

THE STATE OF OHIO,     )  
                                  ) ss:  
COUNTY OF CUYAHOGA.    )

DOC. 72

IN THE COURT OF COMMON PLEAS

FRANCES SMITH, Administratrix     )  
of the Estate of Alvester         )  
Smith, Sr., Deceased,             )

Plaintiff,                     )

v.                                 )

Case No. 100877

ST. LUKE'S HOSPITAL, et al.,     )

Defendants.                     )

- - -

Deposition of LESTER S. BORDEN, M.D.,

taken by the Plaintiff as if upon cross-examination  
before Kerry L. Paul, a Registered Professional  
Reporter and Notary Public within and for the  
State of Ohio, at The Cleveland Clinic Foundation,  
9500 Euclid Avenue, Cleveland, Ohio, on Thursday,  
the 5th day of November, 1987, commencing at  
2:00 p.m., pursuant to notice.

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1       APPEARANCES:

2           Charles Kampinski Co., L.P.A, by:  
3           Charles Kampinski, Esq.,  
4           and  
5           Christopher M. Mellino, Esq.,

6                   On behalf of the Plaintiff.

7           Reminger & Reminger, by:  
8           Marc W. Groedel, Esq.,

9                   On behalf of the Defendants Timothy L.  
10           Stephens, Jr., M.D. and Curtis W. Smith,  
11           M.D.

12           Jacobson, Maynard, Tuschman & Kalur, by:  
13           Michael J. Hudak, Esq.,  
14           and  
15           Stephen J. Charms, Esq.,

16                   On behalf of the Defendant S.J. Lee,  
17           M.D.

18           Arter & Hadden, by:  
19           Michael C. Zellers, Esq.,

20                   On behalf of the Defendant  
21           St. Luke's Hospital.

22           Kitchen, Messner & Deery, by:  
23           Pamela L. Dugas, Esq.,

24                   On behalf of Agnes Sims, R.N.

25                   - - -

1       STIPULATIONS

2           It is stipulated by and between counsel  
3           for the respective parties that this deposition  
4           may be taken in stenotypy by Kerry L. Paul; that  
5           her stenotype notes may be subsequently  
6           transcribed in the absence of the witness; and  
7           that the reading and signing of the deposition by  
8           the witness were expressly waived.

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LESTER S. BORDEN, M.D.,  
a witness herein, called by the Plaintiff for the  
purpose of cross-examination as provided by the  
Ohio Rules of Civil Procedure, being by me first  
duly sworn, as hereinafter certified, deposes and  
says as follows:

CROSS-EXAMINATION

BY MR. KAMPINSKI:

Q. Doctor, my name is Charles Kampinski and  
I represent the Estate of Alvester Smith. I'm  
going to ask you a number of questions. If you  
don't understand any of my questions, please tell  
me and I'll be happy to rephrase them.

A. Okay.

Q. When you respond, do so verbally. She  
can't take down a nod of your head, all right?  
Okay?

A. Yeah.

Q. Will you state your full name, please.

A. Lester Borden.

Q. And you are an orthopedic surgeon?

A. Yes.

Q. If you would, run me through your  
educational background, sir, starting with college.

A. I went to Virginia Tech, graduated as a

I mechanical engineer and a naval architect. I did  
2 my premed at the University of Pennsylvania.  
3 While I was working, I was a naval design engineer.  
4 I went to medical school at New York Medical  
5 College in New York City and graduated in 1969.

6 Q. Okay. Did you have any additional  
7 training after that, sir?

8 A. I did a surgical internship and surgical  
9 residency at St. Vincent Medical Center in New  
10 York City and did an orthopedic residency at New  
11 York University at Bellevue Hospital in New York  
12 City and I did a fellowship in adult  
13 reconstructive orthopedic surgery, joint  
14 replacement surgery at the New England Baptist  
15 Hospital in Boston.

16 Q. When did you do that?

17 A. 1974 to '75.

18 Q. And did you have any additional training  
19 after that?

20 A. No.

21 Q. Where did you go after that to practice?

22 A. Here, Cleveland Clinic Foundation.

23 Q. And you have been here since that time?

24 A. Yes.

25 Q. Do you have a CV, Doctor?

1           A.     I was going to get one. My secretary is  
2 out, but I can get you one.

3           Q.     Before we leave today, if you would just  
4 get us one.

5           A.     Okay.

6           Q.     That lists whatever publications you  
7 have had?

8           A.     Societies, publications, everything.

9           Q.     All right. Board certified, Doctor?

10          A.     Yes.

11          Q.     And when did you obtain your  
12 certification?

13          A.     1975.

14          Q.     You mentioned a fellowship in joint  
15 replacements?

16          A.     Yes.

17          Q.     I assume that includes hip replacements?

18          A.     Yes.

19          Q.     And is that something that you have  
20 specialized in since that fellowship?

21          A.     Yes. I'm the head of adult  
22 reconstruction at the Cleveland Clinic. I have  
23 been that for the last ten years or so.

24          Q.     And how long have you been the head of  
25 that department?

1 A. Ten years.

2 Q. How many people are in that department?

3 A. It is a division of the orthopedic  
4 department. Our department is sectionalized  
5 according to subspecialty and there are four  
6 members of that section who are full-time joint  
7 replacement surgeons and there is another three  
8 people who do joint replacements who come to the  
9 section meetings, but are primarily in other  
10 sections, so there's really seven of us.

11 Q. Have you ever been involved in  
12 litigation yourself, Doctor?

13 A. Have I been sued?

14 Q. Yes.

15 A. No.

16 Q. Have you been involved in testifying in  
17 lawsuits?

18 A. Many times.

19 Q. For which side or has it been both?

20 A. Both.

21 Q. All right. And how often have you  
22 testified for the plaintiffs versus defendants?

23 A. Probably more plaintiff, because most of  
24 them are -- you know, we see a lot of post  
25 traumatic-type things where the patient has a

I lawsuit, an injury claim, things like that.

2 Q. You are talking now in terms of  
3 testifying as the treating physician?

4 A. Yes.

5 Q. Okay. I'm talking about as an expert.  
6 I'm sorry if I didn't make myself clear.

7 A. I haven't.

8 Q. Is this the first time that you have  
3 ever testified as an expert?

10 A. Oh, I'm sorry. I take that back. No,  
11 it is the first time. Yes.

12 Q. Have you ever been asked to get involved  
13 as an expert by either side?

14 A. Routinely.

15 Q. Okay. This is the first time that you  
16 ever agreed to do so?

17 A. Yes.

18 Q. Do you know how it is that Mr. Groedel  
19 came to you to review this matter?

20 A. The people at Reminger, I have some  
21 friends there.

22 Q. All right.

23 A. And they caught me at a weak moment.

24 Q. Okay. What did you review in order to  
25 provide an opinion in this case?

1 A. His chart.

2 Q. Is that it?

3 A. Yes.

4 Q. Did you review any depositions of any  
5 doctors?

6 A. We got some depositions. They were  
7 mostly related to the anesthesia, anesthesiologist.

8 Q. Whose depositions did you get?

9 A. It is --

10 MR. GROEDEL: Curtis Smith's and  
11 Dr. Dowd's, those two.

12 Q. (BY MR. KAMPINSKI) Did you get those  
13 before --

14 A. These came to my office about two weeks  
15 ago and I kind of breezed through them.

16 Q. After you wrote your report?

17 A. Oh, yeah, long after.

18 Q. So the only thing that you had prior to  
13 writing your report was the chart?

20 A. Yes.

21 Q. What were you asked to do?

22 A. I was just asked to see if Dr. Smith did  
23 anything inappropriate.

24 Q. All right. Were you asked in a verbal  
25 form or did you receive any correspondence setting



I forth any facts that you were to assume?

2 A. I believe I got a letter.

3 MR. GROEDEL: I think I did send  
4 you a letter.

5 Q. (BY MR. KAMPINSKI) Do you have it?

6 A. No.

7 THE WITNESS: Do you have a copy  
8 of it?

9 MR. GROEDEL: Not with me, but I'm  
10 pretty sure I sent him a letter.

11 A. My secretary may have that.

12 Q. (BY MR. KAMPINSKI) Do you have a file  
13 on this case?

14 A. I have his chart and she may have the  
15 correspondence that I got asking me for a letter.

16 Q. If we could see that then before we  
17 leave today too?

18 A. Yes, if I have it.

19 Q. Were there any facts set forth in that  
23 letter that you were asked to assume that assisted  
21 you for purposes of reviewing this matter?

22 A. In the letter that I received from  
23 Reminger?

24 Q. Yes.

25 A. They just wanted me to basically review

1. the chart and see if Dr. Smith did anything  
2. inappropriate.

3. Q. All right. He was the attending  
4. physician, was he not?

5. A. Yes.

6. Q. And would you just briefly give me what  
7. you believe the responsibilities of an attending  
8. are with respect to a patient such as Mr. Smith?

3. A. Well, if you are the primary physician --  
10. if you have multiple doctors involved, there's a  
11. primary physician who is in charge of admitting  
12. the patient, evaluating him for a specific problem  
13. and then calling in other physicians as needed  
14. depending on the problems that exists.

15. Apparently Dr. Smith felt that this man  
16. had hypertension, a couple of medical problems  
17. that were of concern and he had an an internist  
18. evaluate him preoperatively.

19. Q. Would Dr. Smith be the attending,  
20. primary physician then on this case?

21. A. He would take care of the orthopedic  
22. problems and the internist would take care of the  
23. medical problems.

24. Q. Does that mean that he did not have to  
25. follow the patient while he was in the hospital in

1 terms of any other problems, assuming that this  
2 attending only came and visited him occasionally?

3 A. It depends on the circumstances.

4 Q. Well, the circumstances that I have just  
5 told you.

6 A. There's a million permeations and  
7 combinations that happen to human beings in a  
8 hospital. If a patient is admitted for an  
9 elective orthopedic procedure, which happens to be  
10 the case here, and the patient has medical  
11 problems or has a positive medical history or a  
12 questionable medical history, frequently we will  
13 call a medical consultation.

14 We will have an internist -- if he is a  
15 diabetic and everything else seems to be clear, we  
16 may get an endocrinologist to see him. If he has  
17 hypertension, maybe two or three problems,  
18 generally we will get one of the internal people  
19 in the department of internal medicine or an  
20 internist to see him. They generally evaluate the  
21 person, make sure that all of the medical -- the  
22 guy is stable, the patient is stable, make sure  
23 that the medications are appropriate and so forth  
24 and then clear him for surgery from a medical  
25 point of view,

1 Q. In other words, if he had somebody with  
2 prior problems, that would normally be something  
3 that would be done; that is, to get him cleared  
4 for surgery?

5 A. Yes. That's more common than uncommon  
6 when you are talking about the arthritic group,  
7 because they are older and many of them have  
8 problems and then the anesthesiologist also  
3 evaluates the patient too.

10 Q. In your review of the record and your  
11 review of the depositions sent to you since you  
12 prepared your report, have you come to any  
1.3 conclusion what, if any, knowledge Dr. Smith had  
14 about this particular patient in terms of his  
15 medical problems, specifically the heart attack  
16 that he suffered?

17 A. When?

18 Q. After the first surgery.

19 MR. GROEDEL: Objection.

20 A. He was aware of it.

22 Q. (BY MR. KAMPINSKI) He was aware of it?

22 A. I'm sure he was aware that he had a  
23 patient in the hospital with a heart attack.

24 Q. Can you show me where in the record that  
25 he determined that?

1 MR. GROEDEL: He's talking about a  
2 heart attack that he says happened after the first  
3 surgery.

4 Q. (BY MR. KAMPINSKI) That's right.

5 A. I'm sorry. I thought you were talking  
6 after the closed reduction.

7 Q. No, I'm talking about the first surgery,  
8 the hip replacement.

9 A. Okay. I'm not sure if, you know, what  
10 communication he had, but I would be -- I mean, it  
11 would be hard to conceive that a guy will be in a  
12 hospital being treated for a heart attack and not  
13 know about it.

14 Q. You would think that somehow he would  
15 have known about it?

15 A. Yes, sure.

17 Q. And would that have been within his  
13 responsibility as the attending to have been aware  
13 of that?

20 A. Apparently the patient was being treated  
21 by an internist for a heart attack.

22 Q. I'll ask you to assume that he wasn't  
23 being treated by an internist.

24 A. Yes.

25 Q. Then that would have been within his

1 responsibility to be aware of that?

2 MR. GROEDEL: Objection.

3 A. If he was the only doctor caring for the  
4 patient.

5 Q. (BY MR. KAMPINSKI) Well, let's start  
6 with the first surgery, Doctor. You are correct  
7 in assuming that he was cleared by his internist  
8 for that surgery, for the hip replacement?

3 A. Yes.

10 Q. Is there anything in that first surgery  
11 that struck you as odd or uncommon or adnormal?

12 A. (Indicating.)

13 Q. You have to answer verbally.

14 A. I'm sorry. No.

15 Q. The fact that there was a fracture of  
16 the -- what was it, the calcar portion of the  
17 femur?

18 A. Yes.

19 Q. That's not unusual. That happens, I  
20 take it, in this surgery?

21 A. It can happen.

22 Q. And it did happen here apparently?

23 A. Yes.

24 Q. Does it normally happen because too much  
25 pressure is being used?

1           A.     There are many reasons why something  
2     like that can happen.  These prosthesis don't come  
3     in 700 sizes.  There's an infinite number of sizes  
4     of femurs and occasionally, depending on the  
5     quality of the bone, the shape of the bone, the  
6     internal topography of the bone, when you implant  
7     a ridged metal device into a tubular fibroelastic  
8     structure, the bone can crack at the calcar and  
9     what that means is that the top of the ring -- you  
10    are looking into a hole and the top of the femur  
11    can have a little tiny split and most of the time  
12    it is innocuous.

13           Q.     Okay.

14           A.     If it does split and it's not innocuous,  
15    then you have to make it stable at the time of  
16    surgery.

17           Q.     And how do you go about doing that?

18           A.     Well, it depends on what kind of hip you  
19    are going to use.  If you are going to cement it,  
20    the cement will do it.

21           Q.     What if you plan not to use cement  
22    originally?

23           A.     If you have a crack, you have to use  
24    some kind of external -- you can use what we call  
25    a ciclage wire to restore the continuity of the

1 ring and you implant the prosthesis. Those are  
2 decisions that are made intraoperatively.

3 Q. Are there some hazards associated with  
4 the use of cement?

5 A. In what respect?

6 Q. Well, in respect to a hypertensive  
7 patient.

8 A. Not necessarily hypertensive, but  
9 hypovolemic.

10 Q. Meaning what?

11 A. Meaning that the patient is dehydrated  
12 and the French had published reports on people  
13 that had quote, unquote, cardiovascular collapse  
14 during the insertion of the cement, you know,  
15 years ago and most of those patients were elderly,  
16 dehydrated patients.

17 They were on the table a long time.  
18 During the beginning days of total hip  
19 replacements, people were just sort of learning on  
20 the job how to do it and they dehydrated. They  
21 got behind in fluid; and if they were older, they  
22 just did not have the pizzazz to bounce back.  
23 When the monomer circulates -- the monomer is part  
24 of the -- what happens is the way you mix cement  
25 is you have a powder, a monomer and there's



1 chemicals in there and you mix the liquid, which  
2 is a monomer with a powder and that starts -- the  
3 cement will polymerize. When it gets doughy, you  
4 insert it in the bone. You put the prosthesis in  
5 and hold the cement and it is done. The monomer  
6 can leak into the circulation, which is very  
7 innocuous unless the patient is really dehydrated  
8 and debilitated.

9 Q. Can it cause adverse cardiovascular  
10 results?

11 A. Yes, immediate too. The patient can  
12 arrest.

13 Q. All right.

14 A. It has happened. It is extremely rare,  
15 but it has happened.

16 Q. That is something that in somebody who  
17 has potential cardiac problems you will take into  
18 account in terms of whether to use cement or not?

19 A. No.

20 Q. You wouldn't take it into account at all?

21 A. No, you would make sure they were  
22 hydrated. The majority -- a large percentage of  
23 patients undergoing cemented conventional total  
24 hip replacements have a history of heart disease  
25 and are actually on medication for it.

1           Q.     How often would you say displacements  
2 occur after a total hip replacement?

3           A.     Well, it varies. There are many  
4 articles in the literature on that. If you read  
5 an article of 100 total hips, it may vary from,  
6 you know, 0 to 8 percent, but most of them are  
7 around 4 percent.

8           Q.     Can it be because of the original  
9 placement being inappropriate?

10          A.     It can be because of that.

11          Q.     Have you reviewed the x-rays in this  
12 case?

13          A.     Yes.

14          Q.     All right.

15          A.     It is okay.

16          Q.     It looks okay?

17          A.     It is good,

18          Q.     When did you review the x-ray?

19          A.     I saw them a little while ago.

20          Q.     You did not review them before you  
21 prepared your report?

22          A.     I reviewed them when I first got  
23 involved with this, yes.

24          Q.     And everything was in alignment  
25 originally?

A. In fact, those kind of hips are a little  
e stable than a conventional total hip because  
3 the cup is bigger. It has a big equator. It has  
4 to come further out of socket to dislocate.

5 Q. Why was the cup bigger?

6 A. It is a bipolar hip versus a  
7 conventional -- what a layperson would consider a  
8 total hip. When you talk about total hips, as a  
9 cemented -- it is a fixed acetabular component,  
10 whether it is cement or cementless. It is fixed  
11 in the bone and it has a smaller ball that goes  
12 inside of it. Bipolar has a small ball and then  
13 it has a pressed fit, a larger ball with a smooth  
14 metal backing on it that can actually rotate and  
15 you stick it into the socket.

16 Q. Okay.

17 A. So there is movement between the socket  
18 component and the socket bone as opposed to a  
19 conventional total hip where there isn't any  
20 motion at that interface.

21 Q. All right. And I assume the use of  
22 cement has nothing to do with the fact that it is  
23 bipolar. You can still use the femoral canal?

24 A. You can do it either way. The criteria  
25 for using cementless hips -- and I may have the

1 largest experience in the country with them -- is  
2 you have to achieve press fit stability. The bone  
3 is elastic. You are putting a ridged thing in and  
4 it has to clamp down on the prosthesis.

5 Q. That is what Dr. Smith was going to do  
6 here?

7 A. Well.

8 Q. He didn't clamp it because he didn't get  
9 bone fit prosthesis? He changed it because of the  
3.0 crack in the calcar, right?

11 A. Perhaps; but if that's the reason, he  
12 did the appropriate thing I think.

13 Q. All right. Did you look at the crack?  
14 Did they take x-rays of it?

15 A. You can't see it.

16 Q. Why not?

17 A. It's probably a longitudinal split. In  
18 other words, the bone isn't displaced. It is just  
19 split.

20 Q. All right. I thought you told me  
21 earlier depending upon the severity of the split  
22 would determine whether you use cement or not?

23 A. It does.

24 Q. So you are saying that you couldn't see  
25 it?

1           A.     If it is a nondisplaced split, you  
2 cannot see it on the x-ray, all right? In other  
3 words, the bone, as you put the prosthesis in,  
4 begins to split. It is elastic. You take the  
5 prosthesis out and it clamps shut. The reason you  
6 don't use a cementless prosthesis is that if you  
7 put a cementless prosthesis in there and ignore  
8 the split, then you will have rotatory instability  
9 and it will fail; so in that situation if that is  
10 done, you cement it. It's not a big deal.

11           Q.     You reviewed the anesthesiology record  
12 in the first operation of November 14th?

13           A.     I did awhile ago. I would have to refer  
14 to it.

15           Q.     Well, his blood pressure fluctuated?  
16 You don't have any disagreement that he should  
17 have gone to intensive care after that?

18           A.     After the first operation?

19           Q.     Yes.

20           A.     No.

21           Q.     And you reviewed the results of the  
22 tests done in intensive care?

23           A.     Yes.

24           Q.     And you noticed the fact that there was  
25 a 2 percent MB fraction of the CPK?

1 A. Yes.

2 Q. What does that mean to you, Doctor?

3 A. It means that he could have had some  
4 heart damage.

5 Q. And you read Dr. Smith's deposition you  
6 say within the last two weeks?

7 A. I breezed through it. I really didn't  
8 read that, because I was asked to testify as to  
9 the orthopedic care here and what was appropriate.

10 Q. He is the orthopedic doctor?

11 A. I mean, I didn't go into whether or not  
12 this guy should have had, you know, something done  
13 about his heart at that point by Dr. Smith. Do  
14 you follow me?

15 Q. Sure, I follow you. I thought you told  
16 me before that he should have at least been aware  
17 of it. Are you aware of the fact that Dr. Smith  
18 was not aware of it?

19 A. No. About the enzyme?

20 Q. Yes.

21 A. No.

22 Q. Should he have been?

23 A. I don't know.

24 Q. Are you aware of the fact he never went  
25 to see him in intensive care at all?

1           A.     No.

2           Q.     Should he have?

3           A.     I don't know.

4           Q.     When he was --

5           A.     I don't know if he should have. I mean,  
6     for a social visit, to check his hip, to check his  
7     enzymes, to check his medical --

8           Q.     For any or all of the above.

9           A.     I think it would be inappropriate for  
10    Dr. Smith to manage his medical condition at that  
11    point.

12          Q.     All right.

13          A.     If that's what you are asking.

14          Q.     Should he have been aware of it to make  
15    sure it is managed since he is the attending?

16          A.     Oh, yes.

17          Q.     And he certainly should have been aware  
18    of it before proceeding on the second operation,  
19    shouldn't he have?

20          A.     Aware that he had a medical problem?

21          Q.     Yes.

22          A.     Sure.

23          Q.     And gotten some kind of medical approval  
24    for the second operation?

25          A.     Yes.

1 Q. Can you tell me why he didn't do that?

2 MR. GROEDEL: Objection.

3 A. I thought he did. I thought that Dr. --  
4 what is his name?

5 Q. (BY MR. KAMPINSKI) Jackson?

6 A. -- Jackson saw the patient that day and  
7 was aware of the second operation.

8 Q. What if I tell you that he testifies  
9 that he wasn't? Would that effect your testimony  
10 in this case, Doctor?

11 MR. GROEDEL: Objection.

12 A. That he wasn't notified that -- that he  
13 didn't see the patient?

14 Q. (BY MR. KAMPINSKI) That he saw him; but  
15 before the decision was made to do surgery, he was  
16 never cleared by Dr. Jackson for the second  
17 surgery?

18 MR. GROEDEL: Objection. The  
19 testimony has also been that Dr. Smith called Dr.  
20 Jackson to advise him of the second surgery, just  
21 so that you know that fact.

22 Q. (BY MR. KAMPINSKI) That's Dr. Smith's  
23 testimony, not Dr. Jackson's.

24 A. That's what I would have done. I mean,  
25 if that's what had happened.



1           Q.    You would have called him and told him.  
2           Would you have gotten approval from him?

3           A.    If he said go ahead and do him, I saw  
4           him today, he's fine, then I would have called the  
5           anesthesiologist.

6           Q.    What if I asked you to assume, Doctor,  
7           that Dr. Smith has testified that he did not get  
8           medical clearance from Dr. Jackson for the second  
9           surgery?

10               MR. GROEDEL:    Objection.

11           A.    You mean that Dr. Jackson said he is not  
12           clear?

13           Q.    (BY MR. KAMPINSKI) That he never asked  
14           him. That was never discussed between them. Even  
15           assuming that you believe Dr. Smith's version,  
16           that all he did was to call him and tell him that  
17           the surgery was going forward, but that he never  
18           sought nor received any medical approval from Dr.  
19           Jackson?

20               MR. GROEDEL:    Objection. Go ahead.

21           Q.    (BY MR. KAMPINSKI) Would that effect  
22           your testimony, sir?

23           A.    I would get medical clearance.

24           Q.    And I take it that would be a deviation  
25           from the standard of care for an attending

1 physician, whether he be orthopedic or whatever,  
2 not to get medical clearance under that  
3 circumstance?

4 MR. GROEDEL: Objection.

5 A. Yes.

6 Q. (BY MR. KAMPINSKI) All right. Were you  
7 aware of the fact that Dr. Smith did not have  
8 specific knowledge of the various laboratory  
9 values that existed prior to the surgery of  
10 November 17th?

11 A. No, I wasn't aware -- you are talking  
12 about the enzymes and things of that nature?

13 Q. I'm talking about the hemoglobin,  
14 hematocrit.

15 A. I'm not aware of whether he was -- if  
16 you are talking about hemoglobin, just hemoglobin,  
17 the closed reduction doesn't really result in any  
18 blood loss.

19 Q. What if the person had been losing blood,  
20 though?

21 A. You would have to be sure that he's  
22 stable for the anesthesia and the anesthesiologist  
23 generally would question that.

24 Q. Shouldn't the attending be aware of it  
25 too, if there was a drop in blood loss for the

1 three days between the first and the second  
2 surgery?

3 A. Again, if he's the only physician caring  
4 for the patient, then it is his responsibility.  
5 If the guy is dropping his hemoglobin and he's  
6 being followed by an internist --

7 Q. Sure.

8 A. Somebody has to take charge of the  
9 medical situation; and if you don't have an  
10 internist following the patient, then it is your  
11 responsibility.

12 Q. Did you review the note of the internist  
13 on the morning of the 17th?

14 A. I did, but I would have to refresh my  
15 memory.

16 THE WITNESS: Is that this here?

17 MR. GROEDEL: Yes.

18 Q. (BY MR. KAMPINSKI) Did he order some  
33 additional tests to check on the drop in the  
23 hematocrit and the hemoglobin?

21 A. Yes. The guy had a total hip. He's  
22 three days postoperative. We order hematocrits  
23 routinely for several days after total hip and  
24 there's a couple of reasons for that. One, they  
25 continue to bleed, particularly, you know, if they

1 have raw bone or whatever and particularly in  
2 revisions, which this was not.

3 Secondly, they equilibrate. They are  
4 given fluids intravenously and everything has to  
5 sort of settle down and get back on a regular diet  
6 while you get the final blood count and so the  
7 blood count that you get the first or second day  
3 might not be totally accurate. The reason you  
9 want to follow him BID twice a day is you want to  
10 see if there's a trend.

11 Q. Was there a trend here, Doctor?

12 A. He probably was loosing a little blood.  
13 His hemoglobin that morning was 10.8, 11 grams.  
14 You wouldn't transfuse for that. In fact, I just  
15 got reprimanded for transfusing a patient with a  
16 lower hemoglobin here.

17 Q. Does it drop from 15. --

18 A. Say 16.

19 Q. 15.8?

20 A. Four grams?

21 Q. Yes, in a period of three days?

22 A. No.

23 Q. That's not unusual?

24 A. That's usual.

25 Q. Would it continue to drop each day or

1 would you expect to see most of the drop the first  
2 day?

3 A. You see it the first couple of days and  
4 then you can see a second peak and a drop the  
5 third day. It has to do with the cardiovascular  
6 status, their fluid load and so forth.

7 Q. From what you are telling me, certainly  
8 in terms of your cases, you are aware of that drop?  
9 You watch it and make sure --

10 A. If I had a patient that dislocated his  
11 hip on post day 3 with a hemoglobin of 10.8 and he  
12 seemed stable, I wouldn't transfuse him and take  
13 him back and do a closed reduction.

14 Q. You would or would not?

15 A. I would not.

16 Q. All right.

17 A. Particularly in light of, you know,  
18 concern with AIDS and everything else and the fact --

19 Q. Fine. You wouldn't transfuse him?

20 A. No.

21 Q. There's another word that you mentioned  
22 there too and that is you would want to make sure  
23 that he's stable?

24 A. Stable.

25 Q. And, once again, you would get a medical

1       consult for an individual who had hypertension?

2           A.     If he had other medical problems.  if he  
3       did not have any medical problems, I can determine  
4       it.

5           Q.     This man did have medical problems?

6           A.     Yes.

7           Q.     And you also noted in your report that  
8       there were coffee ground emesis.  You only  
9       mentioned one, but there was more than one, wasn't  
10      there?

11          A.     I believe there were and I would have to  
12      review,

13          Q.     When you say guiac positive --

14          A.     That means there's blood in it,

15          Q.     And is that a significant finding?

16          A.     It can be and it might not be.

17          Q.     You have to investigate to find out,  
18      don't you?

19          A.     Yes.

20          Q.     The attending physician, isn't that the  
21      person that should insure that it is investigated?  
22      I'm not saying he should be the one to do it, but  
23      he should make sure that someone is investigating  
24      it, shouldn't he?

25          A.     Yes, but I think the internist is

1 following his hematocrit twice a day.

2 Q. Doctor, he ordered it twice a day the  
3 morning of the 17th. He didn't see him prior to  
4 that?

5 A. Yes, but he also didn't know that he was  
6 going to dislocate and that he was going to have  
7 to go to OR. This has nothing to do at this point  
8 with whether or not he's going to be cleared to go  
9 to surgery. This guy is concerned about, you know,  
10 something. He's stable and he's decided that he's  
11 going to watch this and so he's ordering  
12 hematocrit to see if they drop. That is  
13 appropriate.

14 Q. Getting back to my question --

15 A. He discontinued his aspirin and he's  
16 probably thinking he had gastritis or something at  
17 that point.

18 Q. Once again, Doctor, my question is  
19 wouldn't it be the responsibility of the attending  
20 to insure that the possibility of a bleed is  
21 explored further and to insure that is not what is  
22 going on?

23 A. Yes, but sometimes you can observe the  
24 patient too.

25 Q. All right.

1 A. I mean, everybody --

2 Q. Did he make a decision to observe him or  
3 did Dr. Smith make any decision in this case about  
4 the potential of the gastrointestinal bleed?

5 A. I think it is proper that Dr. Jackson is  
6 doing this here.

7 Q. All right. So that you see no need for  
8 Dr. Smith to even get involved in that?

9 A. Not in that part of it, no. Just so  
L0 long as it is being followed, which it obviously  
11 is.

12 Q. And would it surprise you if Dr. Smith  
13 indicated that he wasn't aware of the fact that  
14 Dr. Jackson had been in to see him that day?

15 MR. GROEDEL: Objection.

16 Q. (BY MR. KAMPINSKI) So that he didn't  
17 know whether he was being followed for that?

18 A. Yes, it would.

19 Q. And shouldn't he have insured that  
20 somebody was following it? I mean, I appreciate  
21 what you are saying, that Dr. Jackson was there,  
22 but he didn't know Dr. Jackson was there and my  
23 point is shouldn't he have been a little more  
24 concerned about his patient and his potential  
25 problems?



1                   MR. GROEDEL:    Objection.   Go ahead.

2           A.     If he didn't know -- and I don't know if  
3 he didn't.

4           Q.     (BY MR. KAMPINSKI) I ask you to assume  
5 that.

6           A.     If he didn't, I would agree with that.  
7 If he didn't.

8           Q.     All right.   On the 17th at some point  
9 during the day it was determined that Mr. Smith  
10 had dislocated his hip and I assume that has to be  
11 taken care of at some point?

12          A.     Yes.

13          Q.     But it's not taken care before the  
14 **patient** is stable, would that be fair?

15          A.     It is somewhat urgent, but not an  
16 emergency.

17          Q.     All right.   You want to make sure that  
18 the man is stable before you put him through  
19 another procedure?

20          A.     Yes.

21          Q.     You have read the recovery room notes,  
22 haven't you, Doctor?

23          A.     Yes, I did, but I haven't read them in  
24 awhile,

25          Q.     Why don't you turn to them now?

1           A.    You are talking about after the  
2 relocation?

3           Q.    Correct. After the closed reduction.  
4 Doctor, this is page 155. I don't know if your  
5 copy shows it or not of the record and that's when  
6 he was first admitted to the recovery room at 5:25  
7 p.m. on 11-17. What condition was he in, Doctor?

8           A.    Well, I can just read you what it says  
9 here. It says skin temperature cool, diaphoretic.  
10 I can't read this. Pink, dusky -- dusky nail beds.  
11 His blood pressure was stable. His pulse was a  
12 little high.

13          Q.    Tachycardia?

14          A.    Irregularly regular. I can't read that.  
15 I guess that means --

16          Q.    105 is tachycardic also?

17          A.    Yes. I can't read what is over. REG is  
18 crossed out and then his respirations were 32.

19          Q.    Above REG is IRR. I assume that is  
20 irregular?

21          A.    Irregular.

22          Q.    All right.

23          A.    And then it just gives some information  
24 about his dressing was dry, which you would expect,  
25 because they didn't open it and he had a knee

1 immobilizer on. He was in Bucks traction. I  
2 guess that's Bucks traction. His lungs were clear.  
3 His respirations were regular. I can't read this.  
4 This is a bad copy. Under respirations?

5 Q. Apid maybe? I'm not sure.

6 A. I don't know.

7 Q. Or apic?

8 A. Apic. Whatever that is. His chest  
9 excursions were equal. That goes on and talks  
10 about his fluids and everything; and then in  
11 remarks, he was awake, responding something or  
12 other.

13 Q. I think that's respiration?

14 A. He's complaining of shortness of breath.

15 Q. You skipped dyspneic?

16 A. Dyspneic. Well, shortness of breath.

17 Dr. Lee aware. Breaths sounds clear throughout.

18 Dr. Smith visited. Placed on some --

19 Q. Dinamapp?

20 A. And cardiac monitor.

21 Q. A fib?

22 A. Atrial fibrillation, ventricular  
23 something or another.

24 Q. Uncontrolled ventricular rate and  
25 frequent multi focal PVC's noted?

1           A.     So he's having a bit of arrhythmia.

2           Q.     He was in trouble, wasn't he?

3           A.     Yes.

4           Q.     Shouldn't Dr. Smith at that point, sir,  
5     had gotten some help for this man or put him into  
6     intensive care or done something for him?

7           A.     Obviously somebody saw him, because they  
8     put them on lidocaine drip to take care I guess of  
9     the arrhythmia. I don't know how their hospital  
10    works. In our hospital if a patient starts having  
11    a problem in the recovery room, the  
12    anesthesiologist in the recovery room, the doctor  
13    in charge of the recovery room, takes over his  
14    medical condition. I don't think it would be  
15    appropriate for an orthopedic surgeon to manage an  
16    arrhythmia.

17          Q.     It would be appropriate for an  
18    orthopedic surgeon to just leave or to insure that  
19    his patient is getting some kind of care?

20          A.     Well, yes, it is appropriate.

21          Q.     To what, to leave?

22          A.     To make sure that he's getting the care.

23          Q.     Are you aware of Dr. Lee's  
24    qualifications?

25          A.     No.

1 Q. Are you aware of the fact that he's  
2 failed his board six times?

3 A. Dr. Lee?

4 Q. Yes.

5 A. No.

6 Q. Are you aware that Dr. Smith has failed  
7 his board three times?

8 A. No.

9 Q. Are you aware that Dr. Lee didn't even  
10 put down the right values on the pre-anesthetic  
11 record? Are you aware of that? Page 152. If you  
12 would just look at page 152 for a moment. That's  
13 Dr. Lee's pre-anesthesia record, correct?

14 A. That's for the second procedure?

15 Q. Yes.

16 A. Yes, it's wrong.

17 Q. Sure, it is.

18 A. I think I was aware of that when I read  
19 it the first time and I was kind of --

20 Q. Dr. Smith testified that Mr. Smith was  
21 in good condition at 5:25 p.m. on November 17,  
22 1984. That's just not true, is it, Doctor?

23 MR. GROEDEL: Objection.

24 A. Well, I don't know.

25 Q. (BY MR. KAMPINSKI) According to this

1 chart it's not true?

2 A. When is he testifying from? When the  
3 guy left the operating room or when the guy got in  
4 the recovery room? It only takes a minute for the  
5 guy to go in the dumper.

6 Q. The note is 5:25 and the nurse testified  
7 that this is what his condition was when he came  
8 in the recovery room, just as it is written.

3 A. When is --

10 Q. He left the recovery room at 5:25. It  
11 takes less than a minute --

12 A. Well, he doesn't vaporize. You have to  
13 get on the table, get on a stretcher.

14 Q. I'm just telling you what the testimony  
15 is, Doctor.

16 A. What I'm saying is a guy can go bad that  
17 quick; and whether or not he recognized it or not,  
18 I don't know. The point is that if a patient who  
19 has had an anesthetic has a medical problem,  
20 perioperative medical problem while he's in the  
21 operating room, while he's being transferred to  
22 the recovery room, while he's in the recovery room,  
23 it is the responsibility of the anesthesiologist  
24 to handle his medical problem, not an orthopedic  
25 surgeon who is not qualified; so when you tell me

1 is he aware of it or is he not aware of it, I  
2 don't know.

3 Q. Should he be aware of it?

4 A. He should be made aware of it. I don't  
5 push my patient to the recovery room. My resident  
6 does it or the anesthesiologist. There's a doctor  
7 that pushes them to a recovery room and the  
8 anesthesiologist takes over. If a patient has a  
3 problem, yes, they call me immediately.

10 Q. To the extent that he was there and this  
11 was Mr. Smith's condition, all right, he should  
12 have been aware of it? It's got Dr. Smith visited?

13 A. Unless he pushed the patient in and  
14 walked out.

15 Q. All I can tell you --

16 A. And the patient went in the dumper.

17 Q. All I can tell you is what is here.  
18 It's got Dr. Smith visited. The nurse testified  
19 that this is Mr. Smith's condition when he was  
20 brought in and Dr. Smith --

21 A. You are playing word games.

22 Q. I don't think I am. No. 1, if he was  
23 aware of it, if he was aware of this man's  
24 condition, he should have insured that he was  
2, getting appropriate treatment and care?

1. A. If he was aware of it, yes.

2 Q. And if he was there and this was the man's  
3 condition, shouldn't he have been aware of it?

4 A. Sure.

5 Q. All right.

6 A. If the guy was in that condition when he  
7 was there and Dr. Smith was also there -- or Dr.  
8 Lee, I assume, was also there, because the note  
9 says that he was, and that's dated -- that's  
10 clocked in at 5:25 too. I think what you are  
11 getting at is is Dr. Smith responsible to be aware  
12 of the guy's condition and he is responsible to be  
13 aware of it. If he's informed that the guy -- you  
14 know, if they told him in the recovery room your  
15 patient has got a problem, he's aware of it.  
16 Whether he should do anything about it, other than  
17 to make sure that there's a responsible person  
18 who can handle the medical problems there, what  
19 can he do?

20 Q. Call back every half hour to see how his  
21 patient is, every hour to have his resident to  
22 come down and check on the man, to --

23 A. For what reason? I mean, I do that, but  
24 what is the reason that he should do that?

25 Q. Because he's unstable and he's in



1 trouble.

2 A. But what is an orthopedic --

3 Q. Because he's a doctor.

4 A. All right.

5 Q. Because he's got a patient who is dying.

6 MR. GROEDEL: Objection.

7 A. I agree that I would do that, but that  
8 isn't -- you don't have to do that. You don't  
9 have to be there every half hour. What if you are  
10 in an operating room with another patient?

11 Q. (BY MR. KAMPINSKI) What if you go home  
12 or go out to dinner. What if you are not in the  
13 hospital anymore, because that's what occurred.  
14 He left after the operation.

35 A. Listen, I have been out of the hospital  
16 when patients of mine have died.

17 Q. Have you left them unstable in the hands  
18 of an incompetent anesthesiologist?

19 MR. GROEDEL: Objection.

20 A. I hope not.

21 Q. (BY MR. KAMPINSKI) The orthopedic  
22 resident, Dr. Miller, have you analyzed his  
23 conduct at all that evening?

24 A. No.

25 Q. Is the orthoped responsible at all for

1 the orthopedic residents in the hospital that are  
2 under his service in any particular case?

3 MR. GROEDEL: Objection. Go ahead.

4 A. Sure.

5 Q. (BY MR. KAMPINSKI) He is responsible --

6 A. Well, let me put it this way. Yes, he  
7 is responsible for the residents. If the resident  
8 screws up, you know, you are --

3 Q. All right. Let's assume, just for the  
10 sake of argument, Doctor, that the residents were  
11 aware of Mr. Smith's condition, aware of the fact  
12 that he had had heart problems after the first  
13 procedure, had had the potential of the  
14 gastrointestinal bleeding. Should they have made  
15 Dr. Smith aware of that?

16 MR. ZELLERS: Objection.

17 A. If you want my personal opinion, I would  
18 say, yes.

19 Q. (BY MR. KAMPINSKI) All right. I assume  
20 that's a professional opinion too, is it not?

21 A. Yes; but if you are talking about  
22 whether Dr. Smith is doing something wrong by the  
23 fact that he wasn't informed, I would say, no, as  
24 long as he knows that the patient is in the  
25 appropriate place being treated by the appropriate

1 people.

2 Q. What if he doesn't know?

3 A. My upbringing tells me that I would have  
4 checked in and I think most people do that.  
5 Occasionally you can't. You are on an airplane,  
6 you are in another operating room or you are  
7 taking care of another sick patient, whatever.

8 Q. All right. Did you read the notes of  
9 Dr. Miller in terms of what Mr. Smith's condition  
10 was at 10:30 that evening?

11 A. Where is that at? I probably did.

12 Q. It is somewhere.

13 A. I didn't memorize this. I read it.

14 Q. What page is that, Doctor?

15 A. Where are you reading these pages at?

16 Q. Right down in the corner.

17 A. I see. "Called to see patient.

18 Reference: hypertension. Dr. Lee (anesthesia) to  
19 give antihypertension meds." "Cardiac rhythm."

20 Q. No other apparent problem?

21 A. Cardiac rhythm. That was at 10:30. "To  
22 see patient. Patient obtunded." That is at 11:00.

23 Q. Let's deal with the 10:30 entry. If you  
24 would go back to page 160. Actually let's start  
25 with 159.

1           A.     Is that in this chart?

2                   MR. GROEDEL:     I'll find it.

3                   MR. KAMPINSKI: Do you have the  
4 original chart?

5                   MR. ZELLERS:     I have a copy. I  
6 would have the same chart.

7           Q.     (BY MR. KAMPINSKI) Just keep the other  
8 page back there for a second. Is that page 160?  
9 This is a continuation of the 9:15 entry, Doctor,  
10 which is on the previous page. This entry is at --

11           A.     I know what you mean.

12           Q.     -- 9:15 and the next page is a  
13 continuation of that.

14           A.     He was having unifocal PVC's.

15           Q.     He also had trigeminy? Is that what you  
16 are reading, Doctor, on the previous page? Just  
17 so we get it correct. Trigeminy noted?

18           A.     Yes. I can hardly read it.

19           Q.     Returned to below mid shin level? Is  
20 that unusual for an operation that occurred around  
21 5:00?

22           A.     No. He had a spinal epidural. It is a  
23 little slow, but it can happen.

24           Q.     If we continue on, "Dr. Lee notified of  
25 infiltration of I.V." at 9:15?

1           Q.     That's before the 9:15.  It is a  
2 continuation of the 9:15 entry.

3           A.     All right.

4           Q.     And the man did not have an I.V. until  
5 9:55 when Dr. Lee came down?

6           A.     Right.

7           Q.     Would that be in accordance with the  
8 standard of care to wait --

9           A.     It depends on why he needs the I.V.  
10 obviously.

11          Q.     Why did he need it here?

12          A.     If he was getting medication that was  
13 critical, then he might have needed it.  I assume  
14 that he was still getting lidocaine.

15          Q.     You mean through the I.V.?

16          A.     Yes.

17          Q.     It was probably something that he could  
18 have used?  At 10:30 Dr. Miller was paged by  
19 beeper to inform him of patient's status.  Do you  
20 see that?

21          A.     Yes.

22          Q.     There's no indication there that Dr.  
23 Miller came down, is there, at that time?

24                   MR. ZELLERS:  Objection.

25          Q.     (BY MR. KAMPINSKI) At 10:37 again he's

1 notified of the patient's condition by Dr. Lee?

2 A. Yes.

3 Q. All right. So there's no indication  
4 there that Dr. Miller came down around 10:30, is  
5 there?

6 A. No.

7 Q. So if we go back to his note from 10:30,  
8 would you view that as something that he  
9 personally observed or was told by either Dr. Lee  
10 or the nurse?

11 MR. ZELLERS: Objection.

12 A. Where are we on now?

13 Q. (BY MR. KAMPINSKI) Back on 123, the  
14 note that we just read.

15 MR. GROEDEL: The progress notes.

16 A. Let me keep this. What does this last  
17 line say? I can't read it.

18 Q. "No apparent problem with cardiac  
19 rhythm."

20 A. What is your question?

21 Q. Can you determine from that entry or  
22 those two entries whether or not Dr. Miller went  
23 down to see the patient at 10:30?

24 MR. ZELLERS: Objection.

25 A. It looks like he did on this note. "Called

1 to see patient. Reference: hypertension."

2 Q. (BY MR. KAMPINSKI) Okay.

3 A. He was notified, so I guess he went down  
4 there.

5 Q. You think from this note that he went  
6 down there?

7 A. I mean, it looks like it. I don't know.  
8 I wasn't there.

3 Q. If his testimony was that he knew Mr.  
10 Smith was in stable condition at 10:30 that night,  
11 would that testimony be accurate, Doctor? Is that  
12 what Mr. Smith was in, stable condition, at 10:30  
13 that night?

14 MR. ZELLERS: Objection.

15 A. I wouldn't call it stable. I mean, the  
16 guy has got an arrhythmia. His restless. He's  
17 diaphoretic.

18 Q. (BY MR. KAMPINSKI) He's in trouble,  
19 isn't he?

20 A. Yes.

21 Q. What does sodium pentothal do to the  
22 heart, Doctor?

23 A. It can effect the heart. I'm not a  
24 pharmacologist, so I'm not go to testify as to the  
25 pharmacology of sodium pentothal.

1           Q.    All right. Are you going to render any  
2           opinions, Doctor, with respect to whether or not  
3           Mr. Smith would have survived had he received  
4           appropriate medical care?

5           A.    I can't.

6           Q.    Okay.

7           A.    Because I don't even know why he died.  
8           There was no post mortem, so I really can't. I  
9           would if I could, but I can't.

10          Q.    Are you going to testify with respect to  
11          whether or not the actions or inactions of any  
12          doctors contributed to cause his death?

13                   MR. GROEDEL:    Besides Dr. Smith?

14                   MR. KAMPINSKI: Yes.

15          Q.    (BY MR. KAMPINSKI) Including Dr. Smith.  
16          No, besides, but including. Leaving aside the  
17          issue of responsibility, but I'm talking about  
18          legally what we call proximate cause and that is  
19          whether the actions or inactions of any of the  
20          doctors, including Dr. Smith, contributed to cause  
21          Mr. Smith's death.

22          A.    I don't think Dr. Smith had any  
23          contribution to the cause of Mr. Smith's death to  
24          get him out of the way. You are asking me about  
25          Dr. Lee and Dr. Miller?



1 Q. Okay.

2 A. Dr. Smith is an orthopedic surgeon. You  
3 are making value statements or you are asking  
4 value judgment-type things by asking would it be  
5 appropriate if he called the hospital every half  
6 hour to find out how his patient, who wasn't doing  
7 well, is doing?

8 Q. Yes.

9 A. Even though he's not either trained or  
10 competent in taking care of this type of a medical  
11 problem?

12 Q. Okay.

13 A. My personal feeling is that I would want  
14 to know.

15 Q. Okay.

16 A. Generally what we do is if I'm home, you  
17 know, a medical resident will -- an orthopedic  
18 resident or my fellows. I have fellows too, who  
19 are here would call me during a patient's illness  
20 and let me know what his status is. It's not  
21 necessary. It's not going to effect the care of  
22 the patient.

23 Q. It will if you find out he's  
24 deteriorating and not getting proper care, because  
25 you would do something about it, wouldn't you?

1           A.     Yes, but I would assume that if he had  
2           an internist or an anesthesiologist in the  
3           intensive care unit or whatever looking after this  
4           patient continuously that they were giving much  
5           better medical care than I could give as an  
6           orthopedic surgeon.

7           Q.     Should he have gone to intensive care  
8           after the surgery based on the condition that he's  
9           in?

10          A.     I don't know. Sometimes if we have a  
11          patient that has medical problems, we just as soon  
12          keep them in the post anesthetic recovery unit,  
13          because they have the same equipment there and  
14          they have experts there.

15          Q.     What if they had different equipment and  
16          different kinds of monitoring in the intensive  
17          care unit?

18          A.     A monitor is a monitor. As long as  
19          there's someone there watching and taking care of  
20          the patient. I think it is irrelevant whether  
21          he's in the intensive care unit. The fact is that  
22          you can't keep a patient chronically in the  
23          recovery room in a busy hospital. You need the  
24          recovery room. You move them into an intensive  
25          care unit.

1 I think if this guy stayed in that  
2 condition and had not died, they probably would  
3 have moved him into an intensive care unit  
4 eventually. As far as the orthopedic guys are  
5 concerned, I just don't see anything that they did  
6 to contribute to his death. I think he did the  
7 appropriate things. He got clearance from the  
8 anesthesiologist to go ahead and reduce --  
9 reducing the hip is not a big deal in terms --

10 Q. It is in somebody that is unstable?

11 A. Yes, but it is not a big deal of opening  
12 somebody. The trauma of doing that is isn't  
13 anything compared to -- I have reduced them in bed  
14 sometimes if the patient did not have a lot of  
15 pain and it is dislocated. You can just put  
16 traction on it.

17 Q. Well, they did a lot more than that.  
18 Have you read the operative note?

19 A. Yes. Sometimes you have to put them to  
20 sleep and relax their muscles, paralyze them.

21 Q. When it says in the operative note of  
22 the 17th that a large amount of force was  
23 necessary to reduce this hip, that means a little  
24 more was required in this particular procedure,  
25 wasn't it?

1           A.     Yes. Well, they are different. I think,  
2     you know, sometimes you can reduce them easily  
3     without giving them anesthetic and other times you  
4     could never reduce them without anesthetic.

5           Q.     You read a lot more into my question  
6     than I intended, the one you answered about Dr.  
7     Smith contributing to the cause of death and once  
8     again I want to make a distinction.

9           A.     I have been asked to comment on his care  
10    of this patient. I can't comment on whether --

11          Q.     All I want to know is whether or not --  
12    you are going to be deposed next week for purposes  
13    of video for trial and I want to know what it is  
14    that you are going to offer an opinion on; and if  
15    you are not going to discuss that, that's fine.  
16    That's all I'm asking.

17          A.     I'm not going to discuss the actions of  
18    the internist. I think an internist should do  
19    that.

20          Q.     Once again, we are not making a  
21    connection. I'm asking if you are going to render  
22    any opinions and maybe you are not and maybe  
23    that's what I'm asking with respect to whether  
24    anybody's actions contributed to the cause of Mr.  
25    Smith's death, whether those actions were

1 appropriate or inappropriate. In other words, the  
2 proximate cause issue, whether anything anybody  
3 did contributed to cause his death or whether he  
4 would have died anyhow or wouldn't have died  
5 anyhow? Do you follow what I'm saying?

6 A. I follow what you are saying. I follow  
7 what you are saying.

8 Q. What is the answer?

9 A. You want to know what I'm going to say  
10 in the deposition next week?

11 Q. Yes.

12 THE WITNESS: Can I tell him?

13 MR. GROEDEL: Yes.

14 A. I'm just going to tell what I told you  
15 today. Nothing else. Geez, another one. I'm  
16 going to tell you what I told you today. I'm not  
17 going to make any judgment on an internists or --

18 Q. (BY MR. KAMPINSKI) No.

19 A. All I'm going to make is a judgment on  
20 this orthopedic surgeon.

21 Q. Doctor, I understand what you are saying.  
22 You are not understanding what I'm asking.

23 MR. GROEDEL: I can give you the  
24 answer.

25 MR. KAMPINSKI: What is that?

1 MR. GROEDEL: He's not going to  
2 give a proximate cause opinion.

3 THE WITNESS: Tell me what I'm not  
4 going to give?

5 MR. GROEDEL: You are not going to  
6 give any opinions as to the cause of death.

7 Q. (BY MR. KAMPINSKI) As to whether or not  
8 he would or wouldn't have survived?

9 A. No, because I have no way of knowing  
10 that.

11 Q. What is your relationship to Dr. Wild?  
12 Is he in the same department? Is he the head?

13 A. He's the chairman of the department of  
14 orthopedic surgery.

15 Q. All right. Is it my understanding that  
16 currently at the Clinic you osteotomize the  
17 greater trochanter --

18 A. Osteotomized.

19 Q. I'm sorry.

20 MR. GROEDEL: Objection.

21 A. I'll answer that. You can do it either  
22 way and there's probably nobody in the United  
23 States that has lectured on surgical approaches to  
24 the hip more than me, nationally and  
25 internationally, and you can do it anyway that you

1 want. It depends on your training.

2 We generally do not osteotomize, because  
3 for most cases, like this guy's case, you don't  
4 need to, but there are some cases where you need  
5 to.

6 MR. KAMPINSKI: That's all I have,  
7 Doctor. Some of these attorneys might have some  
8 questions.

9 CROSS-EXAMINATION

10 BY MR. ZELLERS:

11 Q. Doctor, I just have a couple of  
12 questions. Was it your testimony that the  
13 attending orthopedic surgeon is responsible for  
14 the conduct of the orthopedic resident?

15 MR. GROEDEL: Objection. Go ahead.

16 A. Yes.

17 Q. (BY MR. ZELLERS) And can residents  
18 communicate with the attending either orally or  
19 through the chart?

20 A. Yes.

21 Q. And are both methods appropriate?

22 A. Yes.

23 Q. Doctor, do you have any opinion as to  
24 whether the conduct of the orthopedic residents in  
25 any way contributed to Mr. Smith's death?

1           A.     I don't think they did.

2                     MR. ZELLERS:     Nothing further.

3                     CROSS-EXAMINATION

4     BY MR. CHARMS:

5           Q.     Dr. Borden, on behalf of Dr. Lee, the  
6     anesthesiologist in this case, I have a few  
7     questions. I'm a late comer, so you have to bear  
8     with me. What was your understanding of the  
9     urgency or emergency or the electiveness of this  
10    particular procedure, the second procedure?

11          A.     When a hip dislocates, you know, a hip --  
12    if a normal hip is dislocated, for instance, in a  
13    car accident, there is some urgency of putting  
14    that back, because it has been demonstrated the  
15    longer it is out, the higher instance of losing  
16    the blood supply to the femoral head or the ball.

17                A total hip, a prosthetic femoral head  
18    has no blood supply obviously, so there's no  
19    emergency about putting it back in. If you wait a  
20    long time, say you wait two days or a day and a  
21    half, it is harder to put it in than if you do it  
22    immediately, because the muscles tighten up and  
23    everything.

24                If you wait five or six days, you will  
25    start getting maturation of the scar tissue around



1 the hip and everything from the original surgical  
2 procedure and in those situations many times you  
3 have to open the hip to get it back in. The point  
4 is that it is painful. It has to be done sooner  
5 or later; and so if we have that happen, we try  
6 and do it as soon as we can.

7 Q. As I understand it the second surgery in  
8 this case was on a Saturday afternoon; is that  
9 correct?

10 A. Yes. I didn't realize that until just  
11 before this.

12 Q. Is it your understanding that Dr. Lee,  
13 the anesthesiologist, was consulted just before  
13 the procedure was begun; is that correct?

15 MR. GROEDEL: Objection.

16 MR. ZELLERS: Objection.

17 MR. KAMPINSKI: What do you mean  
18 just before?

19 MR. CHARMS: Let me ask the  
20 question this way.

21 Q. (BY MR. CHARMS) What was your  
22 understanding of when Dr. Lee, the  
23 anesthesiologist, was consulted with regard to the  
24 surgery?

25 A. Before it was done.

1 Q. Was it that afternoon?

2 A. I assume.

3 Q. Do you know if it was shortly before the  
4 procedure or --

5 A. No, I don't think it makes any  
6 difference. You know, as long as he's aware of it.  
7 He still has to evaluate the patient.

8 Q. Now, obviously Dr. Smith had been  
9 involved in this patient's care for some period of  
10 time prior to Dr. Lee's involvement in the case,  
11 right?

12 A. Yes.

13 Q. Wouldn't you agree with me that Dr.  
14 Smith was in a better position to appreciate Mr.  
15 Smith's physical condition as of Saturday  
16 afternoon when the surgery was contemplated?

17 MR. GROEDEL: Objection.

18 A. I wouldn't agree with that. I would  
19 think an anesthesiologist would still have to  
20 evaluate his medical condition before  
21 administering anesthesia.

22 Q. (BY MR. CHARMS) I don't have any  
23 question about that. I'm only asking you about  
24 the orthopedic surgeon's state of knowledge with  
25 regard to the patient's physical condition.

1 A. Yes.

2 Q. Doesn't he have an independent  
3 obligation to appreciate that patient's physical  
4 status before surgery?

5 A. Sure.

6 Q. Do you believe that the surgeon has an  
7 obligation to communicate his understanding of the  
8 physical condition of the patient to the  
9 anesthesiologist under circumstances such as  
10 existing in this case?

11 A. Did Dr. Lee give the original anesthesia?

12 Q. Do you know?

13 A. I don't recall. Did he?

14 Q. My recollection is that he did not, that  
15 he was not the anesthesiologist --

16 A. I was just asking. I don't remember  
17 that.

18 Q. Assume that he was not the  
19 anesthesiologist that gave the first anesthetic  
20 and that his first involvement with this patient  
21 was that afternoon.

22 A. He goes down and sees the patient and he  
23 evaluates him and he reads the chart and looks at  
24 what is going on and he makes a determination  
25 whether or not this guy -- what his risk is for

1 anesthesia and what type of anesthesia to use.

2 Q. I understand that. Maybe we are not  
3 connecting. My connection --

4 A. We are connecting. You are asking me if  
5 Dr. Smith told Dr. Lee that this guy is a sick  
6 cookie and all of that kind of stuff.

7 Q. My question to you is don't you believe  
8 that Dr. Smith, having treated this patient for  
9 some period of time, had some obligation to  
10 communicate his understanding of this man's  
11 physical condition to Dr. Lee independent of Dr.  
12 Lee's responsibility, if you will, to review the  
13 chart himself? Do you understand my question?

14 A. Yes, I understand your question and what  
15 I would do if it was me is I would call the  
16 anesthesiologist and I would say, Joe Blow just  
17 dislocated his hip. I would like to possibly  
18 reduce this now or today or tomorrow morning or  
19 whatever. He's got some medical problems. Take a  
20 look at him, which the anesthesiologist has to do  
21 anyway, but that's just being courteous I think.

22 If he's real sick, like in the intensive  
23 care unit or just out of one, maybe I would, you  
24 know -- I would probably call him just to be sure  
25 and I would also probably tell him, look, you let

1. me know what you think and I would wait. I  
2. wouldn't push him to do it, but it is still the  
3. responsibility of the anesthesiologist to  
4. determine what the risk is for anesthesia.  
5. Surgeons are not anesthesiologists.

6. MR. CHARMS: Thank you. I have  
7. nothing further.

8. MR. KAMPINSKI: Nothing further.  
9. You have got a right to read your testimony. You  
10. have a right to waive your signature.


11. THE WITNESS: I waive it.

12. - - -  
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1 THE STATE OF OHIO, )  
2 ) SS: CERTIFICATE  
COUNTY OF CUYAHOGA. )

3 I, Kerry L. Paul, a Notary Public within and  
4 for the State of Ohio, duly commissioned and  
5 qualified, do hereby certify that LESTER S.  
6 BORDEN, M.D. was by me, before the giving of his  
7 deposition, first duly sworn to testify the truth,  
8 the whole truth, and nothing but the truth; that  
9 the deposition as above set forth was reduced to  
10 writing by me by means of Stenotypy and was  
11 subsequently transcribed into typewriting by means  
12 of computer-aided transcription under my  
13 direction; that said deposition was taken at the  
14 time and place aforesaid pursuant to notice; that  
15 the reading and signing of the deposition by the  
16 witness were expressly waived; and that I am not a  
17 relative or attorney of either party or otherwise  
18 interested in the event of this action.

19 IN WITNESS WHEREOF, I hereunto set my hand  
20 and seal of office at Cleveland, Ohio, this 9th  
21 day of November, 1987.

22   
23 Kerry L. Paul, RPR, Notary Public  
24 within and for the State of Ohio  
543 Terminal Tower  
Cleveland, Ohio 44113

25 My Commission Expires: October 12, 1988.

## **CURRICULUM VITAE**

**NAME :** Lester S. Borden, M.D.

**FOHN:** December 2, 1939  
Paterson, New Jersey, U.S.A.

**MARITAL HISTORY:** Married to former Jean M. Bartelheim  
February 19, 1972

Lester S. Borden, Jr., born January, 1974  
Kristine A. Borden, born November, 1976  
Katherine E. Borden, born January, 1979

**EDUCATION:** Virginia Polytechnical Institute, 1961  
BS (Mechanical Engineering)  
  
University of Pennsylvania, Pre-med., 1963-64  
  
New York Medical College, 1969, M.D.

**PROFESSIONAL TRAINING:** Internship (Surgical) - St. Vincent's Hospital,  
New York City, 1969-70  
  
Residency (Surgical) - St. Vincent's Hospital,  
New York City, 1970-71  
  
Residency (Orthopaedics) - New York University  
Medical Center, New York City, 1971-74  
  
Otto E. Aufranc Fellowship in Adult Reconstructive  
Orthopaedic Surgery - New England Baptist Hospital  
Boston, Massachusetts, 1974-75

**LICENSES:** National Board of Medical Examiners, 1970  
State of New York, 1970  
State of Ohio, 1975  
  
Diplomate American Board of Orthopaedic Surgery,  
1975  
  
Fellow, American Academy of Orthopaedic Surgeons,  
1977  
  
Fellow, American College of Surgeons, 1979

**PRIOR**

**PROFESSIONAL CAREER:**

1962-65; Naval Architect and Marine Engineer,  
U.S. Naval Base, Philadelphia, Pennsylvania

**PROFESSIONAL BACKGROUND:**

1975-present; Cleveland Clinic Foundation,  
Department of Orthopaedic Surgery

1977-present; Cleveland Clinic Foundation,  
Head, Section of Joint Replacement and  
Arthritis Surgery

**SOCIETY MEMBERSHIPS:**

American Academy of Orthopaedic Surgeons  
American College of Surgeons  
American Medical Association  
American Rheumatology Association  
Orthopaedic Research Society  
Mid-American Orthopaedic Society  
Ohio State Medical Association  
Ohio Rheumatology Society  
Ohio Orthopaedic Society  
Cleveland Orthopaedic Club  
Cleveland Rheumatology Society  
Academy of Medicine, Cleveland  
Great Lakes Orthopaedic Travel Club  
Mid-American Orthopaedic Association  
The Knee Society  
Russell Hibbs Society

**COMMITTEE/**

**ORGANIZATION ACTIVITIES:**

**AMERICAN ACADEMY OF ORTHOPAEDIC SURGEONS**

Member, Committee on the Hip (1982-Present)  
Secretary (1982-Present)

Course Chairman, "New Concepts in Adult Hip  
Reconstruction". Hilton, Head, S.C.  
September 23-25, 1985

Course Chairman, "Acetabular Reconstruction in  
Adult Hip Arthroplasty" (One-Day Workshop)  
Chicago, November, 1985  
Los Angeles, January, 1986  
Miami, November, 1986

Faculty, Summer Institute (1982-1986)

**THE KNEE SOCIETY, FOUNDING MEMBER**

Executive Committee, 1983 - Present  
Program Committee, 1985 - Present



## CLEVELAND CLINIC FOUNDATION

Member, Board of Governors, 1982 - 1986  
Vice-Chairman, Board of Governors, 1986  
Member, Board of Trustees, 1983 - 1984  
Chairman, Search Committee for Chairman  
Department of Pulmonary Medicine, 1982  
Chairman, Search Committee for Chairman  
Department of Plastic Surgery, 1984  
Chairman, Committee to Review Division  
Medicine, 1986  
Chairman, Search Committee Member,  
Department of Neurosurgery, 1981  
Nominating Committee for Board of Governors,  
1981  
Medical Audit Committee, 1979 - 1980  
Review Committee, Department of Physical  
Medicine and Rehabilitation, 1979  
Audiovisual Committee, 1975 - 1978  
Biomedical Engineering Advisory Committee, 1977  
Patient Awareness Committee, 1975 - 1976  
Surgical Education Subcommittee, 1975

## FACULTY PRESENTATIONS:

1. "Reconstructive Surgery of the Knee"  
The Cleveland Clinic Postgraduate  
Symposium. October 1975.  
- The Current Status of Tibial Osteotomy
2. "Workshops and Special Topics in Rheumatic  
Diseases"  
The Cleveland Clinic Education Foundation  
Postgraduate Symposium, April 1976.  
- Surgery for the Rheumatoid Patient
3. "The Shoulder and Arm in Sports"  
The Cleveland Clinic Education Foundation  
Postgraduate Symposium, April 1976  
- Athletic Participation for the  
Arthritic Patient
4. "The Guesser Knee"  
The Cleveland Orthopaedic Club, Cleveland,  
OH June 1976
5. "Shoulder Impingement Syndrome"  
The Cleveland Clinic Education Foundation  
Sports Medicine Symposium, August 1976.
6. "Advancement in Surgical Treatment of  
Rheumatoid Arthritis" The Aufranc  
Postgraduate Course, New England

October 1976.

7. "Advances in Joint Surgery"  
The Cleveland Clinic Postgraduate  
Symposium, March 1977.
  - Non-Constrained Total Elbow  
Arthroplasty in Rheumatoid Arthritis
  - Total Hip Replacement in Congenital Hip  
Disease
  - The Indications and Technique for  
Trochanteric Osteotomy in Total Hip  
Replacement
8. "Current Treatment of Knee Disease"  
The American Academy of Orthopaedic  
Surgeons  
Cleveland, OH, September 1977.
  - The Guepar Hinge
9. "Selected Topics in Rheumatic Disease"  
The Cleveland Clinic Postgraduate  
Symposium,  
October 1977.
  - Current Status of Large Joint  
Replacement in Rheumatoid Arthritis
10. "Current Concepts in Orthopaedic Surgery"  
The Cleveland Clinic Postgraduate  
Symposium, May 1978.
  - Double Cup Arthroplasty for the  
Management of the Arthritic Hip
  - Results of Patellar Resurfacing and  
Total Knee Replacement
11. "Reconstructive Surgery of the Knee"  
American Academy of Orthopaedic Surgeons  
Postgraduate Symposium, Rochester, NY  
June 1978.
  - Hinged Prostheses
12. Ohio Rheumatism Society Annual Meeting  
Salt Fork, OH, June 1978.
  - Surgical Management of Arthritis
13. The Cleveland Clinic Sports Medicine  
Symposium  
April 1979.
  - Athletics for the Arthritic

14. American Geriatric Society Annual Meeting,  
Chicago, IL, April 1980.
  - Hip-Spine Syndrome
15. "Surgery of the Knee"  
American Academy of Orthopaedic Surgeons  
Postgraduate Course, Cleveland, OH,  
September 1979.
  - The Guépar Hinge
  - Patellar Resurfacing in Total Knee  
Replacement
16. "Rheumatoid Disease"  
Cleveland Clinic Postgraduate Symposium,  
September 1979.
  - Surgical Treatment of Rheumatoid  
Arthritis, An Overview
17. "Adult Reconstructive Surgery"  
The Cleveland Clinic Postgraduate Symposium,  
November 1979.
  - Patellar Resurfacing in Total Knee  
Replacement
  - Surface Replacement Arthroplasty of the  
Hip
18. American Academy of Orthopaedic Surgeons,  
Annual Meeting, Atlanta, GA, February 1980.
  - Capitello-Condylar Total Elbow  
Replacement
19. The Cleveland Clinic Sports Medicine  
Symposium  
April 1980.
  - Shoulder Impingement Syndrome
20. "Techniques in Orthopaedic Surgery"  
The Cleveland Clinic Postgraduate Symposium  
October 1980.
  - Technique of Total Hip Joint  
Resurfacing
  - Total Elbow Arthroplasty
21. Cleveland Academy of Medicine Symposium  
Orlean, New York, January 1981.
  - Winter Sports for the Arthritic
22. American Academy of Orthopaedic Surgeons  
Annual Meeting, Las Vegas, Nevada, February  
1981
  - Near Total Shoulder Replacement

23. Cleveland Clinic-University of Vermont Sports Medicine Symposium  
Sugarbush, Vermont, March 1981  
- Athletics for the Arthritic
24. Howmedica Surgeons Advisory Panel Meeting  
Cleveland Clinic Sports Medicine Symposium,  
April 1980.  
- Two-Year Experience with Collarless Total Hip Stems
25. Zimmer Orthopaedic Surgeons Panel Meeting  
Hilton Head, South Carolina, June 1981.  
- Reconstruction of the Acetabulum in Total Hip Replacement
26. Visiting Professorship at the University of Florida, Gainesville, Florida, November 1981.  
- Acetabular Revision in Total Hip Replacement
27. Visiting Professorship at the Albert Einstein Medical Center  
Philadelphia, PA, December 1982  
- Total Hip Resurfacing Arthroplasty
28. The Cleveland Clinic Postgraduate Symposium  
November 1982.  
- Surface Replacement Arthroplasty of the Hip the Cleveland Clinic Experience  
- Acetabular Problems in Total Hip Replacement
29. "Total Knee Arthroplasty"  
Memorial Hospital Medical Center  
Postgraduate Course, Long Beach, CA,  
December 1981.  
- Indications for Constrained Total Knee Prostheses
30. "Total Knee Arthroplasty"  
Johns Hopkins University Postgraduate Course  
May 1982.  
- Role of Constrained and Semiconstrained Prostheses in Severe Deformity and Revision Surgery
31. Ohio Orthopaedic Society  
Annual Meeting, April 1982  
- Experience with the Neer Total Shoulder Replacement

32. New York State Orthopaedic Society  
Annual Meeting, Cancun, Mexico, April 1982.
  - Total Hip Resurfacing, Current Status
33. American Academy of Orthopaedic Surgeons  
Annual Meeting, New Orleans, LA, January 1982.
  - Ten Year Results of the Charnley Mueller Total Hip
34. "Total Knee Arthroplasty"  
Moore Clinic Workshop, Hilton Head, SC, November 1982.
  - Role of Constrained Prosthesis in Severe Deformity
  - Management of Infection in Total Knee Replacements
35. Cleveland Orthopaedic Club Meeting  
Cleveland, OH, October 1982.
  - Experience with P.C.A. Knee
36. "Joint Reconstruction: Sports and Arthritis  
National Association of Orthopaedic Nurses  
Workshop, Westlake, OH, October 1982
  - Porous Coated Arthroplasty
37. American Academy of Orthopaedic Surgeons  
Summer Institute, Monterey, CA, September 1982.
  - Total Knee Arthroplasty
38. "Total Knee Arthroplasty"  
University of Colorado School of Medicine  
Postgraduate Course  
Vail Colorado, January 1983.
  - Management of the Infected Total Knee
  - Role of the Constrained and Semiconstrained Prostheses in Severe Deformity and Revisions
39. Great Lakes Orthopaedic Club Annual Meeting  
Cleveland Clinic, Cleveland, OH, April 1983
  - Total Knee Arthroplasty
40. American Academy of Orthopaedic Surgeons  
Summer Institute, Boston, Mass., April 1983
  - Total Knee Arthroplasty
41. "Total Knee Arthroplasty"  
New England Baptist Hospital  
Newport, Rhode Island, August 1983
  - Surgical Management of Infected Total

## Knee Replacement

42. Orthopaedic Surgery Resident Symposium  
San Francisco, CA, August 1983.
  - The Surgical Management of Infected Total Knee Replacements
43. "Reconstructive Surgery of the Knee"  
American Academy of Orthopaedic Surgeons  
Continuing Education Course, Cleveland  
Clinic  
Foundation, Cleveland, OH, October 1983.
  - Reimplantation of Prostheses After Sepsis
44. Howmedica, Inc.  
New York, New York, October 1983
  - Surgical Approaches for Press-Fit Hips
45. "Complications in total Joint Replacement"  
American Academy of Orthopaedic Surgeons  
Phoenix, Arizona, October 1983.
  - Infected Total Knee Replacement
  - Arthrodesis of the Knee
  - Management of Infected Total Hip Replacement
  - Lucency vs. Loosening
46. "Hip Diseases of All Ages"  
American Academy of Orthopaedic Surgeons  
Continuing Education Course, Columbus, OH  
November 1983.
  - Determining the Source of Pain in Total Hip Replacement Arthroplasty.
47. "Workshop on Total Knee Arthroplasty"  
West German Orthopaedic Congress  
Mainz, West Germany, March 1984.
  - Uncemented Total Knee Arthroplasty, Concepts and Results
  - Uncemented Total Knee Arthroplasty Technique
  - Management of Sepsis
48. Eighth Otto E. Aufranc Course  
New England Baptist Hospital, Boston, Mass.  
April 1984
  - Rationale and Experience with P.C.A. Hip
49. "Total Knee and Hip Bioskills Workshop"  
University of Utah School of Medicine  
Snowbird, Utah, April 1984
  - Management of Infected Total Knee Replacement
  - Early Results of P.C.A. Total Hip

## Replacement

50. "The P.C.A. System with Bioskills Workshop"  
Johns Hopkins University  
Williamsburg, VA, May 1984.
  - Surgical Approaches to the Hip
51. "Total Knee-Hip Arthroplasty Course"  
Vail, Colorado, January 1984.
  - Management of the Infected Total Knee
  - Surgical Approaches to the Hip
  - Preliminary Clinical Experience with the P.C.A. Total Hip Replacement
52. "Total Knee and Hip Arthroplasty"  
The P.C.A. System with Bioskills Workshop  
Johns Hopkins University, Baltimore, MD  
July 20-21, 1984.
  - Direct Lateral and Posterior Approaches for Hip Replacement
  - Preliminary Clinical Results and Post operative Management
  - Detail OR Sequence for Primary Total Knee Replacement
53. "Total Hip and Knee Bioskills Workshop"  
Burns Clinic Foundation  
Boyne Highlands, Harbor Springs, MI  
August 1-3, 1984.
  - Aseptic Loosening - Why Total Hips Fail
  - Laboratory and Clinical Basis for Biological Ingrowth
  - Surgical Approaches to the Hip
  - Clinical Results and Post-Operative Management
  - Anatomy and Kinematics of the Normal Knee
  - Detailed O.R. Sequence for Primary Total Knee Replacement
54. "Total Knee and Hip Arthroplasty"  
The P.C.A. System with Bioskills Workshops  
Emory University, Kiawah Island, SC  
August 10-11, 1984
  - Detailed O.R. Sequence for Primary Total Knee Replacement
  - Clinical Results and Discussion
  - Direct Lateral and Posterior Approaches for Hip Replacement (to include pre-op planning)
  - Clinical Results and Discussion
55. "The Knee" Current Concepts of Treatment and Techniques

American Academy of Orthopaedic Surgeons  
Post-graduate Course, Rochester, MN,  
August 20-22, 1984.

- Results and Rationale Without Patellar Replacement
- The Unstable Knee and Primary Replacement
- Revision Total Knee Arthroplasty - Cleveland Clinic Experience

56. "Annual Meeting of Orthopaedic Section of the  
Puerto Rico Medical Association  
San Juan, Puerto Rico, August 31-  
September 4, 84

- Biological Ingrowth Hip Replacement
- Total Knee Replacement
- Design Concepts
- Moderate Daily Workshops

57. American Academy of Orthopaedic Surgeons  
Summer Institute, San Diego, CA,  
September 10-14, 1984.

- Management of Infected Total Knee Replacement
- Technique of Total Knee Replacement

58. "P.C.A. Total Hip System"  
Northwestern University, Chicago, IL  
October 13, 1984

- The Design Rationale of the P.C.A. Total Hip Replacement System
- Surgical Approaches for the P.C.A. Total Hip
- Early Results of the P.C.A. Total Hip

59. "Primary Care Update"  
Interstate Postgraduate Medical Association  
Las Vegas, Nevada, October 22-25, 1984.  
- Joint Prostheses - Current Status

60. "Total Knee and Hip Arthroplasty"  
'Hands On' Course  
Memorial Medical Center of Long Beach,  
October 26-29, 1984.

- Management of the Infected Total Knee
- Surgical Approaches to the Hip
- Preliminary Clinical Experience with the P.C.A. Total Hip Prosthesis Replacement
- Workshop Instructor
- Moderator - Video

61. "Revision Total Hip Arthroplasty"



American Academy of Orthopaedic Surgeons  
Postgraduate Course, Boston, Mass. Nov. 1-3,  
1984

- Anticipated and Actual Long Term Results  
with Current Techniques of Total Hip
- Primary vs. Delayed Reimplantation
- Management of the Femur

62. "P.C.A. Total Hip and Knee Arthroplasty"

Lewis-Gale Medical Foundation  
Salem, Virginia, November 9, 1984

- Laboratory and Clinical Basis for  
Biologic Ingrowth
- Design Rationale for the P.C.A. Hip  
System
- Direct Lateral and Posterior Approaches  
for Hip Replacement
- Workshop Instructor
- Panelist

63. "Uncemented Total Joint Replacement"

Harrington Arthritis Research Center  
Phoenix, Arizona, November 19-21, 1984

- Tissue Ingrowth Total Hip Replacement
- Tissue Ingrowth - Total Knee

64. American Academy of Orthopaedic Surgeons  
52nd Annual Meeting

Las Vegas, Nevada January 21-29, 1984

- Instructional Course Lecture-Surgical  
Approach to the Hip
- Moderator of Scientific Papers
- Executive Committee Meeting - Knee  
Society
- Secretary - Committee on the Hip
- Program Committee for AAOA Summer  
Institute

65. "Porous Ingrowth Total Hip Arthroplasty"

St. Louis University, St. Louis, MO  
February 15-16, 1984.

- Porous Ingrowth Total Hip Arthroplasty  
Biologic Process
- Acetabular Grafting
- Grand Rounds

66. "Total Knee - Hip Arthroplasty"

University of Colorado School of Medicine,  
Vail, Colorado, March 4-8, 1985

- Management of the Infected Total Knee
- Surgical Approaches for Total Hip  
Replacement
- Postoperative Management, Follow-up  
Evaluation and Clinical Results with

- the P.C.A. Total Hip Replacement
  - Moderator - Bioskills Workshop (Primary P.C.A. Hip Arthroplasty)
  - Instructor - Bioskills Workshop (Primary P.C.A. Hip Arthroplasty)
- 67. "P.C.A. System Update - Bioskills Workshop"
  - Scottsdale, Arizona April 11-13, 1985.
  - Approaches and Longstem Technique
  - Results/Discussion
  - Results Revision Knees
- 68. "Annual Meeting and Clinical Session"
  - Ohio Orthopaedic Society
  - Akron, OH April 19-20, 1985.
  - Infected Total Knee
  - Capitellocondylar Total Elbow Replacement
- 69. "Porous Hip and Knee Implants" A Look at the Choices"
  - Chicago, IL April 25-27, 1985.
  - Porous total Hip Systems: Surgical Techniques The P.C.A. System
  - Results of Total Knee Replacements The P.C.A. TKR
- 70. "Total Hip-Knee Arthroplasty"
  - Orlando, Florida May 16-18, 1985.
  - Design Rationale for the P.C.A. Hip System
  - Design Rationale for the P.C.A. Long Stem System
  - Surgical Approaches for Total Hip Replacement
  - Operative Management, Follow-up Evaluation and Clinical Results with the P.C.A. Total Hip Replacement
  - Basic Concepts in Total Knee Instrumentation
  - Design Rationale for the P.C.A. Total Knee Instrumentation System
  - Detailed O.R. Sequence for Primary P.C.A. Total Knee Replacement
  - Management of Fixed Deformity-Varus, Valgus and Flexion
- 71. "Total Knee and Hip Arthroplasty"
  - Albert Einstein Medical School
  - New York City, New York, June 6-7, 1985.
  - Surgical Considerations for the Arthritic Knee
  - Clinical Results with the Primary P.C.A. Total Knee
  - Management of the Infected Total Knee
  - The Direct Lateral and Posterior

#### Approaches

Using the P.C.A. Hip System

- Clinical Results with the P.C.A. Total Hip Replacement
- Bioskills Workshop: Primary P.C.A. Total Hip Replacement
- Moderator - Video
- Cement Removal Techniques/Presentation of the Acetabulum, and Femur for Cementless Revision Total Hip Arthroplasty
- Surgical Techniques for Cementless P.C.A. Long Stem Hip Using the Direct Lateral Approach
- Bioskills Workshop - P.C.A. Long Stem Hip
- Instructor

72. "Total Hip and Knee Replacement"  
 University of Vermont  
 Stowe, Vermont June 20-22, 1985
- Surgical Considerations for the Arthritic Knee
  - Details Surgical Sequence for the Unicompartmental, Primary and Revision Total Knee Systems
  - Clinical Experience with the Revision P.C.A. Prosthesis
  - Moderator
  - Instructor
  - Design Rationale for P.C.A. Total Hip Replacement
  - The Direct Lateral and Posterior Approaches Using the P.C.A. Hip System
  - Preliminary Clinical Results Using the P.C.A. Hip System
  - Cement Technique for Cementless P.C.A. Long Stem Hip Using the Direct Lateral Approach
  - Cement Removal Techniques/Preparation of the Acetabulum and Femur for Cementless Revision Total Hip ARthroplasty
  - Preliminary Clinical Results of Cementless P.C.A. Longstem Hip
73. "Total Hip and Knee Bioskills Workshop"  
 University of Utah School of Medicine  
 January 2-5, 1985
- Surgical Approach to the Hip
  - Management of Infected Total Knees
  - Management of Bone Loss in the Hip

#### PUBLICATIONS:

1. "Geometric Total Knee Replacement: An Eight Year Experience at the New England Baptist Hospital." Orthopaedics, Vol. 3/No. 6, pg. 537-546, 1980.  
 Hopson, C.M.; Lansing, J.F.; Borden, L.S.; Stillwell, W.T.; Snyder, M.A.; and Potter, T.
2. "Athletics for the Arthritic". The Physician and Sports Medicine, June, 1979,  
 Borden, L.S.
3. "Symposium: Total Hip Revision or Conversion" Contemporary Orthopaedics, pg. 402-418, August, 1980.  
 Mallory, T.H.; Borden, L.S.; Head, W.C.; Salvati, E.A.; and Welch, R.B.

4. "Surface Replacement Arthroplasty of the Hip"  
Mediguide to Orthopaedics, Vol. 2/Issue 1,  
1981. **Borden, L.S.**
5. "Total Condylar Prosthesis" The Orthopaedic  
Clinic of North America, pg. 123-130,  
January 1982. **Borden, L.S.**; Heyne, T.;  
Belhobek, G.; Marks, K.E.; Stulberg, B.;  
and Wilde, A.H.
6. "Ten-Year Results of 100 Consecutive Cases of  
Mueller Curved Stem Total Hip Replacement  
Arthroplasties" Journal of Bone and Joint  
Surgery, Vol. 64A, pg 970-982, September  
1982. Sutherland, C.J.; Wilde, A.H.;  
**Borden, L.S.**; and Marks, K.E.
7. "Shoulder Impingement and Dislocations" Audio  
Digest Orthopaedics, Vol. 3, No. 7, July,  
1980. **Borden, L.S.**
8. "A New Technique of Rotational Osteotomy for  
the Management of Avascular Necrosis of the  
Hip"  
Orthopaedic Review, Vol. XII, No. 5, 1983.  
**Borden, L.S.**; Gearen, P.F.
9. "Techniques of Revision of the Femoral  
Component"  
Techniques in Orthopaedics, Edited by L.  
Dorr for University Park Press.  
**Borden, L.S.**
10. "Total Hip Arthroplasty: A New Approach"  
Text Book, University Park Press, 1984.  
Hungerford, D.; Hedley, A.; **Borden, L.S.**;  
Haberman, E.; Kenna, R.
11. "Experience with the Neer Total Shoulder  
Replacement"  
Chapter in book entitled, Surgery of the  
Shoulder., pgs. 226-228. Editors;  
Bateman and Welch. Publishers, Decker and  
Mosby, Toronto 1984. Wilde, A.H., **Borden,**  
**L.S.**, Brems, J.J.
12. "Osteoarthritis of the Shoulder and Elbow"  
Chapter in book entitled, Surgery of the  
Shoulder., pgs. 226-228 Editors; Bateman and  
Welch.  
Publisher, Decker and Mosby, Toronto 1984.  
Wilde, A.H., **Borden, L.S.**, Brems, J.J.

**PUBLICATION IN  
PRESS**

1. "Current Status of Non-Cemented Hip Implants"  
Hedley, A.K., **Borden, L.S.**, Hungerford, D.S.,  
Habermann, E.T., and Kenna, R.V., The Hip,  
C.V. Mosby, Toronto.
2. "Capitellocondylar Total Elbow Replacement-  
Two to Eight Year Experience. Trancik,  
T.M., Wilde, A.H., **Borden, L.S.**, Clinical  
Orthopaedics and Related Research.
3. "Principles and Techniques of Cementless Total  
Hip Arthroplasty" **Borden, L.S.**
4. "Glenlid Lucent Lines"  
Transactions of the American Shoulder and  
Elbow Surgeons, 1986. Brems, J.J.,  
Wilde, A.H., **Borden, L.S.**,  
and Bouthphrey, F.R.S.

**PUBLICATIONS IN  
MANUSCRIPTS**

1. "The Management of Infected Total Knee  
Replacement" Submitted to Journal of Bone  
and Joint Surgery. **Borden, L.S.**;  
Gearen, P.F.
2. "Management of Infected Total Hip and Knee  
Replacement", University Park Press  
**Borden, L.S.**: Editor.
3. "Acetabular Reconstruction in Primary and  
Revision Total Hip Arthroplasty",  
**Borden, L.S.**  
A chapter in "The Hip and Its Disorders"  
Steinberg, M.E., editor. W.B. Saunders,  
Philadelphia.

**EXHIBITS:**

1. "Total Hip Replacement with the Aufranc Turner  
System: A Historical Prospective and  
Current Implant Designs". American Academy  
of Orthopaedic Surgeons Annual Meeting,  
Las Vegas Nevada, 1981.  
Aufranc, O.; Turner, R.H.; Scheller, A.D.;  
Krenzel, W.F.; **Borden, L.S.**
2. "Revision Total Hip Arthroplasty: Indications,  
Surgical Techniques and New Implant Designs"  
American Academy of Orthopaedic Surgeons  
Annual Meeting, New Orleans, LA 1982.  
Scheller, A.D.; **Borden, L.S.**; Lowell, J.D.;  
Krenzel, W.F.; Anas, P.; White, R.P.;  
MacKenzie, J.

3. "The Hip-Spine Syndrome"  
American Academy of Orthopaedic Surgeons  
Annual Meeting, Annaheim, CA 1983.  
Boumphrey, F.; MacNab, I.; **Borden, L.S.**

**CURRENT RESEARCH  
PROJECTS :**

1. P.C.A. Total Knee Arthroplasty, F.D.A. Study.  
RPC.
2. P.C.A. Total Hip Arthroplasty, F.D.A. Study,  
RPC.
3. Long Term Follow-Up of Ewald Total Elbow  
Replacement with Drs. Wilde and Trancik.  
Submitted to American Academy of Orthopaedic  
Surgeons and Mid-American Orthopaedic  
Association.
4. Radiographic and clinical comparison of  
posterior cruciate ligament retaining and  
sacrificing total knee prosthesis,  
3-5 year follow-up study. **Borden, L.S.**  
and Selby, R.
5. Gentamycin impregnated Palacos cement, FDA  
Clinical Study. Departmental,  
Dr. B. Stulberg principal investigator.
6. Comparative results of multiple modalities of  
prophylaxis in lower extremity total joint  
arthroplasty. Orthopaedic and P.V.D.  
combined project.
7. Classification and surgical management of  
major acetabular bone loss in revision  
total hip arthroplasty. Adequate follow-up  
for publication in 1986.
8. "9-10 Year Follow-Up On 100 Total Condylar  
Knee Replacement Arthroplasty" Publication  
in 1986
9. Clinical evaluation of the Dual-Lok total hip  
prostheses.
10. Clinical evaluation of Continuous Passive  
Motion in the postoperative management of  
total knee arthroplasty
11. Long term follow-up of the Capitello-Condylar  
total elbow arthroplasty
12. Bone grafting combined with rigid internal

fixation in the management of massive  
acetabular bone loss in revision total hip  
arthroplasty