

Doc. 2/3

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RE: ELIZABETH KADAR, EXECUTRIX vs THOMAS COWPER, D.D.S., et al
CCCP 11139167

Dear Mr. Zellers:

I have carefully reviewed all of the material provided to me as designated in your letter of September 1, 1988. Mr. Eli Kadar first presented with squamous cell carcinoma of the mouth in October 1963 and subsequent to that time was treated on innumerable occasions for squamous cell carcinoma of various locations in his oral cavity.

Most pertinent to this litigation as emphasized by Dr. Aryeh Gorenstein, is Mr. Kadar's evaluation by Dr. Thomas Cowper on the 22nd of April 1986. Dr. Cowper at this time first described "some angry looking tissue" and subsequent to that provided dental and prosthetic care on the assumption the abnormality was inflammatory and/or infectious. In late July, Mr. Kadar was evaluated by Dr. James Smith, who first mentions concern over possible tumor and on the 16th of September 1986 Mr. Kadar was evaluated by Dr. Ben Wood, who biopsied the lesion and documented the presence of squamous cell carcinoma.

Subsequent to that biopsy, Mr. Kadar had a thorough evaluation of the primary lesion, and a complete X-ray, laboratory and endoscopic search for a second primary or evidence of metastatic disease. None being found, Dr. Wood proceeded with a composite resection and mandibular reconstruction. Shortly after complete healing, Mr. Kadar was found to have another separate biopsy-proven squamous cell carcinoma of the oro-pharynx and following his unfortunate death, autopsy documented extensive laryngeal and pharyngeal malignancy as well.

Based upon careful review of the records, there appears to be justification in questioning Dr. Thomas Cowper and Dr. James Smith's judgment in delay that occurred in obtaining a definitive diagnosis. There was no evidence, however, and it is my unequivocal opinion, that an earlier diagnosis would in no way have changed Mr. Kadar's subsequent clinical course or his ultimate outcome.

If further information is required or if you wish to discuss this with me further, please have no hesitancy to contact me. A bill for my services in reviewing this matter is enclosed.

Yours truly,

Robert L. Katz, M.D.

RLK:jgk
Enc.