keith B. Armitage, MD