STEVEN J. DEUTCH, M.D.

January 21, 2001

Mr. James J. Turek Reminger & Reminger 113 Saint Clair Avenue, NE Cleveland, Ohio 44114 - 1273

Re: Walter Holland v. Consolidated Freight Corp., et al.

Dear Mr. Turek:

Per your request, I have reviewed the following:

- A. Albert Einstein Medical Center: 4/10/98
- B. Chris Boucher, D.C.: 4/10/98 6/24/98
- C. K.P. Babu V. Verada, M.D.: 4/23/98
- D. William Mangino, II, M.D.: 5/8/98 12/5/00
- E. David H. Clements, M.D.: 5/8/98 3/9/00
- F. Callow Hill Open MRI: 5/18/98 (images and report)
- G. Y.B. Shah, M.D. 6/30/98
- H. Allied Medical Group: 11/4/99
- I. Gerald D. Hayken, M.D.: 6/15/00
- Rittenhouse Square Imaging: 7/6/00 (images and report)].

K. James D. Brodell, M.D.: 12/8/00

Rather than review the clinical history, which is well known to you, I will limit my opinions to relevant issues with respect to the clinical history, physical examinations, and MRI, images.

Mr. Holland's MVA occurred on 4/6/98, but he did not seek medical attention until 4/10/98: In the physical examination section of the emergency department (ED) report, no abnormality is listed in the "Musculoskeletal, Back/Spine" section. Mr. Holland's chief complaint/finding was bilateral lower extremity swelling to the knees. In the review of the systems section in the ED report, Mr. Holland did not volunteer any complaints in the "Musculoskeleral" section. He also had no musculoskeleral x-rays taken in the ED.

On 4/10/98, Mr. Holland sought evaluation and treatment by Chris Boucher, D.C. During his examination, it should be noted that all reflexes were considered normal. A referral was subsequently made to one of his partners at North Philadelphia Medical, William Mangino, M.D. On 5/8/98, Dr. Mangino noted that Mr. Holland's achilles tendon reflexes were both

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On 5/18/98, Mr. Holland underwent an MRI examination nearly six weeks after the accident. In my experience, individuals with significant trauma to their backs after an accident, undergo MRI studies almost immediately. Overall, the study is considerably suboptimal with respect to image quality, however, some relevant information can be obtained. The vertebral bodies appear normal without any evidence of bone marrow edema (fluid), which is frequently present in cases of significant trauma. There are no disc hermiations. At the L1/2, L3/4, and L5/S1 discs, there is loss of signal compatible with a chronic degenerative process. At the connect the vertebral bodies) and foraminal narrowing (spaces where the nerve mosts exit the spinal canal). At the L5/S1 level, there are mild right and left lateral disc bulges. All of these findings are typically of a long standing and chronic nature, and are common and expected in obese patients. At no time prior to the date of this MRI study, has Mr. Holland expressed particular nerve root distribution).

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On 5/28/98, David Clements, M.D. examined Mr. Holland and noted that the patient's muscle strength was 5/5 in the lower extremities, reflexes symmetric, with no numbress or tingling. On 6/15/00, Gerald Hayken, M.D., and on 12/8/00, James Brodell, M.D. independently examined Mr. Holland. They came to similar conclusions in their physical exams and diagnoses as Dr. Clements. All three physicians felt that Mr. Holland sustained lumbar strain as a result of the accident, superimposed on pre-existing degenerative spine disease.

Mr. Holland also underwent another MRI on 7/6/00. This again demonstrated the chronic degenerative changes at multiple discs and the facer joint degenerative changes. At L5/S1, there is a moderate central and left sided disc protrusion which has progressed since the earlier MRI study. However, this naturally can occur based on the patient's long standing degenerative changes and obesity. More importantly, MRI evidence of disc bulging and herniation is a commonplace finding especially in obese patients, and it only becomes relevant if an individual has symptoms referable to that disc level (radicular pain, numbness, or tingling). Mr. Holland never consistently volunteered any of these symptoms during the objective exams at the emergency department, or during the office evaluations of Drs. Clements, Hayken, or Brodell.

If I can be of further assistance to you, please do not hesirate to contact me

Sincerely

Steven J. Deutch, M.D.