P/	AGE 1 SHEET 1		AGE 3	
	DEPOSITION OF GARY NOSKIN, M.D.		DEPOSITION OF GARY NOSKIN, M.D. 3	
1	S42718	1	INDEX	
2	STATE OF OHIO )	2		
3	COUNTY OF CUYAHOGA SS.	3	EXAMINATION	
4 5	דאן יישיד מדפמוויי ממוש <b>יר</b> דמפ	4 5	8y Mr. Coticchla By Mr. Meadous	4
6	IN THE CIRCUIT COURT FOR CUYAHOGA COUNTY, OHIO	6	By Mr. Cotlechla	81 88
7	RICHARD RIDOLFI, et al.,	7	By M Meadous	89
8	Plaintiff,	8		
9	VS. NO. 322843	9	DEFENDANT'S DEPOSITION EXHIBITS MARKED	
10	NEAL CHADWICK, M.D., et al., Defendant.	10	A Curriculum vitae Of <b>Gary</b> A. Noskin, M.D., 15 pages	89
11 12	Detendant. )	11 12		
13	Deposition of GARY NOSKIN, M.D., called	13		
14	as a uitness by the Plaintiff, pursuant to the	14		
115	provisions of the Ohio Rules of Civil	15		
116	Procedure pertaining to the taking of	16	CERTIFIED	
117	depositions, before Nancy J. Hopp, C.S.R.,	17	$\bigcirc$ $\square$	
18 : <b>19</b>	R.D.R., a Notary Public in and for the County of Kane, State of Illinois, taken at	18 1 <b>9</b>	$\mathbb{G}$ $\mathbb{G}$ $\mathbb{W}$	
20	Northuestern Memorial Hospital, Superior	20	G (D P ¥	
21	Street and Fairbanks Court, Chicago, Illinois,	21		
22	on the 5th day of May, A.D. 2000, at the hour	22		
:23	of <b>9:20</b> a.m.	23		
:24	Sonntag Penorting Service Itd	24	Sonntag Perorting Service Itd	
	Sonntag Reporting Service. Ltd. Geneva Chicago vvu.so <b>ntagreporti</b> ng.com		Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton uuu.so <u>nntagreporting</u> .com	
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P	AGE 2		PAGE 4	alaan kark
	DEPOSITION OF GARY NOSKIN, M.D.		4 DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA	
1	PRESENT :	1	BY MR, COTICCHIA (The ultness uas thereupon	
2	JOSEPH L. COTICCHIA CO., L.P.A., by	2	duly svorn,)	
3	MR. JOSEPH L. COTICCHIA,	3	MR. COTICCHIA: This is the	
4	1640 Standard Building	4	deposition of Dr. Gary Noskin.	
5	<b>1640</b> Standard Building <b>1370</b> Ontario Street Cleveland, OH <b>44113</b> (216) 861-6622	5	The deposition is being taken pursuant	
6 7	appeared on behalf of Plaintiff;	6	to agreement; is that correct, Mr. Moscarino? MR, MOSCARINO: That's correct.	
8	REMINGER & REMINGER CO., L.P.A., by	8	GARY NOSKIN, M.D.	
9	XR, WILLIAM A. MEADOWS	9	called as a witness by the Plaintiff, pursuant to	
0	7th Floor <b>113</b> St. Clair Avenue, N.E. Cleveland, OH <b>44114</b> (216) 687-1311	10	the provisions of the Ohio Rules of Civil Procedure	
1		11	pertaining to the taking of depositions, having	
2	appeared via telephone on behalf of Defendant Robert Paul Van Bergan; and	12 1 <b>3</b>	been first duly suorn, uas exanined and testified as folious:	
3	MOSCARINO & TREU, L.L.P., by	13	as follous. EXAMINATION	
5	MR, GEORGE M. MOSCARINO,	15	BY MR. COTICCHIA:	
6	The Hanna 8011ding <b>1422</b> Euclid Avenue, Suite <b>630</b> Cleveland, OH ( <b>216) 621-1000</b>	16	Q Dr. Noskin, please state your Full name and	
7		17	spell your last name for the record.	
8	appeared on behalf of Defendant Fairvieu Nospital.	18 19	A Sure. MY name is Gary Noskin, N-o-s-k-i-n. Q Uhat Is your occupation?	
9 0		19 2Ø	A I'm a physician,	
2'1		21	Q Do you specialize in any area of medicine?	
2 <b>'2</b>		22	A Yes.	
2'3		23	Q What area do you specialize in7	
2'4	Compton Departure Country That	24	A Infectious diseases.	
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10.1 March 10.2

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r	PAGE 5	SHEET 2 DEPOSITION OF GARY N		AGE 7	AY 5, 2000
		DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA			DEPOSITION OF GARY NOSKIN, M.D., BY MR. COTICCHIA
1	Q	Are YOU board-cert1 fled?	1		got numerous papers on this type of bacteria;
2	А	Yes.	2		is that correct7
3	Q	Uhen did YOU become board-certified?	3	A	Correct.
4	А	I became board-certified in internal medicine	4	Q	I see one paper that YOU urote in 1992 in
5		in '89 and in infectious diseases in '92.	5		which you talked about Serratia marcescens,
6	Q	Did YOU pass your boards the first tlme In	6		n-a-r-c-e-s-c-e-n-s. cellulitis, In a patient
7		Internal medicine?	7		on hemodialysis In 1932; is that correct?
8	A	Yes.	8	Α	Correct.
9	Q	Did YOU pass your boards the first tlme in	3	Q	Have YOU uritten any other papers dealing uith
10	7	infectious d(seases?	10		Serratla marcescens?
11 12	A Q	Yes. Are You licensed to practice medicine in	11	A Q	No.
13	Q	Illino IS?	12 13	6	Do You have privileges to practice nedicine at any other hospitals besides here at
14	А	Yes.	14		Northuestern University Medical Center?
15	Q	When did YOU receive your license7	15	A	I also have privileges at our VA Hospital.
16	A	I had a temporary license, uhich is good for a	16	Q	Okay. Any other hospitals7
17		year, and that occurred uhen I started my	17	A	No.
1.a		internship in '86, and then a permanent	18	Q	Have YOU ever had your privileges terminated
19		license in '87.	19		or suspended7
SQ	Q	Are YOU licensed to practice medicine in any	20	А	No.
21		other states?	21	Q	What Is the name of your nedical nalpractice
22	A	No.	22		insurance carrier7
23	Q	Have YOU ever practiced medicine in any other	23	A	Idon't knou.
24		states7	24		MR. MOSCARINO: Objection.
		Sonntag Reporting Service, Ltd Geneva Chicago Wheaton uuu.sonntagreporting.com 800.232.0265			Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton yuy.sonntagreporting.com a00.232.0265
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	PAGE 6	DEPOSITION OF GARY NOSKIN. H.D. BY MR, COTICCHIA		PAGE a	BEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA
1	PAGE 6 A Q	DEPOSITION OF GARY NOSKIN. H.D. BY MR. COTICCHIA No.		PAGE a	DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA Go ahead.
1	A	DEPOSITION OF GARY NOSKIN. H.D. BY MR, COTICCHIA	1	PAGE A	B DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA Go ahead. MR, COTICCHIA: You nay ansuer.
1 2	A	DEPOSITION OF GARY NOSKIN. H.D. BY MR. COTICCHIA No. I have your curriculum vitae, uhich I'n going	1	А	DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA Go ahead.
1 2 3	A	DEPOSITION OF GARY NOSKIN. H.D. BY MR. COTICCHIA No. I have your curriculum vitae, uhich I'n going to hand to you, and take a look at it.	1 2 3	А	8 DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA Go ahead. MR, COTICCHIA: You nay ansuer. (Continuing.) I don't knou.
1 2 3 <i>4</i>	A	6 DEPOSITION OF GARY NOSKIN. H.D. BY MR. COTICCHIA No. I have your curriculum vitae, uhich I'n going to hand to you, and take a look at it. (Indicating.)	1 2 3 4	A BY	8 DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA Go ahead. MR, COTICCHIA: You nay ansuer. (Continuing.) I don't knou. MR, COTICCHIA:
1 2 3 <i>4</i> 5	A Q A	6 DEPOSITION OF GARY NOSKIN. H.D. BY MR. COTICCHIA No. I have your curriculum vitae, uhich I'n going to hand to you, and take a look at it. (Indicating.) Thank you. Okay. Are there any additions to that or is that your current curriculum vitae7	1 2 3 <i>4</i> S	A BY	8 DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA Go ahead. MR, COTICCHIA: You nay ansuer. (Continuing.) I don't knou. MR, COTICCHIA: Do You knou If the maipractice coverage Is
1 2 3 4 5 6 7 a	A Q A	6 DEPOSITION OF GARY NOSKIN. H.D. BY MR. COTICCHIA No. I have your curriculum vitae, uhich I'n going to hand to you, and take a look at it. (Indicating.) Thank you. Okay. Are there any additions to that or is that your current curriculum vitae7 There's a feu other papers that have been	1 2 3 4 5 6 7 8	A BY Q A	8 DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA Go ahead. MR. COTICCHIA: You nay ansuer. (Continuing.) I don't knou. MR. COTICCHIA: Do You knou If the malpractice coverage Is carried through your employment uith Northuestern? Yes.
1 2 3 4 5 6 7 a 9	A Q A Q	6 DEPOSITION OF GARY NOSKIN. H.D. BY MR. COTICCHIA No. I have your curriculum vitae, uhich I'n going to hand to you, and take a look at it. (Indicating.) Thank you. Okay. Are there any additions to that or is that your current curriculum vitae7 There's a feu other papers that have been published, a feu more committees that I'n a	1 2 3 4 S 6 7 8 9	A BY Q A Q	8 DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA Go ahead. MR. COTICCHIA: You nay ansuer. (Continuing.) I don't knou. MR. COTICCHIA: Do You knou If the maipractice coverage Is carried through your employment uith Northuestern? Yes. Okay. So You don't knou uho that uould be7
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1 2 3 4 5 6 7 a 9 10 11	A Q A A	<pre>6 DEPOSITION OF GARY NOSKIN. H.D. NO. I have your curriculum vitae, uhich I'n going to hand to you, and take a look at it.         (Indicating.) Thank you. Okay. Are there any additions to that or is that your current curriculum vitae7 There's a feu other papers that have been published, a feu more committees that I'n a member of. But for the most part, it's pretty complete. All right. Thank You. I'm not going to Do over your entire curriculum vitae.</pre>	1 2 3 4 5 6 7 8 9 10 11 12 13	A BY Q A Q A	<pre>8 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Go ahead. MR. COTICCHIA: You nay ansuer. (Continuing.) I don't knou. MR. COTICCHIA: Do You knou If the Malpractice coverage Is carried through your employment uith Northuestern? Yes. Okay. So You don't knou uho that uould be7 Correct. Uell, let ne ask you this:</pre>
1 2 3 4 5 6 7 a 9 10 11 12 13	A Q A A	<pre>6 DEPOSITION OF GARY NOSKIN. H.D. BY MR. COTICCHIA No. I have your curriculum vitae, uhich I'n going to hand to you, and take a look at it.         (Indicating.) Thank you. Okay. Are there any additions to that or is that your current curriculum vitae7 There's a feu other papers that have been published, a feu more committees that I'n a member of. But for the most part, it's pretty complete. All right. Thank You. I'm not going to Do</pre>	1 2 3 4 S 6 7 8 9 10 11 12	A BY Q A Q A	8 DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA Go ahead. MR, COTICCHIA: You nay ansuer. (Continuing.) I don't knou. MR. COTICCHIA: Do You knou If the maipractice coverage Is carried through your employment uith Northuestern? Yes. Okay. So you don't knou uho that uould be7 Correct. Uell, let ne ask you this: Or. Van Bergan is insured by Medical
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1 2 3 4 5 6 7 a 9 10 11 12 13 14 15	A Q A A	<pre>6 DEPOSITION OF GARY NOSKIN. H.D. BY MR. COTICCHIA No. I have your curriculum vitae, uhich I'n going to hand to you, and take a look at it.</pre>	1 2 3 4 S 6 7 8 9 10 11 12 13 14 15	A BY Q A Q A	<pre>8 DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA Go ahead. MR. COTICCHIA: You nay ansuer. (Continuing.) I don't knou. MR. COTICCHIA: Do You knou If the maipractice coverage Is carried through your employment uith Northuestern? Yes. Okay. So you don't knou uho that uould be7 Correct. Uell, let ne ask you this:</pre>
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A Q A A	<pre>before the papers that have been published, a feu more committees that I'm a member of. But for the most part, it's pretty complete. I notice that you have written extensively and have had several papers published, and as I uent through this, you've had quite a bit of yriting and research and experience, and I'm going to read this and then spell It if I'm urong: Enterococcus,</pre>	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A BY Q A Q A Q A	<pre>B DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Go ahead. MR. COTICCHIA: You nay ansuer. (Continuing.) I don't knou. MR. COTICCHIA: Do You knou If the malpractice coverage Is carried through your employment uith Northuestern? Yes. Okay. So you don't knou uho that uould be7 correct. Uell, let ne ask you this: Or. Van Bergan is insured by Medicai Protective. Would the fact that he's Insured by Medicai Protective have any influence on your objective, professional revieu of this case? No. Because there's aluays a concern, if you have the same company, you may have an Interest.</pre>
1 2 3 4 5 6 7 a 9 10 11 12 13 14 15 16 17 18 19 20	A Q A A	DEDOSITION OF GARY NOSKIN. H.D. BY MR. COTICCHIA NO. I have your curriculum vitae, uhich I'n going to hand to you, and take a look at it. (Indicating.) Thank you. Okay. The there any additions to that or is that your current curriculum vitae? There's a feu other papers that have been published, a feu more conmittees that I'n a member of. But for the most part, it's pretty complete. All right. Thank You. I'm not going to Do over your entire curriculum vitae? I notice that you have written extensively and have had several papers Published, and as I uent through this, you've had quite a bit of writing and research and experience, and I'm going to read this and then spell It if I'm urong: Enterococcus, E-n-t-e-r-o-c-o-c-u-s, factium.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A BY Q A Q A Q A Q A	<pre>B DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Go ahead. MR. COTICCHIA: You nay ansuer. (Continuing.) I don't knou. MR. COTICCHIA: D) You knou If the maipractice coverage Is carried through your employment uith Northuestern? Yes. Okay. So you don't knou uho that uould be7 Correct. Uell, let ne ask you this: Or. Van Sergan is insured by Medicai Protective. Would the fact that he's Insured by Medicai Protective have any influence on your objective, professional revieu of this case? No. Because there's aluays a concern, if you have the same company, you may have an Interest. I see.</pre>
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1 2 3 4 5 6 7 a 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A A	DEDOSITION OF GARY NOSKIN. H.D. BY MR. COTICCHIA NO. I have your curriculum vitae, uhich I'n going to hand to you, and take a look at it. (Indicating.) Thank you. Okay. The there any additions to that or is that your current curriculum vitae? There's a feu other papers that have been published, a feu more conmittees that I'n a member of. But for the most part, it's pretty complete. All right. Thank You. I'm not going to Do over your entire curriculum vitae. I notice that you have written extensively and have had several papers Published, and as I uent through this, you've had quite a bit of writing and research and experience, and I'm going to read this and then spell It if I'm urong: Enterococcus, E-nt-e-r-o-c-o-c-u-s, facejum.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A BY Q A Q A Q A Q A Q A Q	<pre>B DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Go ahead. MR. COTICCHIA: You nay ansuer. (Continuing.) I don't knou. MR. COTICCHIA: MR. COTICCHIA: Do You knou If the maipractice coverage Is carried through your employment uith Northuestern? Yes. Okay. So you don't knou uho that uould be7 Correct. Uell, let ne ask you this: Dr. Van Sergan is insured by Medicai Protective. Would the fact that he's Insured by Medicai Protective have any influence on your objective, professional revieu of this case? No. Because there's aluays a concern, if you have the same company, you may have an Interest. I see. Okay. So that uould not influence You?</pre>

		DEPOSITION OF GARY NOSKIN, M.O. BY MR, COTICCHIA			DEPOSITION OF GARY NOSKIN, M.D.
1	Q	אר, COTICCHIA All right. Tell me vhat medical records you		•	DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA
2	ંગ	revieued before YOU urote YOUr letter dated	1	Q A	When did You see (t?
3		November 22nd, 1999.	3	A	It was provided to me <b>by</b> someone from Mr. Moscarino's office uithin the last several
	А	The nedlcal records that I've revleued are the	4		months. I don't recall the exact date.
		ones that are Indicated in the letter, which	5	Q	All right. Do you have a COPY of that With
5		are the Fairvieu Hospital admission on August	6	•	you today?
7		19th, the Fairvieu records from the 26th and	1	А	Yes.
3		then the records from the 8th of September,	8	P	Is It of any significance to you that. under
)		1995.	9		the nursing assessment. It states that
3		And then I also had revieued the	10		uell. let me start from the beginning,
L		depositions <b>of</b> Dr. Van Bergan, Dr. Gopal: and	11		Mr, Ridolfi came into the hospital
2		at that point in time, I had revleued the	12		concerned <b>about</b> drainage from his incision;
3		report of Dr. Markouitz.	13		that correct?
4	Р	All right. Nou, since this letter, have you	14	А	I'd have to take a look at it.
5		read Dr. Markouitz's deposition7	15	Р	All right.
3	А	I have.	16		(Ind)cating.)
7	P	Also, there was a subsequent letter from Or,	17	A	Correct.
3		Markouitz to me, dated April 3th, 1999.	18	P	VILL you read where it says 'nurse's
)		DId You read that7	19		assessment.' Let ne help You find it.
3	A	Yes.	20	А	Here?
L	Р	There have been several depositions of	21		(Indicating .
2		residents.	22	Q	Yes, the handwriting.
3		Have YOU read any of the residents'	23	А	'Patient questions uound infection. Slight
4		depositions?	24		amount of saro' something 'drainage in chest
		Sonntag Reporting Service, Ltd.			Sonntag Reporting Service, Ltd.
P.	AGE 10			PAGE 12	Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton uuu.sonntagreportine.com 800.232.0265
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P.	_	DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA		PAGE 12	uuu.sonntagreportine.com 800.232.0265 2 DEPOSITION OF GARY NOSKIN, M.D. 8Y MR, COTICCHIA
	A	DEPOSITION OF GARY NOSKIN, M.D. No.	1	PAGE 12	uuu.sonntagreportine.com 800.232.0265 DEPOSITION OF GARY NOSKIN, M.O. 8Y MR. COTICCHIA something. 'NAD,' uhich stands for no acute
1 2	_	DEPOSITION OF GARY NOSKIN, M.D. DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA No. Did you read the deposition of Mr. Richard	1 2	_	DEPOSITION OF GARY NOSKIN, M.O. 87 MR, COTICCHIA something, 'NAD,' uhich stands for no acute distress, 'present. Chest X-ray ordered.'
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SONNTAG REPORTING SERVICE, LTC (800)232-0265 FAX (630)232-4999

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1	Q	All right. Well, I want YOU to know that a	1		MR, MOSCARINO: Objection; asked
2		resident uho has been deposed is named Meyers,	2		and ansuered.
3		and I'm not sure if that's his signature, but	3	А	Correct.
1		he May have been.	4		MR, COTICCHIA:
5		MR, MOSCARINO: what is that 7 I	5	۵	What is the reason for Your answer?
6		mean, is that some kind of statement7	6	A	Because YOU don't just culture incisions. If
7		MR, COTICCHIA: Yeah, that's a	7		YOU think that Someone has an infection.
3		statement, okay7	8		there's other things that you can do. But to
9		MR, MOSCARINO: I object and ask	9		Just culture an incision is not particularly
0		that that be stricken.	:10		helpful.
1	BY	MR, COTICCHIA:	11	Q	Is there anything in this record of September
2	Q	There's also a physician referral named	:12		4th that indicates that there uas any
3		Woodhall,	:13		consideration that Mr. Ridolfi might have an
1		Do you knou that Dr. Woodhall practices	:14		infection?
5		uith Dr. Van Bergan?	15	Α	Yes.
6	A	No, I do not.	:16	Q	And uhat is that?
7	Q	Do you knou uhat it means uhen it says	17	Α	They took his temperature, and his temperatur
8		'physician referral7	18		vas normal.
3	A	Yes.	19	Q	(Indicating.)
Ø	Q	What does it mean7	10	Α	They listened to his lungs. They performed a
1	А	It means that the emergency medicine physician	21		chest X-ray.
2		uould like another doctor to see the patient.	'2	Q	I think the chest X-ray shoued atelectasis,
3	Q	Do you think, in light of the fact that	23		didn't it?
4					
-		previous to this emergency room admission, Mr.	24	A	The chest X-ray shoued a small left pleural
-		-	24	А	
- Satur State	AGE 1	Sonntaa Reporting Service, Ltd. Geneva Chicago Wheaton uuu.sonntagreporting.com 800.232.0265		A PAGE 1	Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton uuu.sonntagreporting.com 800.232.0265
- Marine Barrier	AGE 1	Sonntaa Reporting Service, Ltd. Geneva Chicago Wheaton uuu.sonntagreporting.com 800.232.0265			Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton uuu.sonntagreporting.com 800.232.0265
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1 2 3 4 5 6 6 7 a 9 .0 .1 2 3 4 5 6 6 7 a 9 .0 .1 2 3 4 5 6 6 7 a 9 .0 .1 2 3 4 5 5 6 7 a 9 .0 .1 2 3 4 5 5 6 6 7 7 a 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 9 .0 7 7 7 7 7 9 .0 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	A BY Q A	Sonntaa Reporting Service, Ltd. Geneva Chicago Wheaton uuu.sonntagreporting.com 800.232.0265 4 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Ridolfi had had bypass surgery, he had gone to the doctor's office, Dr. Ridolfi's office, after being discharged following bypass surgery, because of drainage and a dehiscence, he was re-admitted on August the 26th to reuire and care for the dehiscence and nou he's back on Septeriber 4 of '95 complaining of drainage and he questions infection mw question to You under those facts: Did Fairvleu Hospital have a duty to take a culture of the incision? No. MR. MOSCARINO: Object to the form. MR. COTICCHIA: Why not7 Because YOU don't just culture incisions. I understand that. I'm saying: In light of uhat his history is, knowing that he had just been discharged, admitted for sternal dehiscence and now he's back uith	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 :9 20 21	PAGE 1 Q A Q A Q A Q A Q A Q A Q	Sonntag Reporting Service, Ltd. General Chicago Wheaton WW.Sonntagreporting.com BU0.232.0265 DEPOSITION OF GARY NOSKIN. M.D. BY MR. COTICCHIA effusion. so that's a small mount of fluid of the lungs. Is that a symptom of an infection? A pleural effusion could be. In this situation, though, that's more likely not the case. The guy had had open-heart surgery, s that's why he had the pleural effusion. So your testimony is that the pleural effusi is more likely related to the open-heart surgery rather than infection? Correct. What Is a nosocomial infection Is One uhich occurs related to hospitalization. When you say 'related to hospitalization. Hen you say 'related to hospitalization. Hen you say 'related to hospitalization. So you you you you you you you you you yo
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Pi 1 2 3 4 5 6 7 a 9 0 .1 2 3 .4 5 .6 .7 a 9 0 .1 2 3 .4 5 .6 .7 a .9 0 .1 2 3 .4 .5 .6 .7 a .9 0 .1 .2 .3 .4 .5 .6 .7 .6 .7 .6 .7 .6 .7 .6 .7 .7 .7 .7 .7 .7 .7 .7 .7 .7	A BY Q A	Sonntaa Reporting Service, Ltd. Geneva Chicago Wheaton uuu.sonntagreporting.com 800.232.0265 4 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Ridolfi had had bypass surgery, he had gone to the doctor's office, Dr. Ridolfl's office, after being discharged following bypass surgery, because of drainage and a dehiscence, he was re-admitted on August the 26th to reuire and care for the dehiscence and nou he's back on Septeriber 4 of '95 complaining of drainage and he questlons infection mW question to YoU under those facts: Did Fairvleu Hospital have a duty to take a culture of the incision? No. MR. MOSCARINO: Object to the form. MR. COTICCHIA: Why not7 Because YOU don't just culture incisions. I understand that. I'm saying: In light of uhat his history is, knowing that he had just been discharged, admitted for sternal dehiscence and now he's back uith drainage, You're saying under those circumstances there's no duty to do a culture	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 :9 20 21 :22 23	PAGE 1 Q A Q A Q A Q A A	Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton WWW.Sonntagreporting.com 800.232.0265 DEPOSITION OF GARY NOSKIN. M.D. BY MR. COTICCHIA effusion. so that's a small mount of fluid the lungs. Is that a symptom of an infection? A pleural effusion could be. In this situation, though, that's more likely not th case. The guy had had open-heart surgery, s that's why he had the pleural effusion. So your testimony is that the pleural effusi is more likely related to the open-heart surgery rather than infection? Correct. What Is a nosocomial infection Is One uhich occurs related to hospitalization. When you say 'related to hospitalization. So you testime you say 'related to hospitalizat

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		DEPOSITION OF GARY NOSKIN, H.D. BY MR. COTICCHIA			DEPOSITION OF GARY NOSKIN, H.D. BY MR. COTICCHIA
1		Is that a nosocomial infection?	1	Q	And some of these cultures greu Serratia
2		MR, MOSCARINO: 'Cultures'?	2		narcescens; correct?
3		KR. COTICCHIA: That's uhat I	3	A	Correct.
4		said.	4	Q	My questlon to you is:
5		MR. MOSCARINO: Okay. I object,	5		Is Serratia marcescens a nosocomiai
6		depending on the time frame.	6		bacteria?
7		But go ahead.	7	А	That's not really a valid question, because I
в		MR. COTICCHIA: I'm speaking in	8		could culture anybody uho has been in the
9		general.	9		hospltal and ue're going to identify bacteria.
10		MR, MOSCARINO: That's why I	:10		So bacteria aren't nosocomial; Infections are.
11		objected,	11		So I don't mean this to be a
12		But go ahead.	:12		semantics thine. It Just doesn't make sense.
13	A	Bacteria don't imply infection.	:13	Q	Well, uill YOU turn to the lab records,
14	BY M	R, COTICCHIA:	14		please.
15	Р	I'm not speaking of any particular culture.	15	A	Which lab records?
16		We've got cultures that start as far back as	16	Р	The uound microbiology records.
17		In August and then <b>nun</b> right through	17	A	From uhat date7
18		September.	18	Q	August 26th, uound culture. And then ue'll
19	A	Correct.	19		take it in chronological order.
20	Р	MY question to YOU is:	20	A	Great. I've got them.
21		Is that Serratia marcescens a nosoconlal	21	Q	All rlght. At the bottom it says 'rare
22		infection?	22		Serratia marcescens, doesn't it?
23	A	He didn't have an infection. That's Why I'm	23	A	Correct.
24		not sure uhat you're trying to ask,	24	Q	Before you urote Your report, dld You also
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	PAGE 18	//////////////////////////		PAGE 20	
		18 DEPOSITION OF GARY NOSKIN, H.O. BY MR, COTICCHIA			DEPOSITION OF GARY NOSKIN, M.D., BY MR, COTICCHIA
1	Q	All rlght. Is it your testimony that at no	1		study the susceptibility?
2		time he had uell, you said he didn't have	2	A	Yes.
3		an Infection.	3	Q	What does that mean, 'suscept ibilltu'?
4		He had an infection; the questlon is	4	A	The susceptibility report helps to guide the
5		uhat kind, Isn't It?	5		physicians to determine the best antibiotic to
6	А	Correct.	6		treat the pat lent.

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Q

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Q

Α

an infection.

BY MR. COTICCHIA:

Correct.

Correct.

Correct.

frame on the questions.

some general information.

treat the pat lent. 6 7 Q And are certain bacteria more susceptible to certain antibiotics than other bacteria? 8

А Absolutely.

- 9 10 ۵ All right. Following the culture of August 11 26th, uhere It says \*rare Serratia 12 marcescens,' I belleve Hr. Ridolfi was 13 prescribed Ancef; correct? 14
  - Correct -- actually, it was Keflex. Α Ρ
    - And Keflex, if I'm not mistaken. He uas prescribed both?
  - correct. Α

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- And that's referred to as 'cefazolln' or Q 'cefa' -- hou do you pronounce that?
- Α Cefa something.
- ß Cefazolin?
- Cefazolin is the generic name. A
- Q All right. 23
  - Δ Ancef or Kefzol are the trade names,

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So you're mlstaken uhen you say he didn't have

I'm objecting is you're not putting a time

misleading or confusing. but go ahead.

There uere cultures done of Mr. Ridolfl?

There uere cultures done following his

admission in September: correct?

A culture was done August the 26th; correct?

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MR. MOSCARINO: Joe, the reason

HR. COTICCHIA: NO. I'm not

MR. HOSCARINO: I think it's

trying to put a time frame. I'm trying to get

<b>F</b>	PAGE 21	SHEET 6		PAGE 23	Y 5, 2000
		DEPOSITION OF GARY NOSKIN, H.D. BY HR. COTICCHIA			23 DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA
1	Q	Isn't it true that Serratia 4111 resist Ancef	1		physician has not gotten the results, then the
2		and Keflex?	2		doctor should check them, yes.
3	A	Correct.	3	BY M	R, COTICCHIA:
4	Q	What does 'MIC' following the uord	4	Q	All right, Will you please turn to the uound
5		'susceptibility" nean?	5		culture of September 8,'95.
6	A	"MIC means minimal inhibitory concentration.	6	А	Okay. I have Page there's a stamp here of
7	Q	In layman's terns, uhat does that mean?	7		142.
8	А	It's the louest concentration in which there's	8		Is that the page you're referring to?
9		bacterial growth in the test tube, and then	9	а	Yes.
:10		based on uhat that level Is, there's an	:10	А	Okay.
:11		achievable level in the bloodstream for uhlch	:11	Q	Again, Doctor, this Is a wound culture;
:12		YOU can get adequate antimicrobial activity to	:12		correct7
:13		prevent bacterla from grouing,	:13	А	Correct.
:14	Q	Doctor, Will YOU turn to the by the Way,	14	а	And this time it shous many Strep; correct?
:15		the August 26th culture was taken <b>fron</b> the	15		I should say Streptococcus mitis.
:16		uound; correct?	16	A	Correct.
:17	A	From uhat I have here, It saw 'uound, chest	17	Q	All rluht. At that point is that an
:18		cavity.'	18		Infection?
:19	Q	August 28th?	19	A	Just the Identification of bacteria by culture
20	A	Correct.	20		does not Indicate Infection.
21	Q	Well, I'm looking at the very top of the uound	21	Q	What is, in your words, an Infection?
22		microbiology, It says 'uound culture."	22	A	Uell, "Infection' <b>is a</b> clinical syndrome for
23	A	I knou. I'm looking at uhat actually the	23		uhlch patlents may have fever, chills,
24		spectmen says. It says 'uound, chest cavity:	24		drainage from a uound. Those things Indicate
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	PAGE 22			PAGE 24	
	PAGE 22	DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA		PAGE 24	DEPOSITION OF GARY NOSKIN, H.D. BY HR. COTICCHIA
1	Q	22	1	PAGE 24	24
1 2	-	DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA	1 2	PAGE 24	24 DEPOSITION OF GARY NOSKIN, H.D. BY HR. COTICCHIA Infection. The microbiology afterwards is Just secondary.
-	Q	DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA I see it here, also.		PAGE 24	24 DEPOSITION OF GARY NOSKIN, H.D. BY HR. COTICCHIA Infection. The microbiology afterwards is
2	Q	DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA I see it here, also. All right.	2	PAGE 24	24 DEPOSITION OF GARY NOSKIN, H.D. BY HR. COTICCHIA Infection. The microbiology afterwards is Just secondary.
2 3	Q	DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA I see it here, also. All right. Isn't it true that this growth, which was	2 3	PAGE 24	24 DEPOSITION OF GARY NOSKIN, H.D. BY HR. COTICCHIA Infection. The microbiology afterwards is Just secondary. All right. If Mr, Ridolfi has fever, chills,
2 3 4	Q	22 DEPOSITION OF GARY NOSKIN, N.D. BY HR. COTICCHIA I see it here, also. All right. Isn't it true that this growth, which was final on August 30, '95, occurred after	2 3 4	PAGE 24 Q A	24 DEPOSITION OF GARY NOSKIN, H.D. BY HR. COTICCHIA Infection. The microbiology afterwards is Just secondary. All right. If Mr. Ridolfi has fever, chills, drainage and these are noted In the record,
2 3 4 5	Q A Q	22 DEPOSITION OF GARY NOSKIN, N.O. BY HR. COTICCHIA I see it here, also. All right. Isn't it true that this growth, which was final on August 30, '95, occurred after Richard Ridolf!'s discharge?	2 3 4 5	Q	24 DEPOSITION OF GARY NOSKIN, H.D. BY HR. COTICCHIA Infection. The microbiology afterwards is Just secondary. All right. If Mr, Ridolfi has fever, chills, drainage and these are noted In the record, does that indicate an infection7
2 3 4 5 6	Q A Q A	22 DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA I see it here, also. All right. Isn't it true that this growth, which was final on August 30, '95, occurred after Richard Ridolf!'s discharge? Correct.	2 3 4 5 6	Q	24 DEPOSITION OF GARY NOSKIN, H.D. BY HR. COTICCHIA Infection. The microbiology afterwards is Just secondary. All right. If Mr, Ridolfi has fever, chills, drainage and these are noted In the record, does that indicate an infection7 Yes.
2 3 4 5 6 7	Q A Q A	22 DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA I see it here, also. All right. Isn't it true that this growth, which was final on August 30, '95, occurred after Richard Ridolfl's discharge? Correct. And isn't it true that this srouth was not	2 3 4 5 6 7	Q	24 DEPOSITION OF GARY NOSKIN, H.D. BY HR. COTICCHIA Infection. The microbiology afterwards is Just secondary. All right. If Mr, Ridolfi has fever, chills, drainage and these are noted In the record, does that indicate an infection7 Yes. You just described his symptoms, Nou my
2 3 4 5 6 7 B	Q A Q A	22 DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA I see it here, also. All right. Isn't it true that this growth, uhich was final on August 30, '95, occurred after Richard Ridolfl's discharge? Correct. And isn't it true that this srouth uas not communicated to Or. Van Bergan until after	2 3 4 5 6 7 8	Q	24 DEPOSITION OF GARY NOSKIN, H.D. BY HR. COTICCHIA Infection. The microbiology afterwards is Just secondary. All right. If Mr, Ridolfi has fever, chills, drainage and these are noted In the record, does that indicate an infection7 Yes. You just described his symptoms, Nou my question Is:
2 3 4 5 6 7 8 9	Q A Q A	22 DEPOSITION OF GARY NOSKIN, N.D. BY HR. COTICCHIA I see it here, also. All right. Isn't it true that this growth, which was final on August 30, '95, occurred after Richard Ridolf!'s discharge? Correct. And isn't it true that this srouth was not communicated to Or. Van Sergan until after Richard Ridolfi's admission for the	2 3 4 5 6 7 8 9	Q A Q	24 DEPOSITION OF GARY NOSKIN, H.D. BY HR. COTICCHIA Infection. The microbiology afterwards is Just secondary. All right. If Mr, Ridolfi has fever, chills, drainage and these are noted In the record, does that indicate an infection7 Yes. You just described his symptoms, Nou My question Is: What Is an infection?
2 3 4 5 6 7 B 9 :10	Q A Q A	22 DEPOSITION OF GARY NOSKIN, N.D. BY HR. COTICCHIA I see it here, also. All right. Isn't it true that this growth, which was final on August 30, '95, occurred after Richard Ridolf!'s discharge? Correct. And isn't it true that this srouth was not communicated to Or. Van Bergan until after Richard Ridolfi's admission for the dehiscence7	2 3 4 5 6 7 8 9 10	Q A Q	24 DEPOSITION OF GARY NOSKIN, H.D. BY HR. COTICCHIA Infection. The microbiology afterwards is Just secondary. All right. If Mr, Ridolfi has fever, chills, drainage and these are noted In the record, does that indicate an infection7 Yes. You JUST described his symptoms, Nou My question Is: What Is an infection? I think I just uell. an infection Is just a
2 3 4 5 6 7 B 9 :10 :11	Q A Q A Q	22 DEPOSITION OF GARY NOSKIN, N.O. BY HR. COTICCHIA I see it here, also. All right. Isn't it true that this growth, which was final on August 30, '95, occurred after Richard Ridolf!'s discharge? Correct. And isn't it true that this srouth was not communicated to Or. Van Bergan until after Richard Ridolfi's admission for the dehiscence7 I don't Know if it's correct or not.	2 3 4 5 6 7 8 9 10 11	Q A Q	24 DEPOSITION OF GARY NOSKIN, H.D. BY HR. COTICCHIA Infection. The microbiology afterwards is Just secondary. All right. If Mr, Ridolfi has fever, chills, drainage and these are noted In the record, does that indicate an infection7 Yes. You just described his symptoms, Nou My question Is: What Is an infection? I think I just uell. an infection is just a collection of white blood cells In the
2 3 4 5 6 7 8 9 :10 :11 :12	Q A Q A Q	22 DEPOSITION OF GARY NOSKIN, N.O. BY HR. COTICCHIA I see it here, also. All right. Isn't it true that this growth, which was final on August 30, '95, occurred after Richard Ridolf!'s discharge? Correct. And isn't it true that this srouth was not communicated to Or. Van &ergan until after Richard Ridolfi's admission for the dehiscence7 I don't know if it's correct or not. Does the hospital have a duty to inform the	2 3 4 5 6 7 8 9 10 11 12	Q A Q	24 DEPOSITION OF GARY NOSKIN, H.D. BY HR. COTICCHIA Infection. The microbiology afterwards is Just secondary. All right. If Mr. Ridolfi has fever, chills, drainage and these are noted In the record, does that indicate an infection7 Yes. You just described his symptoms. Nou my question Is: What Is an infection? I think I just uell. an infection is just a collection of unite blood cells In the presence of bacteria, viruses, fung1, other
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DEPOSITION OF GARY NOSKIN, M.D. - MAY 5, 2000 PAGE 27 PAGE 25 SHEET 7 -25 DEPOSITION OF GARY NOSKIN. M.D. BY MR. COTICCHIA DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Q At any time. ۵ 1 Well, you Just testified he had debridement of A At any tlne, Yes. 2 tlssue. ۵ Did the infection bring about the need for 3 А Correct. Old he have debridement of anything else? debridement 7 4 ۵ 5 Α A Yes No. Q Why uas the debridement necessary? 6 Q No bony matter? 7 Despite the fact we have Very Pouerful A Α Well, that's tissue. antlblotlcs, antlblotlcs alone aren't 8 а Well, I'm a layman, so I think bone  ${\rm Is}$ effective for most of these types of 9 different from tlssue, okay? 1Ø Infections. And the best Way to take care of He underuent several surgeries, didn't them (s to give antiblotics but also to 11 he -surgically remove any infected tissue. 12 Α Correct . 113 ۵ What part of Mr, Ridolfi uas infected7 What 0 -- follouing the bypass surgery? part of hls anatomy? Correct. Α At uhat point In tlne? 15 Were those surgeries related to Infection or A Ρ 116 for the treatment of infection? ۵ From the beginning to the end. I nean, uhat uas the ultimate outcome here7 Sone uere; some uere not. Α 18 MR. MOSCARING: Joe, just let me ۵ If he had not had the infection and if he had enter an objection. I don't knou if you're 19 not had the debridement process, would Mr. purposely doing It. but you're not asking him 20 Ridolfl have sustalned a lacerated ventricle? time-frame questlons, and I don't uant there 21 MR, MEADOWS: Objection. 22 to be any indication or insinuation later on MR. MOSCARINO: The same 28 in the record that the defendant was nakina objection, any kind of concession that there was an Go ahead if YOU can ansuer that. Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton wuw.sonntagreporting.com 800.322.0265 Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton uuu, sonntagreporting.com 800.232.0285 PAGE 26 - PAGE 28 26 DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA infection at the tine of the initial culture. 1 Α I can't ansuer that question. Obviously, you've read his report. He's 2 BY MR. COTTCCHTA: 3 going to say there was an infection when Mr. ۵ Is your ansuer you don't knou? Ridolfi cane back, but I don't uant you to try 4 А No. MY ansuer is I don't understand uhat the and bootstrap this into some kind of admission 5 question is. that there uas an infection in the beginning. 6 ۵ Did Mr. Ridolfi sustain a lacerated Ventricle? 7 I ask that YOU ask him definitive Α Yes. time-frame questions. It nakes it a lot 8 When7 You don't have to give me the date. 0 9 easier. If you keep going that way, I can't Just give ne the treatnent, if you knou. stop YOU, but I think it's going to make It 10 Well, YOU asked a yes-or-no question and then Α 11 YOU asked the history behind it, so I'll be longer. MR. COTICCHIA: Your objection Is 12 happy to ansuer Your question, but --13 If YOU want to oive ne the date, flne. noted. ۵ 14 BY MR, COTICCHIA: He suffered a lacerated right ventricle on Δ 15 0 The question is simple: September 14th. Uhat was the ultinate outcone that the 16 That folloued surgery for a debrldenent; 0 17 plaintiff sustained as a result of this correct7 infection? 18 Correct. Α MR, MOSCARINO: Object to uhat 19 And the debridement was to remove infected 0 2,0 bone in the sternal area; correct? 'this lnfectlon' means. 20 2`1 Yeah, I can't ansuer the question that you're 21 Correct. Α Α asking. I'm not sure uhat you're trying to 22 a My question was:

BY MR, COTICCHIA: Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton uvu.sonntagreporting.com 800.232.0265

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oet at.

If he dld not have this infection, the

lacerated ventricle uould not have occurred, Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton yyu.sonntagreporting.com 800.232.0285

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	PAGE <b>29</b>	SHEET 8	<b>r</b> I	PAGE 31	
		DEDOCTTION OF CARY NOCKIN MD			
		DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA			DEPOSITION OF GARY NCSKIN, M.D. BY MR, COTICCHIA
1		uould it?	1		marcescens; correct?
2	Α	I have no opinion on that.	2	A	Can you give ne the page number and I'11 look
3	Q	In your letter you state that Mr. Rldolfi was	3		at it here?
4		admltted on September 8th ulth Purulent	4	Р	169 actually, I'm not going in sequence.
5		drainage.	5		Let me straighten It <b>out</b> here. The numbers
6 7	,	What is 'purulent drainage'?	6		are not necessarily in chronological order. I
8	A P	'Purulent' is nothing more than PUS. This Was from the sternal uound; correct?	7		uanted to <b>go</b> in Chronological order. All
9	P A	Correct.	8 9		right.
10	P	When YOU say `sternal uound," uhat is that?	10		Will you turn to September 17? It's respiratory Microbiology,
11	A	Anytime someone has a surgical procedure, the	11	А	If you can give me the page number
12		site which is cut is considered the wound.	12	P	That is 188,
13	Р	Would that include the bony matter?	13	Ā	Okay.
14	A	Yes.	14	P	Under `tracheal aspirate," it shous `moderate
15	Q	You go on to say that he was found to have	15		Serratia marcescens:
16		sternal osteomyelitis at surgery.	16	A	correct.
17		What <b>Is</b> osteomyelitis?	17	Р	What is the difference betueen 'Many Serratia
18	А	Osteomyelitis Is an infection of bone.	18		narcescens' and 'moderate Serratia
119	Q	And I take it you're maklns bone dlfferent	19		marcescens'?
2Ø		from tissue; correct?	20	Α	It's just the amount of the organism that uas
21	A	No. Bone Is a form of tlssue.	21		groun in the microbiology laboratory.
22	Q	All right. What caused the osteomyelitis?	22	Q	Is there more of the organism with 'many' or
23	A	A bacterla.	23		more ulth 'moderate'? Which one has more?
24	Q	Do YOU knou uhich bacteria?	24	A	'Many,'
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	PAGE 30			PAGE 32	
		35 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA			DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA
11				~	
1	A	Strep mitis.	1	G	The September 20 respiratory culture, which $\pm s$
2	Ρ	Strep mitis, What ${f Is}$ the basis of that opinion?	2	G	The September 20 respiratory culture, uhich IS sputum, discloses moderate Serratia
2 3		Strep mitis. What Is the basis of that opinion? That at surgery they found pure grouth of	2 3	-	The September 20 respiratory culture, which is sputum, discloses moderate Serratia marcescens; correct?
2	Ρ	Strep mills, What Is the basis of that opinion? That at surgery they found pure growth of Streptococcus mitis.	2	GI A O	The September 20 respiratory culture, which is sputum, discloses moderate Serratia marcescens; correct? correct.
2 3 4	P A	Strep mitls. What Is the basis of that opinion? That at surgery they found pure growth of Streptococcus mitis. You mention in the preceding paragraph that,	2 3 4	A	The September 20 respiratory culture, which is sputum, discloses moderate Serratia marcescens; correct?
2 3 4 5	P A	Strep mills, What Is the basis of that opinion? That at surgery they found pure growth of Streptococcus mitis.	2 3 4 5	A	The September 20 respiratory culture, which is sputum, discloses moderate Serratia marcescens; correct? correct. There's also on September the 19th, Page 169,
2 3 4 5 6	P A	Strep mitls. What Is the basis of that opinion? That at surgery they found pure growth of Streptococcus mitis. You mention in the preceding paragraph that, following discharge, one of the cultures grew	2 3 4 5 6	A	The September 20 respiratory culture, which is sputum, discloses moderate Serratia marcescens; correct? correct. There's also on September the 19th, Page 169, a wound culture from the abdomen that shous
2 3 4 5 6 7	P A P	Strep mitis. What Is the basis of that opinion? That at surgery they found pure growth of Streptococcus mitis. You mention in the preceding paragraph that, following discharge, one of the cultures grew a rare Serratia marcescens; correct?	2 3 4 5 6 7	A Q	The September 20 respiratory culture, which is sputum, discloses moderate Serratia marcescens; correct? correct. There's also on September the 19th, Page 169, a wound culture from the abdomen that shous manu Serratla narcescens; correct?
2 3 4 5 6 7 8	P A P A	Strep mitis. What Is the basis of that opinion? That at surgery they found pure growth of Streptococcus mitis. You mention in the preceding paragraph that, following discharge, one of the cultures grew a rare Serratia marcescens; correct? Correct.	2 3 4 5 6 7 8	A Q A	The September 20 respiratory culture, which is sputum, discloses moderate Serratia marcescens; correct? correct. There's also on September the 19th, Page 169, a uound culture from the abdomen that shous manu Serratla narcescens; correct? Correct. And then on September 20, Page 163, there's a blood culture that shous Serratia narcescens,
2 3 4 5 6 7 8 9 10 11	P A P A Q	<pre>Strep mitls. What Is the basis of that opinion? That at surgery they found pure growth of Streptococcus mitis. You mention in the preceding paragraph that, following discharge, one of the cultures grew a rare Serratia marcescens; correct? Correct. Uhat is the significance of that? There's no significance. If it's not significant, why dld you include</pre>	2 3 4 5 6 7 8 9 10 11	A Q A	The September 20 respiratory culture, which is sputum, discloses moderate Serratia marcescens; correct? correct. There's also on September the 19th, Page 169, a uound culture from the abdomen that shous manu Serratla narcescens; correct? Correct. And then on September 20, Page 163, there's a blood culture that shous Serratia narcescens, doesn't {t?
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DEPOSITION OF GARY NOSKIN, M.O. - MAY 5, 2000

	PAGE 33	SHEET 9 DEPOSITION OF GARY NO.		PAGE 35	
		DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA			DEPOSITION OF GARY NOSKIN, M.O., 35 BY MR, COTICCHIA 7
1		fingerorinting,	1	Q	Is that something that YOU can rule out to say
2	Q	Should Fairvieu Hospital have done that in	2		that It's different, even though the
3	44	this case?	3		susceptibi 1 ty is identical?
4	А	I think that's a clinical Judgment. I don't	4		MR, MOSCARINO: That's two
5	А	think there's any indication that they needed	4 5		questions.
6		to do that.			But go ahead.
7	Q	If Mr. Ridolfl uere here at Your hospital,	6 7	А	YOU Can't ever rule Something out, because you
, 8	4	uould you have done DNA fingerprinting to	8	~	
о 9					can't Prove a negative. All that you can tell
		determine if this is the Same Strep I mean,	9		Is any of the same genus and species.
1Ø		Serratia?	1Ø		He had Serratia narcescens. Whether
11	A	In this situation, no.	11		these organisms are the same or not, you
12	Q	Why not?	12		really can't tell that, certainly not by
13	Α	Because the first time he had It, he dldn't	13	ov	looking at susceptibility panels.
14	0	have any evidence of infection.	14	01 0	MR, COTICCHIA:
15	Q	Isn't it true that the susceptibility studies	15	1	At any time in August or September, did Richard Ridolfi have a Serratia infection?
116		on these Strep cultures in August and	16	7	
17	٨	September are identical?	:17 18	A Q	In September, yes, Does Fairvieu Hospital have a responsibility
18 '10	A Q	Serratla, YOU mean; right?	19	ખ	to prevent infection to its patients?
:19 2Ø	Lu A	Serratia, yes. They <b>are</b> .	210	A	NO hospital can prevent Infections.
20 21	A Q	Doesn't that nean to YOU that the Serratia		а 0	Veil, all right. I'm not saying let me
22	4	cultured in August is the same Serratia he had	22	14	rephrase the question.
23		when he was admitted in September?	23		Does Fairvieu Hospital have a duty to
24	A	No.	24		minimize the risk of infection to its
24	А				
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		DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA		PAGE 3	6 DEPOSITION OF GARY NOSKIN. ۲٫۵٫ BY MR, COTICCHIA
1	Q	34		PAGE 3	36
1 2	Q A	DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA	1 2	PAGE 3	DEPOSITION OF GARY NOSKIN. M.D., BY MR, COTICCHIA
1 2 3		DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Can that be a consideration?	1		DEPOSITION OF GARY NOSKIN. אָ,ָס, BY MR, COTICCHIA patients?
		DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Can that be a consideration? I think the thing to understand is that uhen	r 1 2		DEPOSITION OF GARY NOSKIN. א,0, BY MR, COTICCHIA patients? Again, I don't mean this to be semantics. The
3		DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Can that be a consideration? I think the thing to understand is that uhen YOU use SUSceptibility testing for certain	r 1 2 3		DEPOSITION OF GARY NOSKIN. N.D., BY MR. COTICCHIA patients? Again, I don't mean this to be semantics. The hospItal is a building that's brick and
3 4		DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Can that be a consideration? I think the thing to understand is that uhen YOU use SUSCEPTIONITY testing for certain bacteria, that YOU could have dozens and	1 2 3 4		DEPOSITION OF GARY NOSKIN. N.D., BY MR, COTICCHIA patients? Again, I don't mean this to be semantics. The hospital is a building that's brick and mortar, so I don't know how a hospital can
3 4 5		DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Can that be a consideration? I think the thing to understand is that uhen YOU use SUSCEPTIONITY testing for certain bacteria, that YOU could have dozens and dozens of different bacteria that have the same susceptibility panel, <u>because it depends</u> on the bacteria YOU test.	1 2 3 4 5	A	36 DEPOSITION OF GARY NOSKIN. M.O. BY MR. COTICCHIA patients? Again, I don't mean this to be semantics. The hospltal is a build)ng that's brick and mortar, <b>SO</b> I don't know how a hospital can prevent an Infection.
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		DEPOSITION OF GARY NOSKIN, M.O. 37 BY MR, COTICCHIA			DEPOSITION OF GARY NOSKIN, H.D. BY MR. COTICCHIA	
	А	Nosocomial Is a type of infection. Serratia	1		That's a bad question.	
	n	is a type of bacteria. There's certain	2		-	
					MR, COTICCHIA: You can accept	
		bacteria that are more commonly associated	3	-	that as fact.	
		ulth infections developing in the hospital.	4	A	Not necessarily.	
		Serratia can occur both in the hospital and In	5	BY M	1R, COTICCHIA:	
		the community.	6	Q	Let me see what we can agree on here, $\ensuremath{Or}$ ,	
	BY 🕅	MR. COTICCHIA:	7		Noskin.	
	Q	$\mathrm{D}\mathrm{o}$ the employees of the hospital, the $^{\prime\prime}$	а		Ye agree that sometime during Mr.	
		residents, Or. Gopal, the nurses, the	9		Ridolfi's treatment. his course of treatment	
		laboratory, the $la5$ technicians, the	:10		at Falrvieu Hospital, he had an infection of	
		microbiologists do they have a duty to	11		Strep nitis?	
2		minimize the risk of contracting infections	:12	λ	Correct.	ŀ
		uhen patlents are admitted7	:12	Q	Sometime during the course of his treatment at	
<b>;</b>	А	Yes.	.14		Fairvleu Hospital. he had an infection of	1
5	11	MR, MOSCARINO: Object to the	.14		Serratia marcescens?	1
		form.	15	A	Correct.	(
) ,			16 17	A Q	Correct. And that Serratia narcescens on August 26th	l
-	7	HR. COTICCHIA: You May ansuer.		ليوا	And that Serratia harcescens on August 26th was a uound culture: correct7	l
	A	(Continuing.) That's a more appropriate	18			ł
)		question.	19	A	Correct.	ł
)		The medical staff, the nursing staff,	20	Q	Then on September 19 the uound culture again	i
1		respiratory therapists, the other people who	21		shous and that's on Page 169 many	l
2		uork in the facility should try to prevent	22		Serratla marcescens; correct?	l
3		patients from acquiring an infection there.	23	A	But those are different younds,	
4		Rut the actual hospital Itself can't do	24	٩	Well, ve'il get to that. Just ansuer My	l
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1 2 3 <i>4</i> 5 6 7	BY Q	8	1 2 3 4 5 6 7	A Q	40 DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA question: There's a uound culture September 19, '95, and the culture is many Serratia narcescens? Correct. All right. And the description Is 'abdomen'; correct7	
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		DEPOSITION OF GARY NOSKIN. M.D. BY MR, COTICCHIA			DEPOSITION OF GARY NOSKIN, M.D. 43 BY MR. COTICCHIA
1		is over the stomach to the chest; correct?	1		is that correct?
2	А	Correct.	1	٨	Correct.
;	Q	And It's the same incision; it just keeps	2 3	A	
		going down farther, doesn't it?	4	Q	Obviously, there uas a concern about
	А	I don't knou that.	5		Infection, because uound cultures uere ordered on the 26th of September; correct?
5	Q	Did YOU read Dr. Levy's deposition?			-
,	A	No, I did not.	6		MR, MOSCARINO: Objection.
	Q	so You don't knou that; correct?	7	A	I don't think so.
)	A	Correct.	8		R, COTICCHIA:
)	Q	So You can't ansuer that question, can you	9	Q	You mean It uasn't necessary to do cultures?
,	A	What I told YOU is that chest wound and	:10	A	It probably uasn't.
	А		:11	Q	Why not?
2	•	abdomen are tuo dlfferent sites.	.12	A	Because the surgeon had opened up the uound,
}	Q	Two different sites but the same world?	.13		looked at It ulth his own eyes, uhlch is far
1 -	A	I told you I don't knou that	:14		better than Just doing a culture, and said
5	Q	All right.	15		that the uound looks clean and this Is just a
5	A	I don't knou if it's the same uound.	:16		dehiscence.
7	Q	Okay. I'llaccept that ansuer.	:17	Q	So you're Saying this uound culture uasn't
8		Your report states that Serratia	. 18		necessary
9		narcescens uell, let ne start all over.	19	A	Correct.
)		Is there a difference	20	Q	under the standard of care7
1	А	All the way fron the beginning?	21		Are YOU saying that because the treating
2		(Laughter.)	22		physician, the surgeon, can look at it and $~~$
3	Q	Yeah. Why not7	23		make that determination?
4		Hou MUCh are YOU charging for your time	24	A	Well, the reason is we knou why Mr. Ridolfl
		Sonntag Reporting Service, Ltd. Geneva Chicago Uheaton uuu.sonntagreporting.com 800.232.0265			Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton uuu.sonntagreporting.com 800.232.0265
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F	PAGE 42	42		PAGE 44	44
	PAGE 42	DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA		PAGE 44	deposition of gary noskin, ۲.۵. By MR. coticchia
1		DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA today, Doctor?	1	PAGE 44	DEPOSITION OF GARY NOSKIN, ۲۰۵۰ BY MR، COTICCHIA had this dehiscence: He coughed and then
1	PAGE 42 A	DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA		PAGE 44	44 DEPOSITION OF GARY NOSKIN, H.D. BY MR. COTICCHIA had this dehiscence: He coughed and then broke open his sternal uires. So there's a
1 2		DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA today, Doctor?	1	PAGE 44	44 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA had this dehiscence: He coughed and then broke open his sternal uires. So there's a reason WNY he had dehiscence.
1 2 3		DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA today, Doctor? I'm charging half of uhat Or, Markowitz	1 2 2	PAGE 44	DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA had this dehiscence: He coughed and then broke open his sternal uires. So there's a reason why he had dehiscence. Now, if this had occurred a month after
1 2 3 4	A	DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA today, Doctor? I'm charging half of uhat Or. Markovitz charges. So that's how much? 250 an hour.	1 2 3	PAGE 44	DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA had this dehiscence: He coughed and then broke open his sternal uires. So there's a reason Why he had dehiscence. Now, if this had occurred a month after the surgery and the sternum Was stili
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		DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA			DEPOSITION OF GARY NOSKIN, H.D., BY MR. COTICCHIA
1	A	That's not something that You would typically	1	Q	And what does that nean? What does that tell
2		put in the medical record.	2		YOU as an infectious
3	Q	Doctor, is there anything in Or. Van Bergan's	3	A	There's Certain types of organisms that stain
4		offlce chart that states that he or his	4		acid fast: Microbacterium, which are the
5		resldent called the lab?	5		bacterium that cause tuberculosis. An
6	A	No.	6		organism called Nocardia and Actinomyces can
7	Q	Is there anything in the hospital record or	7		stain acid fast.
8		the microbiology reports that, as a matter of	a	Q	And uhat is 'cold acid fast'?
9		record, establishes that these results uere	9	Α	I've never heard of that tern before.
Ø		communicated to Dr. Van Bergan?	10	Q	Do you use acid fast here at the hospital?
1	A	Well, there's nothing In the record.	11	A	Yes.
12	Q	He made that statement follouing the September	:2	Q	But you don't use cold acid fast? You don't
.3		admission; correct?	1.3		knou?
4		MR, MOSCARINO: Objection. I	:4	A	I've never heard of the term before, other
.5		don't understand.	:5		than in Dr. Markoultz's deposition. That's
1.6		THE WITNESS: I don't understand,	:.6	0	the first time I've heard of It.
.7	ע אים	elther. HR, COTICCHIA:	1.7 1.a	Q	Obviously, if a patlent such as Mr. Rldolfi presents ulth a dehisced sternal uound and
18 19	BI r O	Mr. Ridolfl uas re-admitted on September the	.a .9		drainage but It doesn't appear to shou pus, as
10	Q	8th, and it uas at this point that Or, Van	20 20		YOU referred to, does that rule out the
i'1		Bergan found out that there was a culture that	21		presence of bacterla?
22		uas final on September 30th of a uound	22	Α	No.
23		culture of rare Serratla marcescens?	23	Q	Then I don't understand why you're saying a
			24	-	culture was not necessary on August the 26th,
24		MR. MOSCARINO: Objection. You've	8 10.5		1 5
24		MR. MOSCARINO: Objection. You've Sonntag Reporting Service, Ltd.			Sonntag Reporting Service, Ltd.
24		MR, MOSCARINO: Objection. You've Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton uuu.sonntagreportIng.com 800.232.0265	1,2,42		Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton www.sonntagreporting.com 800.232.0265
	DACE 46	Sonntag Reporting Service, Ltd. Geneva Chicago Uneaton uuu.sonntagreportIng.com 800.232.0265			₽₽₽₩₩₩₩₩₩₩₩₩₽₽₽₽₽₽₽₩₩₩₩₩₩₽₽₽₩₩₩₩₩₩₽₽₽₽₽₽
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1 2	PAGE <b>46</b>	Sonntag Reporting Service, Ltd. Geneva Chicago Uneaton uuu.sonntagreporting.com 800.232.0265 DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA got the dates urong. MR. COTICCHIA: All right, The	1 2	PAGE 48 A	DEPOSITION OF GARY NOSKIN, H.D. BY MR. COTICCHIA '95. The reason is the identification of bacteria
1 2 3	PAGE 46	Sonntag Reporting Service, Ltd. Geneva Chicago Uneaton uuu.sonntagreportIng.com 800.232.0265 DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA got the dates urong. MR. COTICCHIA: All right, The dates are urong.	1 2 3		DEPOSITION OF GARY NOSKIN, H.D. BY MR. COTICCHIA '95. The reason is the identification of bacteria does not indicate an Infection, so, again, I
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1 2 3 4 5 6	PAGE <b>46</b>	Sonntag Reporting Service, Ltd. Geneva Ch(cago Unsaton uuu.sonntagreportIng.com 800.232.0265 DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA got the dates urong. MR. COTICCHIA: All right, The dates are urong. THE WITNESS: I didn't hear a question. MR. COTICCHIA: I VI thdrau the	1 2 3 4 5 6	A	DEPOSITION OF GARY NOSKIN, H.D. BY MR. COTICCHIA '95. The reason is the identification of bacteria does not indicate an Infection, so, again, I could culture any of yours or my body orifices and find bacteria, but that doesn't nean ue have an Infection.
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<b>1</b> 2 3 4 5 6 7 a <b>9</b>		Sonntag Reporting Service. Ltd. Geneva Chicago Uneaton uuu.sonntagreporting.com 800.232.0265 DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA got the dates urong. MR. COTICCHIA: All right, The dates are urong. THE WITNESS: I didn't hear a question. MR. COTICCHIA: I VIthdrau the question. MR. COTICCHIA: I VIthdrau the question.	1 2 3 4 5 6 7	A	DEPOSITION OF GARY NOSKIN, H.D. BY MR. COTICCHIA '95. The reason is the identification of bacteria does not indicate an Infection, so, again, I could culture any of yours or my body orifices and find bacteria, but that doesn't nean ue have an Infection. So you're saying under these circunstances
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1 2 3 4 5 6 7 a <b>9</b> 10	BY	Sonntag Reporting Service. Ltd. Geneva Chicago Uneaton uuu.sonntagreporting.com 800.232.0265 DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA got the dates urong. MR. COTICCHIA: All right, The dates are urong. THE WITNESS: I didn't hear a question. MR. COTICCHIA: I VIthdrau the question. MR. COTICCHIA: I VIthdrau the question.	1 2 3 4 5 6 7 8 9 :.0	A	DEPOSITION OF GARY NOSKIN, H.D. BY MR. COTICCHIA '95. The reason is the identification of bacteria does not indicate an Infection, so, again, I could culture any of yours or my body orifices and find bacteria, but that doesn't nean ue have an Infection. So you're saying under these circunstances uhere ue've got a dehisced incision, separation of bone and drainage, because it doesn't shou pus, a culture is not necessary
1 2 3 4 5 6 7 a 1.0 1.1	BY	Sonntag Reporting Service. Ltd. Geneva Chicago Uneaton BOO.232.0265 46 DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA got the dates urong. MR. COTICCHIA: All right, The dates are urong. THE WITNESS: I didn't hear a question. MR. COTICCHIA: I withdrau the question. MR. COTICCHIA: I withdrau the question.	1 2 3 4 5 6 7 8 9 :.0 :.1	A	DEPOSITION OF GARY NOSKIN, H.D. BY MR. COTICCHIA '95. The reason is the identification of bacteria does not indicate an Infection, so, again, I could culture any of yours or my body orifices and find bacteria, but that doesn't nean ue have an Infection. So you're saying under these circunstances uhere ue've got a dehisced incision, separation of bone and drainage, because it doesn't shou pus, a culture is not necessary to rule out infection?
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1 2 3 4 5 6 7 a 9 1.0 1.1 1.2 1.3	BY	Sonntag Reporting Service. Ltd. Geneval Chicago Wheaton Waston BOO.232.0265 46 DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA got the dates urong. MR. COTICCHIA: All right, The dates are urong. THE WITNESS: I didn't hear a question. MR. COTICCHIA: I withdrau the question. MR. COTICCHIA: I withdrau the MR. COTICCHIA: I withdrau the question. MR.	1 2 3 4 5 6 7 8 9 :.0 :.1 :.2 :.3	A	DEPOSITION OF GARY NOSKIN, H.D. BY MR. COTICCHIA '95. The reason is the identification of bacteria does not indicate an Infection, so, again, I could culture any of yours or My body orifices and find bacteria, but that doesn't nean ue have an Infection. So you're saying under these circunstances uhere ue've got a dehisced incision, separation of bone and drainage, because it doesn't shou pus, a culture is not necessary to rule out infection? And the other thing that YOU need to add to that statenent is that because there WaS a
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1 2 3 4 5 6 7 a 9 1.0 1.1 2.3 4.5 6 7 a 9 0 1.1 1.2 3.4 5 6 7 a 9 0 1.1 2.3 4.5 6 7 a 9 0 1.1 1.5 6 1.5 6 1.5 6 1.5 6 1.5 6 1.5 6 1.5 7 6 7 6 7 6 7 6 7 6 7 7 7 7 7 8 7 7 8 7 8	BY Q A	Sonntag Reporting Service. Ltd. Geneva 2016300 202.222.0265 46 DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA got the dates urong. MR. COTICCHIA: All right, The dates are urong. MR. COTICCHIA: All right, The dates are urong. MR. COTICCHIA: I withdrau the question. MR. COTICCHIA: I withdrau the question. M	1 2 3 4 5 6 7 8 9 :Ø :1 1 :2 :3 :4 :5 :6 :7 :8	A	DEPOSITION OF GARY NOSKIN, H.D. BY MR. COTICCHIA '95. The reason is the identification of bacteria does not indicate an Infection, so, again, I could culture any of yours or my body orifices and find bacteria, but that doesn't nean ue have an Infection. So you're saying under these circunstances uhere ue've got a dehisced incision, separation of bone and drainage, because it doesn't shou pus, a culture is not necessary to rule out infection? And the other thing that you need to add to that statement is that because there WaS a reason for it. Again, if this guy had cone in three or four weeks after surgery uith a uound dehiscence, I'd be concerned about infection. A couple days postoperatively in the setting
1 2 3 4 5 6 7 a 9 1.0 1.1 1.2 1.3 1.4 1.5 1.6 1.7	BY Q A Q A Q A Q A	Sonntag Reporting Service. Ltd. Geneval Chicago Wheaton Buol 232.0265 46 DEPOSITION OF GARY NOSKIN, M.D. BY HR. COTICCHIA got the dates urong. MR. COTICCHIA: All right, The dates are urong. THE WITNESS: I didn't hear a question. MR. COTICCHIA: I vithdrau the question. MR. COTICCHIA: I vithdrau the question.	1 2 3 4 5 6 7 8 9 :.0 :.1 :.2 :.3 :.4 :.5 :.6 :.7 :.8 :.9	A	DEPOSITION OF GARY NOSKIN, H.D. BY MR. COTICCHIA '95. The reason is the identification of bacteria does not indicate an Infection, so, again, I could culture any of yours or my body orifices and find bacteria, but that doesn't nean ue have an Infection. So you're saying under these circunstances uhere ue've got a dehisced incision, separation of bone and drainage, because it doesn't shou pus, a culture is not necessary to rule out infection? And the other thing that you need to add to that statement is that because there WaS a reason for It. Again, if this guy had come in three or four Weeks after surgery uith a uound dehiscence, I'd be concerned about infection. A couple days postopecatively in the setting of cough and ripping the sternal ulres, there
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		49 DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA			DEPOSITION OF GARY NOSKIN, M.D. 51 BY MR, COTICCHIA
1	A	A cold is a viral infection. That doesn't	1		determine uhat You say uhen You opened the
2		cause sternal wound infections.	2		patient UP.
3	Q	Well, he might have had a respiratory	3	Q	Uell, ue knou that the sternum separated.
4		infection uhich is not viral.	4		Would You go down to the bone?
5	A	Correct, but uhat ue're supposed to be talking	5	A	I generally don't do these type of cultures.
6		about is ulthin a reasonable degree of medical	6		These are things that a CT surgeon would do,
7		certainty, and nou there's all sorts of	7		so I think you'd have to ask someone like
8	Q	There's all Kinds of possibilities?	8		that.
9	A	Correct. But uithin a reasonable degree of	9	Q	When you say 'CT, ' You mean cardiothoracic?
10		medical certainty, there was no evidence that	10	A	Cardlothoraclc, correct.
11		his initial wound dehlscence was related to	11	Q	Isn't It important that (f a culture Is going
12	0	Infection.	12		to be taken, depending on the treatment, that
13	٩	What about lou-grade fever7 Is that a symptom?	13	,	the culture Is deep enough?
14 15	A		14 15	А 0	Yes. Uhat <b>I</b> s sepsis7
16	А	Lou-grade fever is nonspecific. There's literally dozens of things that can cause	15	A	Sepsis is a clinical syndrome that's
17		lou-grade fever.	17	A	characterized by fever, lou blood pressure
18	Q	Uell, can it be a symptom?	18		uell, sepsis is a clinical syndrome
19	A	A symptom of What?	19		characterized by fever, high heart rate, fast
20	Q	Infection	20		respiratory rate and that it could be
21	A	Yes.	21		associated with low blood pressure.
22	Q	Pain, pain in the uound site can that be a	22	Q	Uell, you say that he had complication of
23		symptom7	23		lacerated right ventricle and sepsis. You say
24	А	Pain is really nonspecific.	24		it'sa clinical syndrome.
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1	0	DEPOSITION OF GARY NOSKIN, H.D. BY MR, CDTICCHIA		PAGE 52	DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA
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1	Q	Okay. Because YOU say he had right ventricle	1	(Whereupon, a recess uas had,
2		and sepsis his course was complicated by	2	after which the deposition
3		lacerated right ventricle and sepsis, and	3	Was resumed as follows:)
4		that's uhat I'm asking.	4	MR, COTICCHIA: Back on the
5		So you're using `sepsis' as a general	5	record.
		tern?		
<b>6</b> 7	2		6	BY MR, COTICCHIA: Q Doctor, I uant YOU to assume that YOU ordered
	A	I'm using 'sepsis' as the proper definition of	7	
8	•	the uord.	a	the culture of August the 28th, '95, and the
9	Q	Well, I've heard people and read medical	9	final culture reads 'rare Serratia
0		literature that a person has sepsis or a	10	marcescens."
1		person has septic shock.	11	Mould you want the lab to inform you of
2		What does that mean?	12	that?
3	A	Septic shock is different. Septic shock is a	13	A No.
4		condition in uhich there is sepsis associated	14	Q Can I see <b>Your</b> file, please?
5		uith lou blood pressure.	15	A Certainlu.
6	Q	Okay. If you're sitting in front of <b>a</b> jury or	16	MR, MOSCARINO: Let me just say
7		a layman like me, I still don't understand	17	one thing about It: MY letters to him are
8		uhat YOU mean by this clinical syndrome of	18	there. I assume that you and Mr. Meadows,
9		sepsis.	19	based on <b>my</b> revieu of the last deposition,
0	A	I'd be more than happy to explain it to YOU	20	have gotten into sone type of dispute on this
21		again. Sepsis syndrome, by definition,	21	in the past, is that right, and YOU refused,
22		includes fast heart rate, fast respiratory	22	based on Dr. Markouitz's depositlon
23		rate, fever or low temperature. And then if	23	MR, COTICCHIA: That's correct.
24		it's associated uith lou blood pressure, it's	24	MR, MOSCARINO: to show the
				Sonntag Reporting Service, Ltd.
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E	PAGE 54			Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton ywy.sonntagreporting.com 800.232.0265
F	PAGE 54			
F	PAGE 54	54		PAGE 56 56
	PAGE 54 Q	DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA		PAGE 56 DEPOSITION OF GARY NOSKIN, M.D. 56 BY MR. COTICCHIA
1	PAGE 54 Q	DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA called `septic shock.'	1	PAGE 56 DEPOSITION OF GARY NOSKIN, M.D. 56 BY MR. COTICCHIA letters?
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Description of each point N.0.         57           1         NR. COTIONER: File.         Mainteenergy and the top, and they are from the series of th		PAGE 57	SHEET 15 DEPOSITION OF GARY N		PAGE 59	
1         WR. CONCELLIN: With the fragments           2         WR. CONCELLIN: With the regarding           3         the set is a new competition. Nake that the set is a state of the set is a new competition. The set is a state of the set is a state			DEPOSITION OF GARY NOSKIN, M.D. 57 BY MR. COTICCHIA			DEPOSITION OF GARY NOSKIN, M.D. 59
2     No. NO CONCLUME VOID dury Least the regarding assessment to Diary, aggred light that you have, aggred light that you have, aggred light that the and assessment to Diary, aggred light that you have, aggred light that you have have, light that you have have have have have have have have	1		MR, COTICCHIA: Fine.	1		
3         them. This to valving and sequent regarding a set of her value work we expected by the fact that there use none correspondence back there and be did at affidivit and then a supplemental         3         Wat are those nones notes there for value deposition.           6         0         0.00000000000000000000000000000000000	2		MR, MOSCARINO: YOU don't want			
4       Seelig that you have, especially the fast that you have says one concerpondemo have there and here as some concerpondemo have there and here as a deposition.       4       A       These are mode from 0: Van Bergers a deposition.         6       he did an affidavit and then a supplemental report. with a model that are as a deposition.       6       0 Gay. Can Lave than, please?         7       NR. COTICCHA:       0       0 Gay. Can Lave than, please?         9       letter into the record from Da Biler.       9       1 Data and these are notes from 0: Van Bergers a deposition.         11       BY NR. COTICCHA:       0       1 as a deposition of these are notes from 0: Van Bergers a deposition.         12       0       Determine the main of the model near the deposition.       10         13       0       The not have notes units on have the subsequent letter that was blanching and the report and the deposition.         13       0       The deposition deposition.       11         14       assene Us a appendix deposition.       12       A         15       A       NO.       13       Correct.         14       assene Us a appendix deposition.       14       assene Us a appendix deposition.         15       A       NO.       13       A       The model have the subsequent letter the the subsequent letter the sub deposition. <td< th=""><th>3</th><th></th><th>them. I'm not yaiving any argument regarding</th><th></th><th></th><th></th></td<>	3		them. I'm not yaiving any argument regarding			
5         Cherr was some correspondence back there and he did an affidivit and then a supplemental resport, which         5         deposition.           8         NR. COTICUTA: NO. Re read the B letter into the record from Bal lar. DB selectivit a said, "Encland are the records."         9         2 Then yor have notes with different headings: Qual: and Yanchol (* Demat. *) I assume those are notes from the prepared your letter of November 25?           10         0         0 no of the notes you have notes with a supplemental repeared your letter of November 25?         10         I assume those are notes from the depositions?           17         0 not fir. Mark Manaey?         13         0 Gene of the notes you have notes which was notes that was heating i.         10           18         0.         0 not fir. Mark Manaey?         13         0 Gene of the notes you have notes which was notes that was heating i.         11           19         0 error Miss Manaey?         13         0 for of discous with Mark Manaey?         13         10 have notes which was notes that was heating i.         11           10         12         11         11         11         11         11           13         0 error Miss Manaey?         13         0 for of discous with Mark Markey?         13         14         14           14         12         12         12         12         12         12	4		seeing uhat you have, especially the fact that	1 1	A	
6       he did all affidiavit and then a supplemental report, uhich	5		there was some correspondence back there and	5		-
7       report. ukich	6		he dld an affidavit and then a supplemental		Q	-
8       R8. COTTOCHL: ND. He read the pletter lot the record from Dm Siler. Description of the Proceeds.       9       Then worker note which if Hernet headings: Variation of Hernet Note Siler. Description of Hernet Note	7		report, uhich		A	-
10       Fasically II and, "Bulosed are the records."       10       I assume those are notes from the deposition?         11       BY MR. COTICULL:       10       I assume those are notes from the deposition?         12       0       Decord, did you have a rough draft that woot uset, over uith Mr. Narkoultz before you uset, over uith Mr. Narkoultz before you assume vas a page. Allou 10 percent variation?         13       0       One of the notes you have, No. 52, which I assume vas a page. Allou 10 percent variation?         14       0       No.       II assume those are notes from the deposition?         15       A NO.       II assume those are notes from the deposition?         16       0       No.       II assume those are notes from the deposition?         17       A NO.       II assume those are notes from the subsequent letter that wor assume vas a page. Allou 10 percent variation?         17       A NO.       II assume those are notes from the subsequent letter that wor assume vas a newholich, this deposition.         18       Q Did you divou discuss uith her Your notes that you subsequent letter that was allou 10 percent.       II failed allou 10 percent.         19       here mathered here?       IN W R. COTICULA:       II W R. COTICULA:         2       IDEDEDITION OF GERY MOSELIN, N.D.       S       No.         1       here there rout assum there than woot he based on your revise of the rec	8		MR, COTICCHIA: NO. He read the	8	Q	-
10       Bail (all) If bails, "Exclused are the records."       10       I assume those are notes from the if deposition?         11       By MS: COTICULLS:       11       deposition?         12       0       Dector, did yoo have a rough draft that you unto over uith Mr. Markoults before you used over uith Mr. Markoults before you used over uith Mr. Markoults before you used over uith Mr. Markoults Mr. Markoults before you greated this Moreaber 297       13       0       One of the notes you have, No. 52, Which I assume visa page, "Allou 10 percent variation?         13       A NO.       11       A NO.       12       A Correct.         14       0       not dis Massey?       13       0       One of the notes you have, No. 52, Which I assume visa page, "Allou 10 percent variation?         15       A NO.       11       Basse Visa page, "Allou 10 percent variation?         16       A NO.       11       A Correct.       11       Correct.         17       A No.       11       A Markow Markow Michaelee Page Page Page Page Page Page Page Pa	9		letter Into the record from Don Eiler,	9		'Gopal' and 'Markovit 'Bennett."
12       Q       Doctor, dld Y00 have a rough draft that Y00 uent over uith Ar. Narkoultz before Y00 H       12       A       Correct.         13       Q       One of the notes Y00 have, No. 62, which I assume is a psae. 'Allow 10 percent variation is a ND.       13       Correct.         14       gregared your letter of November 29; 15       A       ND.       14       assume is a psae. 'Allow 10 percent variation is a ND.         15       A       ND.       A       ND.       15       A       ND.         16       Q       Def NF.N. Harkowitz: M. Moscarlno in Mass Massey?       14       A       ND.         16       Q       Def NF.N. Harkowitz: M. Moscarlno in Mass Massey?       15       A       ND.         17       Q       Did You discuss uith her Your notes that you somitae Reporting Service. Ltd.       20       NR. MOSCHEND: I think that usa attached as an exhibit to his deposition.         17       PACE 50       Indicating.:       14       Somitae Reporting Service. Ltd.         18       A       Correct.       Somitae Reporting Service. Ltd.       Somitae Reporting Service. Ltd.         19       Defoorting of Gaar Moscin. M.D.       57       PACE 50       Defoorting of Gaar Moscin. M.D.         19       Defoorting of Gaar Moscin. M.D.       19       Defoorting of Gaar Moscin. M.	10		Basically It said, 'Enclosed are the records.'			-
<ul> <li>uent over uith Hr. Markoultz before voo prepared your letter of November 207</li> <li>A BO.</li> <li>A Tapoke uith Mise Massey?</li> <li>A Correct.</li> <li>A That's a misinterpretation of that. That's misinterpretation of that. That's misinterpretation of that. That's usa inferitor deallocate of the solution of that. That's a misinterpretation of that. That's misinterpretation of that. That's that a sainterpretation of that. That's that a misinterpretation of that. That's tha</li></ul>	11	BY }	R, COTICCHIA:	11		depositions?
14       prepared your letter of November 237       14       assume Ves a sege, 'Allou 10 percent variation         15       A NO.       15       assume Ves a sege, 'Allou 10 percent variation         15       A NO.       15       A NO.         17       A NO.       17       A NO.         18       0.       or Mas Messey?       17       A NO.         19       0.       or Mas Messey?       13       A Ro.         20       0.       - or Mas Messey?       13       deposition, dated April that variation?         21       before vol prepared this November 29, '93, transmitter of November 29, '93, transmitter of November 20, line contained as an exhibit to his deposition.       20         22       report.       NR. COTICHIA: Yes.       20         23       A Yes.       Sommate Reporting Service, Ltd.       Sommate Reporting Contained as an exhibit to his deposition.         24       Did you discuss uith her Your notes that you made based on So Yes. Contained as an exhibit to his deposition.       Sommate Reporting Contained as an exhibit to his deposition.         25       report.       1       BY RC. COTICHIA:       Sommate Reporting Contained as an exhibit to his deposition.         24       A Yes.       1       BY R. COTICHIA:       Sommate Reporting Contained as an exhibit to his deposition. <th>12</th> <th>Q</th> <th>Doctor, dld you have a rough draft that you</th> <th>12</th> <th>A</th> <th>Correct.</th>	12	Q	Doctor, dld you have a rough draft that you	12	A	Correct.
14       assume Visit a Page, 'Allou 10 percent variation in lab' = do You agree ulth that variation?         15       A NO.         16       Q Not Mr. Karkovit2; Mr. Moscarlno         17       A NO.         18       Q or Miss Massey?         19       Q or Miss Massey?         19       Q or Miss Massey?         19       Q or Miss Massey?         20       Q I poke uith Miss Massey.         21       before You prepared this November 29, '93, 22         22       report         23       A Yes.         24       A Correct.         25       Mr. Correcting Gervice, Idd.         26       DEFOSITION OF CARP MOREIN, M.D.         27       Individual A.         28       A Yes.         29       DEFOSITION OF CARP MOREIN, M.D.         20       DEFOSITION OF CARP MOREIN, M.D.         21       have numbered here?         2       Individual A.         3       A Correct.         4       Q Are these Your notes that you made based on S your revise of the records?         5       A No.         6       A Yes.         9       Individual Yes.         9       Indidua Herpertating of that. T	13		uent over uith Mr. Markoultz before YOU	13	Q	
16       Q       Not Mr. Narkouitz; Ms. Moscarlno        17       A       ND.         17       A       ND.       17       Q       All right. You do have the subsequent letter          18       O       or Miss Massey?       13       A       14       A       A       17       Q       All right. You do have the subsequent letter          18       O       or Miss Massey?       13       deposition, dated April the 9th?         28       Q       Did You discuss with her Your notes that YOU        Sommas Reporting Services. Ltd.          21       before You prepared this November 29, '93,        A       Correct.         22       report       Reporting Services. Ltd.        Sommas Reporting Services. Ltd.          23       A       Yes.        Sommas Reporting Services. Ltd.        Sommas Reporting Services. Ltd.          24       (Indicating.)        Sommas Reporting Services. Ltd.        Sommas Reporting Services. Ltd.          25       (Indicating.)        A       Correct.        Sommas Reporting Services. Ltd.          26       A Correct.        Indicating.)        A       Correct.        Sommas Reporting Services. Ltd.          3 </th <th>14</th> <th></th> <th>prepared your letter of November 29?</th> <th>14</th> <th></th> <th>assume Was a page, 'Allou 10 percent variation</th>	14		prepared your letter of November 29?	14		assume Was a page, 'Allou 10 percent variation
17       A       NO.         18       Q       or Miss Massey?         19       A       Tepoke uith Miss Massey.         20       All right. 01d you speak to Mis Massey         21       before you prepared this November 29, '99,         22       repokt uith Miss Massey.         23       A         24       Did you discuss uith her Your notes that you         25       Somtag Recording Service, Ind.         26       Did you discuss uith her Your notes that you         27       PAGE 50         28       PAGE 50         29       Did you discuss uith her Your notes that you set the you discuss uith her Your notes that you set the you discuss uith her Your notes that you set the you set the you discuss uith her Your notes that you set the you discussed you	15	A	NO.	15		In lab' do you agree ulth that variation?
<ul> <li>18 Q or Miss Massey?</li> <li>19 A I spoke uith Miss Massey?</li> <li>19 A I spoke uith Miss Massey?</li> <li>10 before YOU prepared this November 29, '93, report 7</li> <li>21 before YOU prepared this November 29, '93, report 7</li> <li>22 report 7</li> <li>23 A Yes.</li> <li>24 A Correct.</li> <li>27 Did YoU discuss uith her YOU notes that YOU Somt are shallow to his deposition.</li> <li>28 A Yes.</li> <li>29 Did YoU discuss uith her YOU notes that YOU Somt are shallow to his deposition.</li> <li>20 Did YoU discuss uith her YOU notes that YOU Somt are shallow to his deposition.</li> <li>28 A Yes.</li> <li>29 DEPOSITION OF CARY NOSKIN. M.D. BUB YOU. Somt are shallow to his deposition.</li> <li>20 Did YoU are you notes that YOU made based on 50 WK. COTICCHIA</li> <li>21 A Correct.</li> <li>22 I Notice Note No. 49 says, 'Neaccomial</li> <li>23 A Yes.</li> <li>24 A That's a misinterpretation of that. That's inficitant desails or You say the Inducet enailsence?</li> <li>20 Did You say the Inducet enailsence?</li> <li>21 A Correct.</li> <li>22 Did You are you there some notes are you are you report or a corry of it before this uses you! Kes.</li> <li>3 A Correct.</li> <li>3 A Correct.</li> <li>4 Yes.</li> <li>9 N. COTICCHIA:</li> <li>2 A Did You are you the change your report or a corry of it before this uses you! Kes.</li> <li>3 A Correct.</li> <li>4 Yes.</li> <li>9 Did You say you it M.E. Neasen?</li> <li>5 A No.</li> <li>6 Q Old You sown! this report after you discussed 7 Your findings with Mrs. Massey?</li> <li>1 A That's a misinterpretation of that. That's indicate enailsence?</li> <li>3 A Tom't manuer that question.</li> <li>3 A Yes.</li> <li>9 Doctor, hou did Yrs. Massey or Mr. Moscalloo finderent facts.</li> <li>11 Go ahead and answer if YOU can.</li> <li>24 A Tom't manuer that question.</li> <li>25 A No.</li> <li>26 Doctor, hou did Yrs. Massey or Mr. Moscalloo or sis indicate enailsence?</li> <li>3 A Tom't manuer that question.</li> <li>3 A Ye review and case for them.</li> <li>3 A Wr Question</li></ul>	16	Q	Not Mr. Markowitz; Mi Moscarlno	16	A	No.
<ul> <li>13 A I spoke with Miss Massey.</li> <li>14 All right. 014 vou speak to Mis Massey.</li> <li>15 A I spoke with Miss Massey.</li> <li>16 before vou prepared this November 29, '99, '28.</li> <li>17 before vou prepared this November 29, '99, '28.</li> <li>18 Q Did voo discuss with her Your notes that vou Semite Reporting Service. Ltd. Semited Report of Service. Ltd. Semited Report of Control (19, 00, 00, 00, 00, 00, 00, 00, 00, 00, 0</li></ul>	17	A	NO.	17	Q	All <b>right.</b> You do have the subsequent letter
28       Q       All right. 014 YOU speak to Ms Massey         21       before YOU prepared this November 29, '93, report 7         22       A Yes.         23       A Yes.         24       M. ROSCARINO: I think that uas         25       A Yes.         26       Did you discuss uith her Your notes that you         Sommtag Reporting Service, Ind.       Wink controlling.         26       Did you discuss (Une control Service, Ind.         27       Correct.         28       Correct.         29       Unidicating.)         3       Correct.         2       (Unicating.)         3       Correct.         4       A re these Your notes that you made based on your revieu of the records?         6       A Yes.         7       I notice Not No. 49 says, 'Nasconnial an engligence.'         8       A Yes.         9       negligence.'         12       Is if fair to say that it may or may not indicate negligence?         13       A re underlay indicate negligence?         14       A reaction to you is:         15       Indicat negligence?         16       I retice Note No. 49 says, 'Nasconnial         17       Indicat negligen	18	Q	or Miss Massey?	18		that was ldentlfled at Or, Markouitz's
<ul> <li>21 before you prepared this November 29, '93, report 7</li> <li>23 A Yes.</li> <li>24 A Correct.</li> <li>25 a Q Did you discuss uith her Your notes that you Somntag Reporting Service, Ltd. Contrast.</li> <li>24 A CORREN. Service, Ltd. Contrast Report in Generation with Somethic to his deposition.</li> <li>24 A CORREN. Service, Ltd. Contrast Reporting Service, Ltd. Contrast Report in Generation with Somethic Report in Generation.</li> <li>24 A Correct.</li> <li>25 BEROSITION OF CARY NOVELIN. M.D.</li> <li>26 A Yes.</li> <li>27 (Indicating.)</li> <li>3 A Correct.</li> <li>3 A Correct.</li> <li>4 Q Are these Your notes that you made based on Synke. Correct with a suboilted on November 2204, 19997</li> <li>5 A Yes.</li> <li>9 negligence.</li> <li>10 Indice Note No. 49 says, 'Noscondial infinitate negligence?</li> <li>9 A That's a miniterpretation of that. That's fron Dr. Van Bergan's deposition. That's unait indicate negligence?</li> <li>13 A Tombr. Van Bergan's deposition. That's unait the said.</li> <li>14 A Yes.</li> <li>15 Q Wy question to you is:</li> <li>16 In may indicate negligence?</li> <li>18 MY question to you is:</li> <li>19 forn. That calls for a lot of different facts.</li> <li>21 A Correct.</li> <li>22 A Tack's a miniterpretation.</li> <li>23 A Tombr. Nane some notes here that say Somitag Reporting Service. Ltd.</li> <li>24 Dia You Correct.</li> <li>25 A No.</li> <li>26 A Yes.</li> <li>27 O a hadde and answer if you can.</li> <li>28 A Tom't a masure that question.</li> <li>29 Y (M. COTICCHA:</li> <li>20 Chey. You have some notes here that say Somitag Service. Ltd.</li> <li>20 Chey. You have some notes here that say Somitag Service. Ltd.</li> <li>26 Or Mr. Theo act for them.</li> <li>27 O A No.</li> <li>28 A Yes.</li> <li>29 C I'n handing the record back to you.</li> <li>20 C I'n handing the record back to you.</li> <li>21 A That's a miniterpretation of that. That's facts.</li> <li>21 Do ahead and answer if you can.</li> <li>22 A Tom'to masure that question.</li> <li>23 A Thave section a cas</li></ul>	19	A	I spoke uith Miss Massey.	19		deposition, dated April the 9th?
22       report7         23       A         24       Yes.         25       Did you discuss uith her Your notes that you         26       Did you discuss uith her Your notes that you         27       Scentas Reporting Service, Ltd.         28       WR. ODICHIN: Yes.         29       Did you discuss uith her Your notes that you         20       Scentas Reporting Service, Ltd.         20       Use Service, Ltd.         20       Use Service, Ltd.         20       (Indicating.)         3       A         3       A         4       Q         4       Q         4       Q         4       Q         5       Service, Report 100 GERY NOWIN, M.D.         5       Service, Report 100 GERY NOWIN, M.D.         5       Service, Report 100 GERY NOWIN, M.D.         5       MR. COTICCHIA         2       (Indicating.)         3       A         4       A ret hese Your notes that you made based on         5       your revice of the records?         6       A         7       I Indicating.)         3       Indifetind been tot necessaritis	2Ø	Q	All right. Old YOU speak to ${f Mis}$ Massey	2Ø		(Indicating.)
<ul> <li>A Yes.</li> <li>Q Did you discuss uith the Your notes that you Somital Reporting Service. Lid. Genevy &amp; Phicago Wheaton WW.Somital People (104.000)</li> <li>PAGE 58</li> <li>PAGE 58</li> <li>DEPOSITION OF GLAY MORTIN, M.D. SY MR. COTICCHIA</li> <li>PAGE 50</li> <li>DEPOSITION OF GLAY MORTIN, M.D. SY MR. COTICCHIA</li> <li>PAGE 50</li> <li>DEPOSITION OF GLAY MORTIN, M.D. SY MR. COTICCHIA</li> <li>PAGE 60</li> <li>DEPOSITION OF GLAY MORTIN, M.D. SY MR. COTICCHIA</li> <li>Contract.</li> <li>A Correct.</li> <li>A Correct.</li> <li>A Correct.</li> <li>A Correct.</li> <li>A Yes.</li> <li>I have numbered here?</li> <li>Control for star you made based on your revieu of the records?</li> <li>A Yes.</li> <li>I notice shot NO. 49 says, 'Noscomial a infection does not necessar) ly indicate negligence.*</li> <li>A That's a misinterpretation of that. That's fron Dr. Wan Bergan's deposition. That's unit indicate negligence?</li> <li>A That's a misinterpretation of that. That's fron Dr. Wan Bergan's deposition. That's unit facts.</li> <li>G Mr question to you is:</li> <li>I may und indicate negligence?</li> <li>M. MOSCARINO: Object to the facts.</li> <li>G ohead and answer if you can.</li> <li>A I can't answer that question.</li> <li>M. MOSCARINO: Object to the facts.</li> <li>G Okay. You have some notes here that say Comment Report and service. Lid. Contrage Reporting Service. Lid. Contrage Reporting Service. Lid. Service Report of Service. Lid.</li> <li>Ye also revice a case for them.</li> <li>Ye wait of the Service. Lid. Service Report of Service. Lid. Service Report of Service. Lid.</li> <li>Ye have some notes here that say Service Repor</li></ul>	21		before YOU prepared thls Novenber 29, '99,	21	A	Correct.
28       Q       Did you discuss uith her Your notes that you Somma Reporting Service, Ltd. Convert Chicago WW.somma Chicago SW Novenber 22nd, 1997       60         1       Inotice Note No. 49 says, 'Nosocchial a infection does not netessarily indicate 9 negligence."       1       BEV R. COTICCHIA: 2       1       60         2       I notice Note No. 49 says, 'Nosocchial a infection does not netessarily indicate 9 negligence."       1       1       1       1         3       Toron Chicago 1       1       1       1       1       1       1         4       Yes       9 <th>22</th> <th></th> <th>report7</th> <th>22</th> <th></th> <th>MR, MOSCARINO: I thlnk that uas</th>	22		report7	22		MR, MOSCARINO: I thlnk that uas
Sommas Reporting Service, Ltd. GWW.Somil agreeoff ing.com       Sommas Reporting Service, Ltd. GWW.Somil agreeoff ing.com         PAGE 58       DEFOSITION OF GREY NOSKIN, M.D. BY MR. COTICCHIA       59         DEFOSITION OF GREY NOSKIN, M.D. BY MR. COTICCHIA       59         1       have numbered here?       1         2       (Indicating.)       2         3       A       Correct.         4       Q       Are these Your notes that you made based on your revieu of the records?       5         6       A       Yes.       5         7       Q       Individe you should this report after you discussed         9       negligence.*       9         9       Isi fair to say that It may or may not indicate negligence?       14         14       he said.       15       Q         15       Q       NY question to you isi:       15         16       It may not indicate negligence, as well as 17       nay not indicate negligence, as well as 17       15         16       It may not indicate negligence, as well as 17       14       A       Sure.         18       A       Ive reviewed a case for then.       16         19       forn. That calls for a lot of different 20       16       I way reviewed a case for then.	23	A	Yes.	23		attached as an exhibit to his deposition.
PAGE 58       PAGE 58       PAGE 60         1       have numbered here?       58         2       (Indicating.)       59         3       A Correct.       3         4       Q are these Your notes that you made based on your revieu of the records?       5         6       A Yes.       7         7       Q Inotice Note No. 49 says, 'Nosocomial a infection does not necessarily indicate       7         8       A Yes.       6         9       nestileence.*       9         1       indicate negligence.*       9         12       A That's a misinterpretation of that. That's infort the said.       11         13       Forn, Van Bergan's deposition. That's that he said.       14         14       A Sure.       15         15       Q Nr question to you is:       15         16       In Nay Indicate negligence?       17         17       Nay Moscoarno: Opicat to the       18         18       N. NOSCARINO: Opicat to the       18         19       Nr. MOSCARINO: Opicat to the       18         19       NR. MOSCARINO: Opicat to the       19         19       NR. MOSCARINO: Opicat to the       18         19       NR. MOSCARINO: Opicat to	324	Q	Did you discuss with her Your notes that you	24		MR, COTICCHIA: Yes.
PAGE 58       PAGE 58       PAGE 60         1       have numbered here?       58         2       (Indicating.)       59         3       A Correct.       3         4       Q are these Your notes that you made based on your revieu of the records?       5         6       A Yes.       7         7       Q Inotice Note No. 49 says, 'Nosocomial a infection does not necessarily indicate       7         8       A Yes.       6         9       nestileence.*       9         1       indicate negligence.*       9         12       A That's a misinterpretation of that. That's infort the said.       11         13       Forn, Van Bergan's deposition. That's that he said.       14         14       A Sure.       15         15       Q Nr question to you is:       15         16       In Nay Indicate negligence?       17         17       Nay Moscoarno: Opicat to the       18         18       N. NOSCARINO: Opicat to the       18         19       Nr. MOSCARINO: Opicat to the       18         19       NR. MOSCARINO: Opicat to the       19         19       NR. MOSCARINO: Opicat to the       18         19       NR. MOSCARINO: Opicat to			Sonntae Reporting Service, Ltd.			Sonntag Reporting Service, Ltd.
PAGE 53       58         DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA       59         1       have numbered here?       1         2       (Indicating.)         3       A Correct.         4       Q Are these Your notes that you made based on your revieu of the records?       3         6       A Yes.         7       Q Inotice Note No. 49 says, 'Nosocomial         a infection does not necessarily indicate       8         9       negligence.*         9       Q I'n handing the record back to you.         10       Iddicating.)         11       indicate negligence?         12       A That's a misinterpretation of that. That's         13       fron Dr. Van Bergan's deposition. That's uhat         14       he said.         17       may not indicate negligence?         18       MR. MOSCARINO: 00 ject to the         19       forn. That calls for a lot of different         10       reviewed a case for them.         21       Go ahead and ansver if you can.         22       A I can't answer that guestion.         23       Go whead and ansver if you can.         24       Q Okay. You have sone notes here that say Genera'a Correct.         24			uuu,sonntagreporting.com BMM.232.0255			uuu.sonntagreporting.com
DEPOSITION OF GAY NOCKIN, M.D.       59       DEPOSITION OF GAY NOCKIN, M.D.       60         1       have numbered here?       (Indicating.)       3       2       COTICCHIA       DEPOSITION OF GAY NOSKIN, M.O.       BY MR. COTICCHIA       2       Q       Dif YOU AT any the change your report or a cory of it before this uas submitted on November 22nd, 19997       5       A No.         4       Q       Are these Your notes that you made based on your revieu of the records?       5       A No.       6       Q       Old You submit this report after you discussed Your findings with Mrs. Massey?       5       A No.         6       A Yes.       G       Old You submit this report after you discussed Your findings with Mrs. Massey?       8       A Yes.         9       negligence.*       9       I'n handing the record back to you.       10       (Indicating.)         11       indicate negligence.*       9       I'n handing the record back to you.       11         13       fron Dr. Van Bergan's deposition. That's uhat he said.       12       I would like copies of your notes, please, before ue leave today.       14       A Sure.         14       he said.       15       Q       Doctor, hou did Mrs. Nassey or Nr. Moscarlno or Mr. Treu get you as an expert witness in this case?       15       Q       Doctor, hou did Mrs. Nassey or Nr. Moscarlno or RrW. Treu get you as an exp	L					
DEPOSITION OF GRY MOSKIN, M.D. BY MR. COTICCHIA     DEPOSITION OF GRY MOSKIN, M.D. BY MR. COTICCHIA       1     have numbered here?     1     BY MR. COTICCHIA       2     (Indicating.)     2     Q     Did you at any the change your report or a copy of it before this uas submitted on Movember 22nd, 1997       3     A     Correct.     3     Correct.       4     Q     Are these Your notes that you made based on your revieu of the records?     5     A     No.       6     A     Yes.     6     Q     Old You subnit this report after you discussed Your findings with Mrs. Massey?       1     infection does not necessarily indicate 9     negligence.*     9     Q     I'n handing the record back to you.       11     indicate negligence?     11     A     Thank you.     12       12     A     That's a misinterpretation of that. That's 13     fron Dr. Van Bergan's deposition. That's uhat 14     he said.     13     before ue leave today.       14     he said.     13     Go Ahead and ansver if you can.     15     Q     Doctor, hou did Mrs. Massey or Mr. Moscarlno or Mr. Treu get you as an expert vitness in 17       18     MR. MOSCARINO: Object to the 19     forn. That calls for a lot of different 19     I suspect they asked me they uanted n to 10       20     facts.     G     a I think prinarilly Mr. Moscarlno, but I think 20					. 7. 1	
1       have numbered here?       1       BY NR. COTICCHIA:         2       (Indicating.)       2       Q       Did you at any the change your report or a copy of it before this us submitted on November 22nd, 19997         3       A       Correct.       3       No.         6       A yes.       6       Q       Old You submit this report after you discussed November 22nd, 19997         7       Q       Inotice Note No. 49 says, 'Nosecomial       7       Your findings with Mrs. Massey?         8       A yes.       6       Q       Old You submit this report after you discussed Your findings with Mrs. Massey?         9       negligence.       9       Q       I'n handing the record back to you.         10       Is if fair to say that It may or may not indicate negligence?       11       A         11       indicate negligence?       11       A       Thank You.         12       A       That's a misinterpretation of that. That's is and indicate negligence?       11       A       Thank You.         13       fron Dr. Van Bergan's deposition. That's what is any not indicate negligence?       15       Q       Doctor, hou did Nrs. Massey or Nr. Moscarino or Nr. Moscarino in Nr.		PAGE 58	)		PAGE 60	)
2       (Indicating.)       2       Q       Did You at any the change your report or a copy of it before this us submitted on November 22nd, 19997         3       A       Correct.       3       Copy of it before this us submitted on November 22nd, 19997         5       your revieu of the records?       5       A       No.         6       A Yes.       6       Q       Old You submit this report after you discussed Your findings with Mrs. Massey?         8       infection does not necessarily indicate       8       A Yes.       9       Q       I'n handing the record back to you.         10       Is if fair to say that It nay or nay not       10       (Indicating.)       IIn A Thank you.         12       A       That's a misinterpretation of that. That's       10       (Indicating.)         11       indicate negligence?       11       A       Thank you.         12       A       That's a misinterpretation of that. That's uhat       13       before ue leave today.         14       he said.       14       A       Sure.       13         15       Q       MY question to you is:       15       Q       Doctor, hou did Mrs. Massey or Mr. Moscarlno or Mr. Treu get you as an expert witness in this case7         18       MR. MOSCARING: Object to the       13       I		PAGE 58	58		PAGE 60	60
3       A       Correct.       3       Copy of It before this uas submitted on November 22nd, 19997         4       Q       Are these Your notes that you made based on your revieu of the records?       A       November 22nd, 19997         6       A       Yes.       G       Old You submit this report after you discussed Your notes has you discussed         7       Q       Inotice Note No. 49 says, 'Noscomial       7       Your findings with Mrs. Massey?         8       A Yes.       9       Q       I'n handing the record back to you.         10       Is if fair to say that It nay or nay not       II       Indicate negligence?       11         11       indicate negligence?       11       A       Thank you.         12       A       That's a misinterpretation of that. That's uhat       13       before u leave today.         14       he said.       14       A       Sure.       15       Q       Mry question to you is:         15       Q       My question to you is:       16       Or Mr. Treu get you as an expert witness in this case?         18       MR. MOSCARINO: Object to the       18       A       I've revieued a case for them.         20       facts.       12       Q       Gahead and ansiver if you can.       21       Q <td< th=""><th></th><th>PAGE 58</th><th>DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA</th><th></th><th></th><th>60 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA</th></td<>		PAGE 58	DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA			60 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA
4       Q       Are these Your notes that you made based on your revieu of the records?       4       November 22nd, 19997         5       your revieu of the records?       5       A       No.         6       A       Yes.       6       Q       Old You subnit this report after you discussed Your findings with Mrs. Massey?         7       Q       Indicate not necessarily indicate       8       A       Yes.         9       negligence.*       9       Q       I'n handing the record back to you.         10       Is it fair to say that It nay or nay not indicate negligence?       11       A       Thank You.         12       A       That's a misinterpretation of that. That's indicate negligence?       11       A       Thank You.         13       fron Dr. Van Bergan's deposition. That's uhat indicate negligence?       11       A       Thank You.         14       he said.       14       A       Sure.       Sure.       Sure.         15       Q       Mr question to you is:       15       Q       Doctor, hou did Mrs. Massey or Mr. Moscarlno or Mr. The gaty or as an expert witness in this case?         16       It may indicate negligence?       17       this case?       18       A       I've revieued a case for then In the past, and I suspect they asked me they uanted ne to rev	1	PAGE 58	DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA have numbered here?	1	BY	60 DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA MR. COTICCHIA:
5       your revieu of the records?       5       A       No.         6       A       Yes.       6       Q       Old You submit this report after you discussed Your findings with Mrs. Massey?         7       Q       I notice Note No. 49 says, 'Nosocomial infection does not necessarily indicate 9       7       Q       Old You submit this report after you discussed Your findings with Mrs. Massey?         8       A       Yes.       9       Q       I'm handing the record back to you.         10       Is if fair to say that It may or may not indicate negligence?       10       (Indicating.)         11       indicate negligence?       11       A       Thank You.         12       A       That's a misinterpretation of that. That's fron Dr. Van Bergan's deposition. That's ubat if may indicate negligence, as well as if a may indicate negligence, as well as if may not indicate negligence?       15       Q       Doctor, hou did Mrs. Massey or Mr. Moscarlno or Mr. Treu get you as an expert witness in this case?         18       MR. MOSCARINO: Object to the if acts.       13       I we revieue a case for them. In the past, and if orn. That calls for a lot of different if acts.       14       A       I've revieue a case for them.         21       Go ahead and answer if you can.       21       Q       Uhen you say you 'revieued a case for them.' who would that have been, what attorney?         23	1 2	_	DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA have numbered here? (Indicating.)	1 2	BY	60 DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA MR. COTICCHIA: Did you at any tlne change your report or a
6       A       Yes.       6       Q       Old You subnit this report after you discussed         7       Q       Inotice Note No. 49 says, 'Nosocomial infection does not necessarily indicate       7       Your findings with Mrs. Massey?         8       A       Yes.       9       Q       I'n handing the record back to you.         10       Is it fair to say that It nay or nay not indicate negligence?       10       (Indicating.)         11       indicate negligence?       11       A       Thank you.         12       A       That's a misinterpretation of that. That's indicate negligence?       11       A       Thank you.         13       fron Dr. Van Bergan's deposition. That's uhat       14       A       Sure.       15       Q       Doctor, hou did Mrs. Massey or Mr. Moscarlno or Mr. Theu get you as an expert witness in this case?         14       he said.       15       Q       Doctor, hou did Mrs. Massey or Mr. Moscarlno or Mr. Theu get you as an expert witness in this case?         15       Q       MY question to you is:       15       Q       Doctor, hou did Mrs. Massey or Mr. Moscarlno or Mr. Theu get you as an expert witness in this case?         17       nay not indicate negligence?       17       this case?       18       I've revieued a case for them.         18       forn. That calls for a lo	1 2 3	A	58 DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA have numbered here? (Indicating.) Correct.	1 2 3	BY	DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA MR. COTICCHIA: Did you at any tlne change your report or a copy of it before this uas submitted on
7       Q       Indice Note No. 49 says, 'Noscomial       7       Your findings with Mrs. Massey?         2       infection does not necessarily indicate       8       A       Yes.         9       negligence.*       9       Q       I'n handing the record back to you.         10       Is it fair to say that It may or may not       10       (Indicating.)         11       indicate negligence?       11       A       Thank you.         12       A       That's a misinterpretation of that. That's       12       Q       I would like copies of your notes, please, before u leave today.         14       he said.       12       Q       Mr question to you is:       15       Q       Doctor, hou did Mrs. Massey or Mr. Moscarlno         16       It may indicate negligence, as well as       16       Or Mr. Treu get you as an expert witness in         17       may not indicate negligence?       18       A       I've reviewed a case for then In the past, and         18       form. That calls for a lot of different       19       I suspect they asked me they uanted ne to         20       facts.       20       review another case for them.       21         21       Go ahead and answer if you can.       21       Q       Uhen you say you 'revlewed a case for them.' <tr< th=""><th>1 2 3 4</th><th>A</th><th>58 DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA have numbered here? (Indicating.) Correct. Are these Your notes that you made based on</th><th>1 2 3 4</th><th>BY Q</th><th>60 DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA MR, COTICCHIA: Did YOU at any tlne change your report or a COPY of it before this uas submitted on Novenber 22nd, 19997</th></tr<>	1 2 3 4	A	58 DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA have numbered here? (Indicating.) Correct. Are these Your notes that you made based on	1 2 3 4	BY Q	60 DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA MR, COTICCHIA: Did YOU at any tlne change your report or a COPY of it before this uas submitted on Novenber 22nd, 19997
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		DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA			DEPOSITION OF GARY NOSKIN, M,D, BY MR, COTICCHIA
1				-	
2		don't knou uhat agreement they have with each other.	1	Q	In one of those, elther Mr. Moscarino or
2 3	۵		2		Someone from his firm uas actually
5 Л	64	In the last five years, hou Many cases have	3		representing a defendant where YOU found that
<del>7</del> 5		YOU independent of uhether You gave testimony or not or uhether YOU urote a report	4		Person negligent 7
-			5	A	Correct.
6 7		Or not, hou many cases have VOU revleued for	6	Q	In another case you found negligence but not
-		their firm, Moscarino, Treu, Massey, et cetera?	7		somebody that Mr. Moscarino was representing?
a 9	7		a	A	Correct.
-	A	I think probably three or four.	9	Q	Then In the other two or three, your position
10	Q	Was it always on behalf of a hospital or a	110		vas no negligence?
11	7	doctor?	112	A	Exactly.
:12	A	NO. It uas always on behalf of giving an		Q	And one of those two or three is this case?
:13	•	honest review of the medical record.	:13	A	Correct.
:14 :15	Q	All right. And was that when Mr. Moscarlno	:14	Q	Now, since this case have ue discussed all
15		was representing a patlent suing a hospital or	15		the cases that you've revleued, elther before
:16 :17		uhen Mr. Moscarlno was representing a hospital	:16		Or after this one, for Mr. Moscarino's firm?
	٨	or <b>a</b> doctor who was being sued by a patlent?	17	A	Yes.
18	A Q	The latter. The latter?	18	Q	All right. Have you ever been sued for
:19 2Ø	-		:19		medical nalpractice?
	A Q	Right.	2Ø 21	A	No, knock on uood.
21 22	9	So every case you've revieued for Mr. Moscarino has been one for defending a	22	Q	Have you ever testified regardless of uhether it's Illinois, Ohio, anywhere, have
23		hospital or defending a doctor?	22		you ever testifled as a medical expert or
23 24	А	Correct.	23 24		given a uritten opinion as a medical expert on
24	А		24		
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1	PAGE 62 Q	62		PAGE 64	800.232.0265
		62 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA		PAGE 64 A	DEPOSITION OF GARY NOSKIN. M.D., BY MR. COTICCHIA
1		DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA In those cases that you have revieued with Mr.	1		DEPOSITION OF GARY NOSKIN. M.D., BY MR. COTICCHIA behalf of a patient?
1 2		DEPOSITION OF GARY NOSKIN, ۲۵۵. BY MR. COTICCHIA In those cases that you have revieued uith ۲۸. Moscarino or any other attorney at his office,	1 2	А	DEPOSITION OF GARY NOSKIN. M.D., BY MR. COTICCHIA behalf of a patient? Yes.
1 2 3		62 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA In those cases that YOU have revieued uith Mr. Moscarino or any other attorney at his office, have YOU rendered an opinion that there uas	1 2 3	А	DEPOSITION OF GARY NOSKIN. M.D. BY MR. COTICCHIA behalf of a patient? Yes. Hou many times in your experience since you've
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24 I think it was probably four. Α

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		DEPOSITION OF GARY NOSKIN, H.D. BY MR. COTICCHIA			DEPOSITION OF GARY NOSKIN, H.D. BY MR, COTICCHIA
1	Q	So let's round it off to 25 so We can be	1	A	Right.
2		consistent.	2	Q	Okay.
3		So out of the last	3	A	so of those two dozen cases, a quarter of
4	A	Actually, it's easier to have It 24, because a	4		them, <b>say</b> , have been for the plaintiff. In
5		quarter of 24 Is six.	5		ail of those cases except for one, I felt that
6	Q	Okay, all right. What I'mgetting at is:	6		there uas negligence.
7		Out of the last approximately 100 to 96	7		Of the other 75 percent, those uere for
а		cases you've revieued, 24 of them uere for the	8		the defense. In those, I'd say in probably
9		patient?	9		tuo-thirds of those I felt there uas no
Ø		MR. HOSCARINO: Objection. I	1Ø		deviation from the standard of care.
1		think uou'regetting it grong.	11	Q	Okay, all rlght. Thank you.
2		aut you tell him.	12		Yhat percentage of your professional
3	Α	I thlnk about 25 percent of the cases I	13		time do you spend In the practice of nedicine.
4		revieued have been for the patlent. I thlnk	14		the clinical practice of medicine?
15		I've revleued a couple dozen cases. So if YOU	15	A	About 60 to 70 percent.
Б		do the math, that would be about six to sight.	16	Q	And uhat do you do the other 30 to 40 percent?
7		MR, COTICCHIA: I'm sorry,	17	А	I have sone administrative responsibilities
.8	BY	MR, COTICCHIA:	18		and also do a 11ttle research.
19	Q	So since you've been a practicing doctor, a	19	а	In uhat area do you research7
Ø		medical doctor in the cllnlcal practice of	28	Α	Primarily enterococcal Infections.
21		medicine this Is uhere I misunderstood	21	Q	Yhat are your adninlstrative duties?
22		you've revieued approximately (wo dozen cases?	22	Α	I'm the medical director for the Department of
23	А	Correct.	23		Infection Control and Preventlon at
4	Q	And out of that two dozen cases, approximately	24		Northuestern.
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	PAGE 6	6 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA			deposition of gary noskin, ۲۰۵, By MR, Coticchia
1	PAGE 60 A	6 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA four of them uere on behalf of a patient or	1	Q	DEPOSITION OF GARY NOSKIN, ۲۰۵, BY MR. COTICCHIA The hospital?
1 2		6 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA four of them uere on behalf of a patient or the patlent's lawyer?	1 2	Q	DEPOSITION OF GARY NOSKIN, M.Q. BY MR. COTICCHIA The hospital? The hospital, correct.
1 2 3	A	6 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA four of them uere on behalf of a patient or the patlent's lawyer? No; about six to eight of them uere.	1 2 3	Q	DEPOSITION OF GARY NOSKIN, ۲۰۵۰ BY MR. COTICCHIA The hospital? The hospital, correct. In your curriculum vitae, it says clinical
1 2 3 4	A Q	6 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA four of them uere on behalf of a patient or the patlent's lawyer? No; about six to eight of them uere. Six to eight?	1 2 3 4	Q	DEPOSITION OF GARY NOSKIN, ۲۰۵۰ BY MR. COTICCHIA The hospital? The hospital, correct. In your curriculum vitae, it says clinical professor or assistant professor.
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#### DEPOSITION OF GARY NOSKIN, M.D. - MAY 5, 2000

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		DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA			DEPOSITION OF GARY NOSKIN, M.D. 71 BY MR. COTICCHIA
1	а	Did you read the medical reports of the other	1		treatina physician to do it?
2		medlcal experts In this case7	2	A	Again, it depends on the location of the
3	А	No, I dld not.	3		uound. It depends on the availability of the
4	а	You dldn't read a report of Or. Lerner or $Dr$ ,	4		other physicians,
5		Tan7	5	а	Is an unstable sternum a sign of symptom of an
6	A	No.	6		Infected sternum?
7	a	You don't think that's necessary?	7	Α	It could be, yes,
a	A a	I dldn't knou there uere other reports. So You've never seen then7	8	а	Uhat antimicrobials are effective in
9 10	A	Correct.	9 10	A	Preventing the growth of Serratla7 There's a lot of antimicrobials that are
11	a	Okay, Hou many patients do you see on an	11	~	effective in treating Serratia, but Serratla
12	u	average day?	12		Is not a bacteria that ue try to prevent fron
13	A	It really varies, because the uay that ue work	13		growing UP front.
14		It is uhen ue're on service, ue're on service	14	а	No. I'm saying if there's an Infection.
15		for two ueeks at a tlme. And then during that	15	A	So, then, you're not talking about preventing
16		two-ueek period of tlme, I uould see all the	16		it; you're talking about treating it7
17		infectious dlsease consultations In the	17	а	Well, you've got an infection, and you don't
18		hospital. So that might be 25 or 30 patients	18		uant it to keep going, I guess. Okay. We'll
19		at a time.	19		use your word, 'treating,"
20		Houever, uhen I'm not on service, then I	20	A	Okay, Well, there's a uhole host of
21 22	2	don't see any patients.	21		antiblotlcs that YOU can use to treat
22	a A	Let's say in a year. In a year, boy, probably well over a thousand	22 23	Q	Serratla. Let me qualify that, because ue got into this
24	A	pat ients.	24		a little bit before. I'm talking about at the
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	. PAGE <b>70</b>	DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA		PAGE 72	DEPOSITION OF GARY NOSKIN, M.D. 8Y MR, COTICCHIA
1	PAGE 70	70	1	PAGE 72	72
1		DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA		PAGE 72	72 DEPOSITION OF GARY NOSKIN, M.D. 89 MR, COTICCHIA
	а	70 DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA And these are infectious disease patients?	1	PAGE 72	72 DEPOSITION OF GARY NOSKIN, M.D. SY MR, COTICCHIA tine of Richard Ridolfl's treatnent, August through September of <b>'95.</b> MR. MOSCARINO: Objection. I
2 3 4	a A a A	70 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA And these are infectious disease patients? correct. You're called in as a consultant? Correct.	1 2 3 4	PAGE 72	72 DEPOSITION OF GARY NOSKIN, M.D. 8Y MR. COTICCHIA tine of Richard Ridolfl's treatnent, August through September of '95. MR. MOSCARINO: Objection. I don't understand that you're talking about.
2 3 4 5	a A a A a	70 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA And these are infectious disease patients? correct. You're called in as a consultant? Correct. Are some of these patients cardio bypass?	1 2 3 <i>4</i> 5	PAGE 72	72 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA tine of Richard Ridolfl's treatnent, August through September of '95. MR. MOSCARINO: Objection. I don't understand that you're talking about. THE WITNESS: Yes. Could you
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2 3 4 5 6 1 1 3 9 10 11 12 13 14 15 16 17 18 19 20 21 22	a A A A A A A A A A A A A A A A A A A A	<pre>provide the present when a culture is taken for a wound?</pre>	1 2 3 4 5 6 1 2 9 10 11 12 13 14 15 16 117 18 :19 20 71 22	87 ; Q A	72 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA tine of Richard Ridolfl's treatnent, August through September of '95. MR. MOSCARINO: Objection. I don't understand that you're talking about. THE WITNESS: Yes. Could you rephrase the question for ne7 MR. COTICCHIA: What antImlcroblal nedlcations are effective in treating an Infection of Serratia narcescens around the time of Ridolfi's admission, August and September, '95? Well, again, there's tuo questions, one in general and then one specific. Do you want ne to uhich one do You uant me to ansuer? Answer then both. Break it UP. Sure. In general, there's a uhole host of antibiotics that you can use to treat Serratia Inflection, fluoroquinolones like Cipcos. You can use second- and third-generation cephalosporins. You can use drugs like aztreonm, a-z-t-r-e-o-n-a-n. Ospending on
2 3 4 5 6 1 1 3 9 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	a A a A a A a A a A a A A a A A A A A A	<pre>provide the second second</pre>	1 2 3 4 5 6 1 2 9 10 11 12 13 14 15 16 117 18 :19 20 71 22	87 ; Q A	72 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA tine of Richard Ridolfl's treatnent, August through September of '95. MR. MOSCARINO: Objection. I don't understand that you're talking about. THE WITNESS: Yes. Could you rephrase the question for ne7 MR, COTICCHIA: What antImlcroblal nedlcations are effective in treating an Infection of Serratia narcescens around the time of Ridolfi's admission, August and September, '95? Well, again, there's tuo questions, one in general and then one specific. Do you want ne to uhich one do You uant me to ansuer? Answer then both. Break it UP. Sure. In general, there's a uhole host of antibiotics that you can use to treat Serratia Inflection, fluoroquinolones like Cipros. You can use second- and third-generation cephalosporins. You can use drugs like aztreonm, a-z-t-re-o-n-a-n. Depending on the extent of the infection, you may uant to use an aninoglycoside like gentanicin.
2 3 4 5 6 1 1 3 9 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	a A a A a A a A a A a A A a A A A A A A	<pre>provide the provide the p</pre>	1 2 3 4 5 6 1 2 9 10 11 12 13 14 15 16 117 18 :19 20 71 22	87 ; Q A	72 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA tine of Richard Ridolfl's treatnent, August through September of '95. MR. MOSCARINO: Objection. I don't understand that you're talking about. THE WITNESS: Yes. Could you rephrase the question for ne7 MR, COTICCHIA: What antImlcroblal nedlcations are effective in treating an Infection of Serratia narcescens around the time of Ridolfi's admission, August and September, '95? Well, again, there's tuo questions, one in general and then one specific. Do you want ne to uhich one do You uant me to ansuer? Answer then both. Break it UP. Sure. In general, there's a uhole host of antibiotics that you can use to treat Serratia Inflection, fluoroquinolones like Cipros. You can use second- and third-generation cephalosporins. You can use drugs like aztreonm, a-z-t-re-o-n-a-n. Depending on the extent of the infection, you <b>may</b> uant to

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		DEPOSITION OF GARY NOSKIN, H.D. BY MR, COTICCHIA			DEPOSITION OF GARY NOSKIN, M.D. 75 BY MR. CUTICCHIA
1					
1		So there's a whole category of medications that can be used to treat	1		Infection?
2			2		MR, MOSCARINO: Objection. That's
3		Serratia.	3		been asked and ansuered I think at least three
4		In terms of this case specifically, the	4		tines.
5		patient does not require any treatment because	5		MR MEADOWS: Objection.
6		he's colonized. So for him there uouldn't be	6	A	A sternal uound infection can result in uound
1	_	anything that uould be necessary.	7		dehlscence.
8	Q	All right. We uent over all the cultures, and	8		(R, COTICCHIA:
3		later on, follouing the admissions in	3	ହ	Is Serratia resistant to Vancomycin?
1Ø		September, do YOU agree he had an infection of	10	Α	Yes.
11		Serratia7	11	Q	Doctor, on Page 61 of Dr. Markovitz's
12	Α	Correct.	12		testimony, at Line 10, he states and I
13	Q	Uhat nedicatlons uere used to treat that?	13		quote 'This patlent, uho had fever,
:14	Α	He uas treated with piperacillin, which is	14		elevated uhite count, sternal uound pain and
:15		certainly an appropriate antibiotic for	15		uhose sternum had been opened because of
:16		Serratia.	16		possible infection I think it's incumbent
:17	Р	Is that a medicine that you use?	17		to get the complete and official culture
18	Α	Yes.	18		reports
19	Q	Did YOU use It in 1335	19		Did you read that in Dr. Markouitz's
2Ø	Α	Yes.	20		deposition?
:21	Р	for the treatment of Serratia?	21	Α	Yes.
:22	Α	For the treatment of all sorts of	22	Ρ	Do YOU agree with that statement?
23		Gram-negative Infections.	23	Α	In context, I thlnk in general, that seems
24	Q	One of the things that Dr. Markouitz testified	24		correct. Houever, the reality $\operatorname{Is}$ that was $\operatorname{In}$
		Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton uuu.sonntagreporting.com 800.232.0265			Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton uuu.sonntagreportIng.com 800,232,0265
	PAGE 74			PAGE 76	
		DEPOSITION OF GARY NOSKIN, M.D. 74 BY MR. COTICCHIA			DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA
1		to uas the culture	1		the setting of someone who had Just had his
2		(There folloued a discussion	2		sternum broken open by coughing and by having
3		outside the record.)	3		a surgeon actually opening it up, looking at
4		MR, COTICCHIA: All right. Back	4		it. cleaning it out. So I'm not sure that the
5		on the record.	5		relevance to it is.
6	8Y X	18, COTICCHIA:	6	Q	Well, YOU agree that Dr. Van Bergan ordered
7	Q	I'msunnarlzing, but during Or, Markovitz's	7	ž	the culture, the wound culture, of August
a		deposition, he questioned the accuracy of the	8		26th. '95?
9		cultures because of the presence of	3	Α	Correct.
10		antibiotics in Mr. Ridolfi'ssystem.	10	Q	That uas obviously to determine if infection
11		Do YOU agree uith that7	11		uas present; correct?
12	Α	I agree that he questioned it.	12		MR. MOSCARINO: Objection.
13	Q	All right. Do YOU question the accuracy?	13	А	That's not correct.
14	A	NO.	14	BY	MR, COTICCHIA:
15	Q	Why not?	15	Q	Well, to determine If there uere any organisms
16	Ã	Because I thlnk Or, Markouitz may have been	16		present 7
11		mlstaken, because the antiblotic that Mr.	17	Α	I don't knou why Dr. Van Bergan dld that.
1a		Ridolfi uas on vas cefazolin and the oral	18	Q	Okay.
1		preparation, which was Keflex.	19	Ā	You'd have to ask him.
19			31 1		
19 2Ø	Q	Keflex.	20	Q	Well, all right. We've already talked about
	Q A	Keflex. Both of those antibiotics the Serratia uas	20 21	Q	Well, all right. We've already talked about that. My question is:
20				Q	

the results uere made, 0r, Van Bergan

discharged Mr. Ridolfl? Sonntag Reporting Servi

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23

24

23

24

Q

is really irrelevant.

Is dehlscence a symptom  ${}_{\rm O}{}_{\rm F}$  a sternal uound

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		DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA			DEPOSITION OF GARY NOSKIN, M.O., 87 MR. COTICCHIA
1		MR, MEADOWS: Objection.	1		
2	А	The first <b>tuo</b> sets of cultures uere actually	2		fallure to meet a standard of care?
3	A	negative prior to discharge,	3		<pre>MR, MOSCARINO: Objection; asked and ansuered.</pre>
4	BY }	MR, COTICCHIA:	4	А	No.
5	0	And the third culture uas positive; correct?	5		MR, COTICCHIA:
6	Ã	The third culture became positive, correct.	6	0	Have YOU seen any tlssue or bone block from
7	Q	That <b>was</b> after discharge; correct?	7	*	the hospital regarding Richard Rldolfl's
8	A	Correct.	8		treatment?
9	Р	And Dr. Van Bergan uas not auare of that, was	9	Α	No.
0		he?	:10	Q	Yell, ue've requested those.
.1	Α	That, again, you'd have to ask Dr. Van Bergan.	11		Would that assist You In your analysis
2	Q	Well, YOU read his deposition, didn't YOU?	:12		of the treatment?
.3	Α	Correct.	:13	Α	No.
4	Q	And YOU can't ansuer that question; is that	:14	Q	'Tissue blocks' is that the tern I'm trying
5		correct?	:15		to use?
6	Α	Correct.	:16	Α	I thlnk that's probably correct. That's more
7		MR, MOSCARINO: 'Correct' that you	:17		of <b>a</b> pathologist thing than an infectious
8		read his deposition or 'correct' that you	18		disease specialist thing.
9		can't ansuer the questlon?	.19		MR, COTICCHIA: Ye uant to see
Ø		THE WITNESS: 'Correct" that I	20		those.
1		couldn't ansuer the question.	:21		MR, MOSCARINO: You're going to
2		MR. COTICCHIA: I understood it	22		get a neu expert?
3		the first tine. Thank You.	:23	BY	MR, COTICCHIA:
4		MR, MOSCARINO: You're uelcome,	:24	Q	Do you knou uhether or not, In fact, at least
			<b>a</b> !		
		Sonntag Reporting Service, Ltd. Geneva Chicago Üheaton uuu.sonntagreporting.com B00.232.0265			Sonntag Reporting Service, Ltd. Geneva Chicago Uneaton VVV.sonntagreporting.com 800.232.0265
	PAGE 78			PAGE 8	800.232.0265
I	AGE 78			PAGE 8	800.232.0265
i	AGE 78	B78		PAGE 8	0
	PAGE 78	B DEPOSITION OF GARY NOSKIN, M.D. BY MR, COTICCHIA		PAGE 8	0
1 2		B DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Joe. I'm Just trying to help you get through	1	PAGE 8	0 DEPOSITION OF GARY NOSKIN, M.O. BY MR, COTICCHIA 30 days prior to and up to the date of Richard
1 2 3 4		B	<b>1</b> 2 3 4	PAGE 8	0 DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA 30 days prior to and up to the date of Richard Ridolfl's adnission on August 28th, '95, Falrvieu Hospital had an outbreak of Serratia? MR. MOSCARINO: Objection; asked
1 2 3 4	BY	B	1 2 3 4 5	PAGE 8	0 DEPOSITION OF GARY NOSKIN, M.O. BY MR, COTICCHIA 30 days prior to and up to the date of Richard Ridolfl's adnission on August 28th, '95, Falrvieu Hospital had an outbreak of Serratia? MR. MOSCARINO: Objection; asked and ansuered. It's the same question you
1 2 3 4 5 <b>6</b>	BY	B	1 2 3 4 5 6	PAGE 8	0       80         DEPOSITION OF GARY NOSKIN, M.O. BY MR, COTICCHIA       80         30 days prior to and up to the date of Richard Ridolfl's adnission on August 28th, '95, Falrvieu Hospital had an outbreak of Serratia? MR, MOSCARINO: Objection; asked and ansuered. It's the same question you asked hlm before.
1 2 3 4 5 <b>6</b> 7	BY Q	B	1 2 3 4 5 6 7	PAGE 8	800.232.0265 0 DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA 30 days prior to and up to the date of Richard Ridolfl's adnission on August 28th, '95, Falrvieu Hospital had an outbreak of Serratia? MR. MOSCARINO: Objection; asked and ansuered. It's the same question you asked hlm before. Yeah. I don't knoy.
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1 2 3 4 5 6 7 8 9	BY Q	B       78         DEPOSITION OF GARY NOSKIN, M.D.       78         BY MR. COTICCHIA       00         Joe. I'm Just trying to help you get through that outline.       78         MR. COTICCHIA:       00         Doctor, are you auare of any problems at Fairvieu General Hospital for the 30 days prior to Mr. Rldolfl's admission of hospltal-borne Serratla?         No.       If they uere in existence, isn't that	1 2 3 4 5 6 7 8 9		<pre>800.232.0265 0 DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA 30 days prior to and up to the date of Richard Ridolfl's adnission on August 28th, '95, Falrvieu Hospital had an outbreak of Serratia? MR. MOSCARINO: Objection; asked and ansuered. It's the same question you asked him before. Yeah. I don't knou. MR. COTICCHIA: It uas a hypothetical. Nou I'n asking him, in fact, if</pre>
1 2 3 <i>4</i> 5 <b>6</b> 7 8 9	BY Q A	B	1 2 3 4 5 6 7 8 9 10	A	0       80         DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA       80         30 days prior to and up to the date of Richard Ridolfi's adnission on August 28th, '95,       81         Falrvieu Hospital had an outbreak of Serratia? MR. MOSCARINO: Objection; asked and ansuered. It's the same question you asked him before.         Yeah. I don't knou. MR. COTICCHIA: It uas a hypothetical. Nou I'n asking him, in fact, if he knous.
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<b>1</b> 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	BY Q A Q <b>A</b> BY Q A	78 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Joe. I'm Just trying to help you get through that outline. MR. COTICCHIA: Doctor, are YOU auare of any problems at Fairvieu General Hospital for the 30 days prior to Mr. Rldolfl's admission of hospltal-borne Serratla? No. If they uere in existence, isn't that sonethlng you'd uant to knou before YOU urote your opinion? MR. MOSCARINO: Objection. I'm not sure that it uould really natter in thls indlvldual case. MR. COTICCHIA: What does 'epidemiology' mean? Epidemiology is the study of outbreaks and investigations of things related to clinical outcones. Well, if there had been, at least ulthin 30 days Prior to Richard Ridolfl's admission at	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	<b>А</b> ВҮ Q	800.232.0265 0 DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA 30 days prior to and up to the date of Richard Ridolfl's adnission on August 28th, '95, Falrvieu Hospital had an outbreak of Serratia? MR. MOSCARINO: Objection; asked and ansuered. It's the same question you asked hlm before. Yeah. I don't know. MR. COTICCHIA: It uas a hypothetical. Nou I'n asking him, in fact, if he knous. (Continuing.) No. MR. COTICCHIA: It uas a hypothetical. Nou I'n asking him, in fact, if he knous. (Continuing.) No. MR. COTICCHIA: If that becomes a fact in this case, uould that change your opinion? No. MR. COTICCHIA: I don't have any more questions. Thank you. THE WITNESS: Thank YOU. MR. COTICCHIA: You're velcome. MR. MOSCARINO: 8111? MR. MEADOWS: Yeah.
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1 2 3 4 5 6 7 8	BY Q A Q <b>A</b> BY Q A	78 DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Joe. I'm Just trying to help you get through that outline. MR. COTICCHIA: Doctor, are YOU auare of any problems at Fairvieu General Hospital for the 30 days prior to Mr. Rldolfl's admission of hospltal-borne Serratla? No. If they uere in existence, isn't that sonethlng you'd uant to knou before YOU urote your opinion? MR. MOSCARINO: Objection. I'm not sure that it uould really natter in thls indlvldual case. MR. COTICCHIA: What does 'epidemiology' mean? Epidemiology is the study of outbreaks and investigations of things related to clinical outcones. Well, if there had been, at least ulthin 30 days Prior to Richard Ridolfl's admission at	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	<b>А</b> ВҮ Q	800.232.0265         0         BO         BO         DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA         30 days prior to and up to the date of Richard Ridolfl's adnission on August 28th, '95, Falrvieu Hospital had an outbreak of Serratia? MR. MOSCARINO: Objection; asked and ansuered. It's the same question you asked him before. Yeah. I don't knou. MR. COTICCHIA: It uas a hypothetical. Nou I'n asking him, in fact, if he knous. (Continuing.) No. MR. COTICCHIA: It uas a hypothetical. Nou I'n asking him, in fact, if he knous. (Continuing.) No. MR. COTICCHIA: I don't have any more questions. Thank you. THE WITNESS: Thank YOU. MR. COTICCHIA: You're velcome. MR. MOSCARINO: Bill? MR. MEADOWS: Yeah.

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		DEPOSITION OF GARY NOSKIN, M.D. 81 BY MR. MEADOWS			DEPOSITION OF GARY NOSKIN, M.D. BY MR. MEADOWS
1		this case.	1		chapters and probably 75 or 80 abstracts at
2		THE WITNESS: Hi, 8ill,	2		scientific meetings.
3	BY 🕅	R, MEADOWS:	3	Q	Do you have any teaching responsibilities7
4	Q	First I want to go back to your background.	4	A	Mu primary teaching responsibilities are for
5		Where dld you go to medical school?	5		the medical students during their clinical
6	A	I uent to medical school at Chlcago Medical	6		clerkships, so their third and fourth Year,
		School.	7		and then teaching responsibilities With the
	Р	You graduated uhen?	8		resldents, also, uhen they rotate on the
)	Α	I graduated In '86.	9		Infectious dlsease service.
5	Q	And did you go on to do a residency?	10	Q	By the Way, have you and I ever net before or
-	Α	Yes.	11		have you ever reviewed any cases for me7
		MR, COTICCHIA: Objection, Do you	12	Α	No.
}		have the doctor's curriculum vitae7	13	Q	The materials that you revieued in this case
1		MR, MEADOWS: I uant to <b>go</b> through	14		Included Dr. Van Bergan's office chart; 🍃
		his background. Thank you,	15		correct7
		MR, COTICCHIA: Objection. Thls	16	Α	I don't think I saw his offlce chart.
,		is unnecessary.	17	Q	$\ensuremath{\texttt{O}}\xspace{\texttt{I}$
3	BY	MR, MEADOWS:	18		records that would have been prepared by $0r$ .
)	Q	Where did you	19		Van Bergan in his capacity as one of the
j		MR. COTICCHIA: Are you going to	20		attendings at the hospital?
1		Pay ${ m for}$ this doctor's tine to go over his	21	Α	Correct.
2		curriculum vitae?	22	Q	You revleued Or. Van Bergan's deposition,
3	BY	MR, MEADOWS:	23		certainly?
4	Q	Where did YOU do your residency, Doctor?	24	A	Yes.
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	PAGE 82	074274041141419997004070040700405115214199109109109199970500047400021141997		PAGE 84	Geneva Chicago Wheaton uuu.sonntaereportins.com 800.232.0265
1	PAGE 82	2		- PAGE 84	Geneva Chicago Wheaton uuu.sonntaereportins.com 800.232.0265
	PAGE 82	2 DEPOSITION OF GARY NOSKIN, M.O. 82 BY MR. MEADOWS			Geneva Chicago Wheaton uuu.sontaereportins.com 800.232.0265 4 DEPOSITION OF GARY NOSKIN, M.D. BY MR. MEADOWS Doctor, based upon Your revieu of the medical records and based upon your revieu of the
1	PAGE 82	2 DEPOSITION OF GARY NOSKIN, M.D. BY MR. MEADOWS MR. COTICCHIA: I'mtelling you on			Geneva Chicago Wheaton uuu.sonntaereportins.com 800.232.0265 4 DEPOSITION OF GARY NOSKIN, M.D. BY MR. MEADOWS Doctor, based upon Your revieu of the medical
1 2	PAGE 82	DEPOSITION OF GARY NOSKIN, M.D. BY MR. MEADOWS MR. COTICCHIA: I'mtelling you on the record, Bill, I'mchecking the clock, and	2		Geneva Chicago Wheaton uuu.sontaereportins.com 800.232.0265 4 DEPOSITION OF GARY NOSKIN, M.D. BY MR. MEADOWS Doctor, based upon Your revieu of the medical records and based upon your revieu of the
1 2 3		2 DEPOSITION OF GARY NOSKIN, M.D. BY MR. MEADOWS MR. COTICCHIA: I'mtelling you on the record, Bill, I'mchecking the clock, and I'm not paying you to read this doctor's	2		Geneva Chicago Wheaton uuu.sonntaereportins.com 800.232.0265
1 2 3 4 S		2 DEPOSITION OF GARY NOSKIN, M.D. BY MR. MEADOWS MR. COTICCHIA: I'mtelling you on the record, Bill, I'm checking the clock, and I'm not paying you to read this doctor's curriculum vitae back to hin on my tine.	2 3 4	Q	Geneva Chicago Wheaton uuu.sonntaereportins.com 800.232.0265 4 DEPOSITION OF GARY NOSKIN, M.D. BY MR. MEADOWS Doctor, based upon Your revieu of the medical records and based upon your revieu of the depositions and also based upon your education, training and experience, do you
1 2 3 4 S 6	ВХ	2 DEPOSITION OF GARY NOSKIN, M.D. BY MR. MEADOWS MR. COTICCHIA: I'mtelling you on the record, Bill, I'm checking the clock, and I'm not paying you to read this doctor's curriculum vitae back to hin on my tine. MR. MEADOWS:	2 3 4 5	Q	Geneva Chicago Wheaton uuu.sonntaereportins.com 800.232.0265
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		DEPOSITION OF GARY NOSKIN, M.D. BY MR. MEADOWS			DEPOSITION OF GARY NOSKIN, M.D. 87 BY MR, MEADOWS
1		practice medicine?	1	A	September 9th I thlnk you mean.
2	A	Yes.	2	Q	Yes, September 9th. I'm sorry.
3	Q	What states?	3	A	There's no correlation between the tuo.
4	Α	Illinois.	4	Q	Why is that?
5	Q	And do you spend more than 50 percent of your	5	A	Secause the culture from August 26th uas rare
6		professional time in the clinical practice of	6		Serratia, and as ue talked about earlier, that
7		infectlous disease medicine?	7		represented contamination. The culture from
8	A	Correct.	8		the sternal wound infection in September uas
9	Q	You uere asked earlier about a doctor's	9		Streptococcus mit is. So there's no
10		responsibility to follou UP on cultures.	10		correlation between the two,
1		Is it reasonable for a physician to	11	Q	The fact that certain cultures greu out
12		obtain results of cultures elther by reviewing	12		Serratla does the <b>fact</b> that the subsequent
L3		the uritten report $\mathrm{or},~\mathrm{In}$ the alternative,	13		cultures later In Septenber greu out Serratia
14		obtaining verbal results over the phone?	14		change your opinion?
15	А	Yes.	15	A	No.
16	Q	Is it your understanding, fron your revieu of	16	Q	And why not?
7		the materials, that the culture of August	17	A	Because the subsequent cultures later in
8		26th or the results of the culture of	18		September truly did represent a Serratia
9		August 26th uere obtained On August 29th by	19		infection, uhereas the culture from earlier In
20		the resident by virtue of a phone call to the	20		August just represented contamination or,
1		lab?	21		actually, colonization of the uound.
22	А	Correct.	22	Q	Doctor, in your experience, do you treat
23	Q	By the way, is the abbreviation of 'culture'	23		sternal uound infections follouins bypass
4		CX?	24		surgery?
		Sonntag Reporting Service, Ltd. Geneva Chicago Wheaton			Sonntag Reporting Service, Ltd.
r	PAGE 86	uuu.sonntagreporting.com 800.232.0265		PAGE <b>8</b> 8	88
r		DEPOSITION OF GARY NOSKIN, H.D. BY MR. MEADOWS			BB DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA
ľ 1 2	PAGE 86 A P	DEPOSITION OF GARY NOSKIN, H.D. BY MR. MEADOWS Yes.		PAGE <b>88</b> A	BB DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA Yes.
1 2 3	A	DEPOSITION OF GARY NOSKIN, H.D. BY MR. MEADOWS Yes. So if there is a record that said 'CX	1	A	BB DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA
2	A	DEPOSITION OF GARY NOSKIN, H.D. BY MR. MEADOWS Yes.	1	A	B DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA Yes. Is that a knoun complication of bypass
2 3 4	A P	BUD.232.0265 DEPOSITION OF GARY NOSKIN, H.D. BY MR. MEADOWS Yes. So if there is a record that said 'CX negative,' uhat uould that mean to you?	1 2 3	A Q	BY MR. COTICCHIA Yes. Is that a knoun complication of bypass surgery?
2 3 4	A P A	BOD.232.0265 DEPOSITION OF GARY NOSKIN, H.D. BY MR. MEADOWS Yes. So if there is a record that said 'CX negative,' uhat uould that mean to YOU? That uould mean cultures uere negative.	1 2 3 4	A Q	B DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA Yes. Is that a knoun complication of bypass surgery? Yes.
2 3 4 5	A P A	BOD.232.0265 DEPOSITION OF GARY NOSKIN, H.D. BY MR. MEADOWS Yes. So if there is a record that said 'CX negative,' uhat uould that mean to YOU? That uould mean cultures uere negalive. If YOU, as an infectious disease specialist,	1 2 3 4 5	A Q	B DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA Yes. Is that a knoun complication of bypass surgery? Yes. HR. MEADOWS: Thank you, Doctor.
2 3 4 5 6	A P A	BOD.232.0265 BED.232.0265 DEPOSITION OF GARY NOSKIN, H.D. BY MR. MEADOWS Yes. So if there is a record that said 'CX negative,' uhat uould that mean to you? That uould mean cultures uere negalive. If you, as an infectious disease specialist, had been consulted uith regard to the culture	1 2 3 4 5 6	A Q	B DEPOSITION OF GARY NOSKIN, M.O. BY MR. COTICCHIA Yes. Is that a knoun complication of bypass surgery? Yes. HR. MEADOWS: Thank you, Doctor. That's all I have.
2 3 4 5 6 7	A P A	BOD.232.0265 BEPOSITION OF GARY NOSKIN, H.D. BY MR. MEADOWS Yes. So if there is a record that said 'CX negative,' uhat uould that mean to you? That uould mean cultures uere negative. If you, as an infectious disease specialist, had been consulted uith regard to the culture that greu Serratia on August 30th, uould you	1 2 3 4 5 6 7	A Q	BY MR. COTICCHIA Yes. Is that a knoun complication of bypass surgery? Yes. HR. MEADOWS: Thank YOU, Doctor. That's all I have. THE WITNESS: Thank YOU, Bill.
2 3 4 5 6 7 8 9	А Р Д	BOD.232.0265 BY MR. MEADOWS Yes. So if there is a record that said 'X negative,' uhat uould that mean to YOU? That uould mean cultures uere negative. If YOU, as an infectious disease specialist, had been consulted uith regard to the culture that greu Serratia on August 30th, uould you have done anything differently?	1 2 3 4 5 6 7 8	A Q A	B DEPOSITION OF GARY NOSKIN, M.D. BY MR. COTICCHIA Yes. Is that a knoun complication of bypass surgery? Yes. HR. MEADOWS: Thank YOU, Doctor. That's all I have. THE WITNESS: Thank YOU, Bill. MR. COTICCHIA: I have two more
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6	MR, COTICCHIA: I have one.	6			
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8	MR, MOSCARINO: I have one. I'll	8			
9 give the do	ctor, for the record, My COPY I	9			
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15	Deposition Exhibit A for	15			
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