

1 IN THE COURT OF COMMON PLEAS

2 CUYAHOGA COUNTY, OHIO

3 BARBARA MANNING, etc.,

4 Plaintiff,

5 - vs -

JUDGE L. WELLS
CASE NO. 166785

6 J. A. RAMOS, et al.,

7 Defendants.

DOC. 371

8 - - - -

9 Deposition of JESUS A. RAMOS, M.D., taken as
10 if upon cross-examination before Aneta I. Fine,
11 a Registered Professional Reporter and Notary
12 Public within and for the State of Ohio, at the
13 offices of Jesus A. Ramos, M.D., 11925 Pearl
14 Road, Strongsville, Ohio, at 1:00 p.m. on
15 Monday, November 13, 1989, pursuant to notice
16 and/or stipulations of counsel, on behalf of the
17 Plaintiff in this cause.

18 - - - -

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On behalf of the Plaintiff;

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On behalf of the Defendant,
Royalview Manor.

1 JESUS A. RAMOS, M.D., of lawful age,
2 called by the Plaintiff for the purpose of
3 cross-examination, as provided by the Rules of
4 Civil Procedure, being by me first duly sworn,
5 as hereinafter certified, deposed and said as
6 follows:

7 CROSS-EXAMINATION OF JESUS A. RAMOS, M.D.

8 BY MR. KAMPINSKI:

9 Q. Doctor, would you state your full name, please?

10 A. Jesus, J E S U S, A. Ramos, R A M O S.

11 Q. What does the A stand for?

12 A. My middle initial which is, A S U N G.

13 Q. Where do you live, Doctor?

14 A. 108 -- wait a minute. 10471 Oak Branch Trail,
15 Strongsville.

16 Q. Oak Branch?

17 A. Oak Branch.

18 Q. I'm going to ask you a number of questions this
19 afternoon. If you don't understand any of them
20 please tell me and I will be happy to rephrase
21 anything you don't understand, When you respond
22 to my questions please do so verbally. She's
23 going to take down everything that's said and
24 she can't take down a nod of your head.

25 A. Yes.

- 1 Q. Okay.
- 2 A. Yes.
- 3 Q. Do you have a CV, Doctor?
- 4 A. No.
- 5 Q. All right. **How** old are you, sir?
- 6 A. 51.
- 7 Q. Date of birth?
- 8 A. July 11, 1938.
- 9 Q. Where were you born?
- 10 A. Manila, Philippines.
- 11 Q. And how long did you live there?
- 12 A. Till 1962.
- 13 Q. How far did you go in school in the Philippines?
- 14 A. **I** finished my medical school.
- 15 Q. And what is the name **of** the high school that you
- 16 graduated from?
- 17 A. University **of** Santo Tomas.
- 18 Q. That's high school?
- 19 A. High school.
- 20 Q. Santo Tomas?
- 21 A. Santo, S A **N** T O T O M A S.
- 22 Q. And where is that located?
- 23 A. Manila.
- 24 Q. Is that where you **lived** all **the** way through high
- 25 school, in Manila?

1 A. Yes.

2 Q. All right. And what did you do after high
3 school then?

4 A. Then I went to pre-med.

5 Q. And where was that?

6 A. Same place.

7 Q. Okay. How long was that?

8 A. I got it in two years.

9 Q. And then what?

10 MR. JEFFERS: In how many years?

11 THE WITNESS: Two years,

12 A. And then I went to the University of Santo
13 Tomas, College of Medicine.

14 Q. And how long did you go to the College of
15 Medicine?

16 A. Four years of formal college and one year of
17 internship.

18 Q. And what year did you start the College of
19 Medicine there?

20 A. 1956.

21 Q. You were 18 years old when you started the
22 College of Medicine?

23 A. Yes.

24 Q. And when did you graduate from high school?

25 A. 1954.

1 Q. Is the high school in Manila similar to the
2 United States, high school in the United States
3 or if there is a difference what is it?

4 A. The difference is in the -- in the grade
5 schools, We were allowed to skip grades. We
6 have like an accelerated program.

7 Q. I see.

8 A. Same thing in -- in high school is the same
9 here, it's four years.

10 Q. Okay. How many years did you attend high
11 school?

12 A. Four years.

13 Q. All right. So you skipped in grade school then?

14 A. In grade school.

15 Q. How many grades did you skip?

16 A. I would say probably about three grades.

17 MR. JEFFERS: I couldn't hear.

18 THE WITNESS: About three grades.

19 Q. So that you started pre-med when you were 16
20 years old. Is that correct?

21 A. Yes.

22 Q. This was all in the same campus or the same
23 school?

24 A. Same school.

25 Q. So the school is high school, pre-med and also

1 college?

2 A. Yes.

3 Q. How about prior to high school?

4 A. Grade school I went to public school.

5 Q. Is that also at the University of Santo Tomas?

6 A. No.

7 Q. Okay. Where did you do your one year of
8 internship?

9 A. I did it -- one was at the Army Hospital. We
10 call it Vluna General Hospital. V as in Victor,
11 capital, L U N A, General Hospital in,
12 it's -- well, it's Metro Manila.

13 Q. You said one was there. Did you do more than
14 one internship?

15 A. Then I had part of the rotating internship was
16 in Baguio General, Baguio, B A G U I O, General
17 Hospital.

18 Q. When did you do the internship at Vluna?

19 A. 1960.

20 Q. Okay. Immediately upon graduation from medical
21 school?

22 A. Yes.

23 Q. Okay. And then the rotating internship was
24 when?

25 A. Well, this is one year. Ten months I did Vluna,

1 two months I did at Baguio.

2 Q. I see. Were you in the service in the
3 Philippines?

4 A. No.

5 Q. After your one year of internship what did you
6 do next?

7 A. I came to the United States.

8 Q. And how is it that you came here? Was it on an
9 exchange program?

10 A. On an exchange program.

11 Q. And is there a name to that program?

12 A. They called it Exchange Visitors Program.

13 Q. And the purpose of that program was what, to
14 allow Manila physicians to obtain some type of
15 postgraduate training in the United States, then
16 go back and use it to help their people?

17 A. Yes.

18 Q. Did you do that?

19 A. Yes. I joined the Exchange Visitors Program.

20 Q. When did you go back to Manila?

21 A. I didn't go back to Manila until 1975.

22 Q. All right. So you were here for how long then?

23 A. 13 years.

24 Q. And when you went back in '75 how long did you
25 stay?

1 A. That was just for vacation.

2 Q. Oh, I see.

3 MR. JEFFERS: Just for what?

4 THE WITNESS: Vacation.

5 Q. Did you have to sign something to get into this
6 program that you would return?

7 A. No.

8 Q. Who sponsors it, the United States, the
9 Philippines or both?

10 A. Both.

11 Q. Why don't you run me through what you did from
12 the time that you came to the United States, and
13 that would have been when, 1960 what?

14 A. 1962 was when I came to Arizona.

15 Q. What did you do for the within year between
16 finishing your internship and coming to the
17 United States?

18 A. The United States. Oh, I work at Philippine
19 General Hospital.

20 MR. JEFFERS: At what?

21 THE WITNESS: Philippine General
22 Hospital. For about eight months.

23 Q. Doing what?

24 A. I was an extern in internal medicine.

25 Q. What is an extern?

1 A. It's somebody who is not in their formal
2 residency program. It's sort of in between
3 internship and the residency program.

4 Q. Okay. Where did you go in Arizona?

5 A. Memorial Hospital in Phoenix,

6 Q. How long were you there?

7 A. I was there from March of '62 to June of '63.

8 Q. And would that be part of your residency?

9 A. No. That was for my internship.

10 Q. Internship. And was it in any specialty?

11 A. That was a rotating internship.

12 Q. Okay. And what did you do after that?

13 A. Then I came to Lakewood Hospital in July of '63
14 to '65 for my first two years of surgical
15 residency.

16 Q. Okay. And after that?

17 A. Then I went to Jamaica Hospital in --

18 Q. Where?

19 A. Jamaica.

20 MR. JEFFERS: New York?

21 A. New York for my third and fourth and fifth year
22 of surgical residency.

23 Q. Okay. And after that?

24 A. After that I went to -- well, I was done with my
25 residency so I worked at Grace Hospital.

1 Q. Here in Cleveland?

2 A. In Cleveland as a house physician.

3 Q. Is that still in existence, Grace Hospital?

4 A. Yes.

5 Q. What kind of hospital was that?

6 A. It's a small community hospital.

7 Q. Where are they located?

8 A. West 14th.

9 Q. How long did you work there?

10 A. E worked there for about two years, I think.

11 Q. From when to when?

12 A. Until 1969.

13 Q. Well, what years did you do your three years of
14 residency at Jamaica, New York Hospital?

15 A. Let's see. From '65 to '68.

16 Q. Okay. And then you worked --

17 A. Until 1970.

18 Q. '70. At Grace?

19 A. Grace Hospital.

20 Q. And were you a staff member there?

21 A. I was a staff member, not anymore,

22 Q. Okay. What did you do after 1970?

23 A. I worked in the emergency room at Fairview
24 General and Southwest General.

25 Q. Was this part of a group or was this --

- 1 A. No. Solo.
- 2 Q. Solo. How long did you do that?
- 3 A. I worked at Fairview emergency room -- I would
- 4 say for about two years.
- 5 Q. Okay. How about Southwest?
- 6 A. At Southwest I worked for about 12 years.
- 7 Q. All right. Now, I assume you did them both at
- 8 the same time?
- 9 A. At the same time.
- 10 Q. But you stopped covering Fairview after two
- 11 years, correct?
- 12 A. Right.
- 13 Q. All right. So that you would have covered the
- 14 ER at Southwest until 1982, am I correct?
- 15 A. I would say until, until the hospital decided to
- 16 sign a contract with a group.
- 17 Q. When was that?
- 18 A. Emergency Physicians Services.
- 19 Q. Okay. When was that?
- 20 A. I think it was 1982.
- 21 Q. Okay. Were you part of that group?
- 22 A. In the beginning, yes, and I left that group.
- 23 Q. When did you leave?
- 24 A. I went into private practice,
- 25 Q. And when did you leave the group?

- 1 A. 19 -- I think I stayed with them only about two
2 years, 1984.
- 3 Q. Well, what did you do from '82 to '84?
- 4 A. I was in private practice since 1970 also.
- 5 Q. Okay. Did you continue to cover the emergency
6 room at Southwest, though, from '82 to '84 under
7 the contract with Emergency Physicians Services?
- 8 A. I was not a formal member of the group,
9 but --
- 10 Q. What were you?
- 11 A. But I was, since I was one of the original
12 active members in the emergency room they let me
13 work about once a week for six hours.
- 14 Q. All right. You did that for roughly two more
15 years?
- 16 A. Roughly for about two more years.
- 17 Q. All right. Till about '84?
- 18 A. I would say so.
- 19 Q. Okay. I'm going to back up in a minute and get
20 into your private practice, but from '84 up
21 until the current time what have you done or
22 have you just specialized in your private
23 practice?
- 24 A. From '84?
- 25 Q. Yes.

- 1 A. I was in private practice -- the work in the
2 emergency room was more just to keep my hands in
3 emergency medicine because at that time I was a
4 member also of the American College of Emergency
5 Physicians.
- 6 Q. Okay.
- 7 A. And I just wanted to work part-time.
- 8 Q. Okay. You indicated earlier you went in private
9 practice in 1970?
- 10 A. 1970.
- 11 Q. Did you incorporate?
- 12 A. Yes.
- 13 Q. All right. And what was the name of the
14 corporation?
- 15 A. J. Ramos, M.D., Inc.
- 16 Q. And has that been your corporation since?
- 17 A. Yes.
- 18 Q. Has it changed at all?
- 19 A. No.
- 20 Q. Have you been a formal member of any other group
21 since 1970?
- 22 A. No.
- 23 Q. Has your corporation had employees other than
24 yourself since 1970?
- 25 A. I'm the sole employee.

1 Q. Okay. And are you also sole shareholder?

2 A. Yes.

3 Q. Are you a citizen of the United States?

4 A. Yes.

5 Q. When did you become a citizen?

6 A. 1975.

7 Q. Are you Board-certified?

8 A. No.

9 Q. Have you ever taken the test to become
10 Board-certified?

11 A. Yes.

12 Q. How many times?

13 A. I passed the written exam after one try, and I
14 tried the oral exam once and failed.

15 Q. Let me *go* slow. The first time you took the
16 written, you failed that?

17 A. No. I passed that.

18 MR. JACKSON: That's not what he
19 said, Mr. Kampinski. He said he passed it the
20 first time.

21 MR. KAMPINSKI: He said after one
22 time, that's why I tried to clarify.

23 MR. JACKSON: He said he passed it
24 the first time.

25 MR. KAMPINSKI: He said after one

1 time. That's why I went back and asked him.

2 Q. When did you first take it, Doctor?

3 A. About 1970.

4 Q. Is that the first time you were eligible to take

5 it?

6 A. Yes.

7 Q. In what specialty?

8 A. General surgery.

9 Q. When is the first time you took the oral? Was

10 it the same time?

11 A. I think I took it about two years later.

12 Q. That would have been '72?

13 A. I would say. 1972.

14 Q. And you did not pass it?

15 A. Did not pass it.

16 Q. Did you take it again?

17 A. No.

18 Q. Why not?

19 A. Because I went into private practice and

20 didn't -- I had a bad experience with the first

21 one, with the first oral examination.

22 Q. You mean by failing it?

23 A. Yes, failing it, and I just didn't --

24 Q. Okay. What hospitals do you have privileges

25 with, Doctor?

1 A. Fairview General and Southwest General.

2 Q. And how long have you had privileges with those
3 two hospitals?

4 A. Since 1970.

5 Q. Have they ever been suspended or revoked?

6 A. No.

7 Q. Are they limited in any fashion?

8 A. No.

9 Q. What is your specialty, Doctor?

10 A. General surgery.

11 Q. And what is general surgery, sir? What does
12 that consist of? I mean how would you define
13 your specialty?

14 A. General surgery is treating and diagnosing
15 surgical diseases and doing procedures which
16 we're credentialed to do.

17 Q. If you have a patient for example that has a
18 problem that you felt you couldn't handle would
19 you refer her to a specialist who you felt would
20 be appropriate, for example, someone who had
21 specialized in internal medicine?

22 A. Yes.

23 Q. When did you first see Mrs. Schultz, Doctor?

24 Mr. Jackson just handed you apparently your
25 office chart, is that correct?

1 A. Yes.

2 Q. Before you start going through it, hand it to
3 the court reporter so she can mark it.

4 - - - -

5 (Thereupon, Plaintiff's Exhibit
6 1 was mark'd for purposes of identification.)

7 - - - -

8 Q. Doctor, before you go through it let me take a
9 look at it real quick, please. Doctor, has
10 anything been removed from your file before
11 today's deposition?

12 A. No.

13 Q. If you would, before we begin discussing the
14 records themselves, why don't you count the
15 number of pages that consist of your, quote,
16 "office record," end quote, on which you would
17 write notes regarding the office visits?

18 MR. JACKSON: You mean those
19 sheets?

20 MR. KAMPINSKI: Yes.

21 A. This?

22 Q. Yes. Just indicate how many pages there are if
23 you would, please?

24 A. There are six pages.

25 Q. Well, there's three actual physical pages but

1 there's writing on the front and back, correct?

2 A. Yes.

3 Q. All right. If you would then go on and tell me
4 what else is contained in your file and count
5 the various pages as you go through them.

6 A. One, two, three --

7 Q. Why don't you describe what you're counting. In
8 other words, what is the next sheet there?

9 A. Next sheet is a notation written by one of my
10 employees, and one of them was my handwriting
11 saying, Barbara said she called twice in a.m.,
12 and then there's a telephone number and
13 Dr. Go's name is in here. That's one.

14 Q. My name on there, too?

15 A. No.

16 Q. No.

17 MR. JACKSON: Are you hurt?

18 Q. Go ahead, Doctor.

19 A. And there's a telephone number, 642-1244.

20 Q. Okay. So that just consists of a loose sheet of
21 paper?

22 MR. JACKSON: It's a small note pad
23 piece of paper.

24 Q. Okay.

25 A. The other one is --

1 MR. JACKSON: It's also a small
2 note pad.

3 A. Small note with Mrs. Schultz's name, per x-ray,
4 x-ray, Southwest General, and it just mentions
5 about the x-ray report, right radius, ulna,
6 healing fracture; pelvis, question of occult
7 undisplaced fracture of the right
8 inferior cubic ramus not present in the old exam
9 dated 11-5-87, G.L. That's one of my
10 employees.

11 Next one is a laboratory result, May 3 of
12 '87.

13 Q. I'm sorry?

14 A. From Southwest General. It's a laboratory.

15 Q. Laboratory regarding what?

16 A. About a culture -- it's a wound culture from the
17 thigh, I think. No growth.

18 Q. After 24 hours?

19 A. 72 hours.

20 Q. 72 hours, okay.

21 A. The next one is an x-ray report dated 3-11-88 of
22 Mrs. Eulalie Schultz done at Southwest General.

23 The next page is from Mr. Kampinski dated
24 June 14, 1988.

25 MR. JEFFERS: Is that just a

1 letter, John?

2 MR. JACKSON: Yes.

3 A. I think this one also is a letter from Mr. -- I
4 think there are two of them attached here from
5 Mr. Kampinski dated September 20, 1988.

6 MR. JACKSON: With the
7 attached -- it's a release of medical records.

8 A. Release of medical records, September 20.

9 This one is from the emergency room at
10 Southwest General Hospital dated 9-4-87.

11 MR. JACKSON: Just tell him how
12 many pages.

13 A. Two pages.

14 MR. JACKSON: They're connected.

15 Q. Okay.

16 A. Next one is an x-ray report from Southwest
17 General about Mrs. Schultz dated 9-5-87.

18 MR. JEFFERS: 5-87?

19 A. 9-5-87. I think this is the same one as that.
20 Okay. This is a duplicate of that one.

21 Next one is an x-ray report about
22 Mrs. Schultz from Southwest General Hospital
23 dated November 5, 1987.

24 Next one is a small laboratory report, I
25 think it is --

1 MR. JACKSON: Appears to be.

2 A. I think dated May 29, '87, no growth after 24
3 hours.

4 And this one is a small note. There's no
5 date on it about Mrs. Schultz for Methotrexate,
6 2.5 milligrams. Takes three tablets weekly,
7 refill. It's written by one of my employees.
8 Okay. And I said okay.

9 MR. JACKSON: This is the one that
10 has Mr. Kampinski's number on it?

11 A. I have your name in there.

12 Q. Who wrote that note?

13 A. I wrote the note, your name, Mr. Kampinski, and
14 wrote Parma Hospital and nursing home.

15 Q. Why did you write that, sir?

16 A. I can't remember.

17 Q. When did you write it?

18 A. There's no date.

19 Q. When was the rest of the note written?

20 A. There's no date in it.

21 Q. Okay. Who wrote the rest of the note?

22 A. The rest of the note was written by one of my
23 employees.

24 Q. Who?

25 A. Kate.

1 Q. Is she still an employee?

2 A. Yes.

3 Q. And what is her last name?

4 A. Kiss, K I S S.

5 Q. And how many employees do you have, Doctor?

6 A. I have Jenny Long, I have Jan Coon, I have Kate
7 Kiss and I have my wife, also.

8 Q. How long have the four of them been employed?

9 A. Jenny Long has been with me for three years, Jan
10 Coon, I would say ten years. Kate has been on
11 and off for about seven or eight years, and my
12 wife has been with me from the beginning.

13 Q. And what is their job, sir?

14 A. Kate Kiss is a medical assistant, Jenny Long
15 does almost basically the same as a medical
16 assistant. Jan Coon does our billings and our
17 insurance forms, and my wife is an RN so
18 that's --

19 Q. What does a medical assistant do for you?

20 A. They put patients in the rooms, they answer
21 telephone calls, they leave messages, take
22 messages, they stay with me in the room when I'm
23 examining patients, they clean up the rooms.
24 Other things.

25 Q. What other things?

1 A. They clean the office.

2 MR. JACKSON: What is the next
3 piece of paper, Doctor?

4 MR. KAMPINSKI: No. Is there
5 anything else? Obviously we'll move on if he is
6 done with his answer but if he is not done I'd
7 like to hear --

8 A. I can't remember.

9 Q. Do they have some type of degrees that makes
10 them medical assistants?

11 A. Well, Kate Kiss went to I think one year, yes,
12 they have a certificate from I am not sure now
13 whether it's Tri-C or Polaris and they attend a
14 year course and then they get certified as a
15 medical assistant.

16 Q. Okay. Go ahead if you would,

17 A. One is a small note from one of my employees,
18 Jenny Long.

19 Q. You are now back to the file just so the
20 record's clear. You are describing what else is
21 in it?

22 A. Yes. This is one that's dated 3-28-88, 3 p.m.,
23 daughter called stating mother very sick.
24 Taking her to hospital which one doctor on
25 staff. And I told her Southwest General.

1 One is a note also dated 3-28, this one was
2 written by Kate regarding Eulalie Schultz.
3 There's a notation, Chippewa apartment complex.
4 It's Parma. Barbara Manning. Sore throat, nose
5 bleeds at night, severe. **No** appetite. Chest
6 congestion. Blood pressure, 70 over 35. Pulse,
7 96. Taken 1:00 today. Very pale. She put down
8 resistant nurse, Dolores Direen for the number,
9 526-0767.

10 And the next two pages of Mrs. Schultz,
11 this is our billing record.

12 One note is Eulalie Schultz diagnosed as
13 left thigh ex-biopsy. Benign cyst showing
14 fibrosis, serous atrophy fat necrosis and acute
15 and chronic inflammation.

16 Another note dated 6-7-88. It's a release
17 of the records signed by Mrs. Manning.

18 Q. And that goes back to the June letter or May?

19 A. June 7, '88.

20 Q. Go ahead.

21 A. The next page is I think from SurgiCare, the
22 outpatient surgery. I can't find the date on
23 this one. Well, anyway, it's about the excision
24 of the lump on the left thigh. Frozen section.
25 **I**t must be 5-28-87 because the next one is a

1 copy of the pathology report dated 5-28-87.

2 Next one is a page, it's from the hospital,
3 it's about Mrs. Schultz dated 5-27-87.

4 Next one is a release of medical
5 information about Mrs. Schultz. It's two
6 pages, I filled this out September 24, 1987.

7 MR. JEFFERS: September what?

8 MR. JACKSON: 24, 1987.

9 A. 1987. One is a copy of the application for
10 parking card for the handicapped.

11 The next one, 12 pages that are attached.
12 It's about health insurance, Medicare filled out
13 by my -- Jan Coon. It's about Mrs. Schultz.

14 Next one, nine pages of the suit filed
15 against me, et al. by Mr. Kampinski.

16 MR. KAMPINSKI: Mr. Jackson, can we
17 get an agreement that the court reporter will
18 copy all of these and attach them to the
19 deposition?

20 MR. JACKSON: You want her to take
21 the original?

22 MR. KAMPINSKI: Yes.

23 MR. JACKSON: No. We'll take care
24 of that. We'll see that everyone has copies of
25 everything but we'll take the original and see

1 that everyone gets copies and see that the court
2 reporter gets them.

3 Q. Well, Doctor, you received a letter from me in
4 June of 1988. Could you tell me why you didn't
5 send me the records at that time?

6 A. I can't remember. I think unless it was
7 misplaced. I don't think I received your letter
8 right away.

9 Q. You have got it in your file, do you not,
10 Doctor?

11 A. Yes.

12 Q. Is there a reason that you didn't send me the
13 records?

14 A. The other thing, too. We usually ask for a fee
15 for copies of our records, and I don't think we
16 ever got paid for that.

17 Q. Did you send the records to your attorneys
18 before you sent them to me? Is that what
19 happened, Doctor?

20 MR. JACKSON: Don't answer that.

21 Q. Well, what did you do with your records after
22 you got the request from me?

23 MR. JACKSON: Didn't you receive
24 copies of the records? Is that what you're
25 saying?

1 MR. KAMPINSKI: I didn't receive
2 them after my request till June of 1988.

3 MR. JACKSON: Okay. Do you have
4 copies of the records?

5 MR. KAMPINSKI: Is that an
6 objection, Mr. Jackson? I'd like an answer from
7 the Doctor.

8 MR. JACKSON: You got the records.
9 I sent you copies **of** the records.

10 MR. KAMPINSKI: Why don't you read
11 my question back?

12 MR. JACKSON: What did he do with
13 the records. **Is** that your question?

14 MR. KAMPINSKI: I think it was.

15 MR. JACKSON: Okay. You got copies
16 of the records. He sent you copies of the
17 records.

18 Q. Okay. What did you do with your records,
19 Doctor, prior to sending them to me after
20 receiving my request in June?

21 MR. JACKSON: Do you understand
22 what he is talking about?

23 THE WITNESS: I don't.

24 Q. What did you do -- watch my mouth.

25 MR. JACKSON: Don't start being a

1 wise guy with him, Mr. Kampinski.

2 Q. What did you do with your records after you got
3 my request of June of 1988?

4 A. The records have all been here.

5 Q. And did you copy them for anybody prior to
6 sending them to me?

7 MR. JACKSON: Do you remember,
8 Doctor?

9 A. I don't remember.

10 Q. Okay. Do you remember taking an oath before we
11 started the deposition?

12 A. Yes.

13 Q. Do you remember whether you sent them to
14 anybody?

15 A. I don't remember.

16 MR. JACKSON: He answered your
17 question. What is your next question?

18 Q. Is it your testimony you didn't get paid for
19 these? Is that your testimony?

20 MR. JACKSON: He said that's what
21 his memory was.

22 MR. KAMPINSKI: Is that an
23 objection, Mr. Jackson?

24 MR. JACKSON: Do you have another
25 question?

1 Q Is it your testimony you didn't get paid for
2 your records, sir?

3 A As far as I remember.

4 Q So it's just the policy of your office that you
5 won't give your clients their copies of their
6 records unless you are paid for them?

7 MR. JACKSON: Don't answer that,
8 Doctor.

9 Q Is that your policy?

10 MR. JACKSON: Don't answer that.

11 MR. KAMPINSKI: Why not?

12 MR. JACKSON: Do you have another
13 question?

14 MR. KAMPINSKI: I don't understand
15 the basis unless you are not allowing him to
16 answer, Mr. Jackson. Is there some privilege
17 attached to that?

18 MR. JACKSON: Do you have another
19 question?

20 MR. KAMPINSKI: No. That's my
21 question and unless you give me some indication
22 as to why he can't answer it I guess I will keep
23 asking.

24 MR. JACKSON: I think he answered
25 your question before already, that's why. You

1 are just repeating it. I think you have asked
2 it three times already.

3 **MR. KAMPINSKI:** I don't think so.
4 I don't think I have ever asked him until now if
5 he had a policy.

6 **MR. JACKSON:** I think he said
7 usually when they send out records to attorneys
8 they get paid for copies and he doesn't remember
9 if they paid him.

10 Q. Do you have a policy vis-a-vis your clients,
11 your patients that require them to make a
12 payment to you prior to them obtaining a copy of
13 the records?

14 **MR. JACKSON:** Talking about the
15 attorneys or the patients themselves?

16 **MR. KAMPINSKI:** The patients.

17 **MR. JACKSON:** Go ahead, you can
18 answer, Doctor.

19 A. The patients, if it's -- if the doctors are
20 asking for records we don't even charge them.

21 Q. What if the patients are asking for them?

22 A. That's what I said.

23 Q. You mean if they ask tllrough a doctor then you
24 just send it to the doctor?

25 A. We send it to the doctor.

1 Q. And you don't charge them?

2 A. **No.**

3 Q. But if an attorney asks you charge the attorney?

4 A. I think I mentioned that before.

5 Q. Is there a reason that you charge lawyers and
6 not doctors?

7 MR. JACKSON: Don't answer that,
8 Doctor.

9 Q. Don't you like lawyers?

10 MR. JACKSON: Don't answer that
11 either, Doctor.

12 Q. Have you had a bad experience with lawyers?

13 MR. JACKSON: Don't answer.

14 Q. Have you been sued before, Doctor?

15 MR. JACKSON: You can answer that.

16 A. Yes.

17 Q. When and where, sir?

18 A. I was sued twice before about, I would say, I am
19 not exactly sure about the date. I think it's
20 sometime in 1973 and the other one is probably
21 about 1975.

22 Q. Were they both in Cuyahoga County?

23 A. Yes.

24 Q. And what were the allegations in each, Doctor?

25 A. The first one involved a Marine who was severely

1 injured at the Turnpike, Ohio Turnpike and was
2 brought to Southwest Community Hospital and he
3 had multiple internal injuries, fractured
4 pelvis, fractured skull, fractured ribs, was
5 comatose for several weeks, and we thought was
6 going to die. And at one time the
7 anesthesiologist tried to intubate him for his
8 airway, and the anesthesiologist had difficulty
9 inserting the tube and I was called to do a
10 tracheostomy.

11 Then after several weeks stay in the
12 hospital at Southwest when the patient became
13 stable enough he was transferred to the naval
14 hospital in Chicago where he underwent more
15 treatment and where one leg was amputated by the
16 naval surgeon.

17 He was not happy for losing that leg and
18 wanted to sue the military and found out that he
19 could not do so. In the process he sued
20 Southwest General Hospital and about seven or
21 eight physicians that were involved in his care
22 and I eventually think the lawyers from Toledo.

23 Q. Do you remember what his name was?

24 A. I can't remember.

25 Q. What is the name of the Marine? Do you recall

1 the name of the case?

2 A. I can't.

3 Q. Go ahead.

4 A. He -- they wanted me to settle for \$100. At
5 that time I had Medical Protective and I said
6 no, and they went along with me and ultimately
7 this case was dropped.

8 MR. JEFFERS: Was tried?

9 MR. JACKSON: Dropped.

10 A. Was dropped.

11 Q. Were you deposed in that case, Doctor?

12 A. Yes.

13 Q. And do you remember the name of the court
14 reporter?

15 A. No.

16 Q. Do you remember the name of the other attorney?

17 A. No.

18 Q. You said you did not remember the name of the
19 case?

20 A. No.

21 Q. Do you remember the name of your attorneys?

22 A. I remember it was Mr. Robert Berk. It's
23 downtown, Robert something.

24 Q. All right. How about the one in '75?

25 A. That one was a man that was driving on I think

1 1-71 and run into a tractor-trailer and he was
2 intoxicated and had multiple injuries also and
3 he was treated at Southwest General. He was in
4 intensive care for a long time. I did surgery
5 on him but his operative course was not
6 successful and he expired and the wife sued
7 several of us physicians that were involved in
8 his care plus the hospital, and that also
9 was -- did not go to trial.

10 Q. What was the name of that case? Do you recall?

11 A. I can't. I try to forget those things. I
12 cannot remember.

13 Q. What was the name of the attorney?

14 A. I can't remember.

15 Q. Were you deposed in that case?

16 A. I was -- yes. We had -- I was represented also
17 by Medical Protective.

18 Q. When you say that also did not go to trial, was
19 it --

20 A. They had a -- they sent me all these letters
21 like interrogatories, you know, back and forth
22 and I think my lawyer then was Mr. Briswal.

23 Q. Briswal?

24 A. Yes. John Briswal and he then wrote me a letter
25 that he could not find any expert witness for

1 the plaintiff to testify against us so that case
2 was -- did not go.

3 Q. Was it settled or was it dismissed?

4 A. No. It was not settled.

5 Q. Dismissed?

6 A. Didn't go through.

7 Q. Well, do you know what happened? I mean did the
8 plaintiff dismiss the case? Is it still
9 pending?

10 A. No. That was dismissed a long time ago because
11 I, you know, I got a letter from him saying that
12 this was, they could not -- that the plaintiff
13 could not find any expert witness.

14 Q. Okay. Are those the only two times you have
15 been sued, Doctor?

16 A. Yes.

17 Q. Have you testified in other cases where you
18 haven't been a defendant?

19 A. Medical or other cases?

20 Q. Well, when you say medical -- well, any case?

21 A. Yes.

22 Q. What cases?

23 A. 1983 I testified for one of my patients in
24 Medina with Judge Whitfield. I think your firm
25 was representing one of my patients at that

1 time.

2 Q. Natowski?

3 A. No. Fretal.

4 Q. Fertil?

5 A. Fertil.

6 Q. And you testified or you gave a deposition?

7 A. I was in trial. I was in court. That went to
8 court.

9 Q. Okay. And that was on behalf of one of your
10 patients?

11 A. Yes. One of your clients who was my patient.

12 Q. Okay. Any other --

13 A. Yes. This was way back in the 70's, I testified
14 for one of my patients who was -- this was
15 downtown Cleveland, who was in a two car
16 vehicular accident.

17 Q. And you testified regarding their injuries?

18 A. Regarding their injuries,

19 Q. In trial?

20 A. Yes. That my patient sustained.

21 Q. All right. Any other times that you have
22 testified?

23 A. One time, this goes back, I would say probably
24 late 70's or early 80's on a child abuse case
25 where the patient was a four-year-old male, was

1 hit by the accused and that patient died. I
2 reported it before that to the authorities so we
3 went to trial and then after a mistrial the
4 patient was -- I mean the accused was convicted.

5 Q. Have you ever testified in malpractice cases?

6 A. No.

7 Q. Have you ever given an opinion in a malpractice
8 case?

9 A. No.

10 Q. All right. Doctor, if you would return to your
11 file, please.

12 A. I take that back. We had, I had a patient, this
13 was last year, involving one of my patients. I
14 don't know if I was -- remember that. I don't
15 remember her name. It was something with the
16 breast.

17 MR. JACKSON: You were deposed by
18 someone?

19 THE WITNESS: Yes.

20 Q. In a malpractice case?

21 A. Yes.

22 Q. And you gave an opinion in that case?

23 A. I gave -- yes, I give an opinion, but I don't
24 know how you would say that.

25 MR. JACKSON: Is it one of your

1 patients that you were treating?

2 A. One of my patients, yes, and sued another
3 doctor.

4 Q. You turned to Mr. Jackson asking him if he
5 remembered. Apparently he was involved in that
6 case?

7 A. No. It's his firm that was involved.

8 Q. Yes. They were representing the doctor?

9 A. Yes.

10 Q. And did you testify on behalf of the doctor?

11 A. On behalf of my patient.

12 Q. And you testified the other doctor was guilty of
13 malpractice?

14 A. No. Not exactly.

15 Q. Well, what did you testify to?

16 A. I said something like -- they asked me what I
17 would have done, I said at that time what I
18 would have done was did a more radical, you
19 know, mastectomy and do this, and if I, if that
20 case was discovered in time maybe the patient
21 would not need chemotherapy, but the trend now
22 anyway was that a patient with breast cancer
23 would need chemotherapy either way so that case
24 was won by Mr. Jackson's firm.

25 Q. Who was the attorney that took your deposition?

1 A. I can't remember.

2 Q. Who was the patient?

3 A. That's what I'm trying to --

4 MR. JACKSON: If you can't recall
5 at this time, Dr. --

6 A. I can't recall.

7 Q. Well, is that information available to you here
8 somewhere in this office? Do you have a file on
9 it or card or something?

10 A. Should be, yes. I don't have the -- I can't
11 remember the patient's name.

12 Q. I beg your pardon?

13 A. I can't remember the patient's name.

14 Q. But the information is here?

15 A. Should be.

16 Q. Why don't you take a minute and see if you can
17 find it?

18 MR. JACKSON: He can't remember the
19 name. He just told you.

20 A. I can't remember the name.

21 Q. That was last year?

22 A. Yes.

23 Q. Was that case in Cuyahoga County?

24 A. Yes.

25 Q. What attorney in Mr. Jackson's office was

1 representing the doctor?

2 A. Mr. Maynard.

3 Q. And who was the doctor?

4 A. Sanders.

5 Q. Who?

6 A. Dr. Sanders.

7 Q. Can you spell that for me?

8 A. S A N D E R S.

9 Q. Do you know his first name?

10 A. John.

11 Q. And where is he located at?

12 A. I think he is located at Metro.

13 Q. Was Metro a defendant in the case, too? Do you
14 know?

15 A. I don't know.

16 Q. Doctor, if you would take your file, what I'd
17 like you to do, sir, is start at the beginning,
18 the first time you saw Mrs. Schultz and read
19 your entries verbatim for me from the
20 beginning.

21 A. Referred by Dr. Nintcheff and by
22 Mrs. Connie Fott. Name is Schultz, Eulalie. On
23 the right upper hand corner is her date of
24 birth, 11-14-15. Below that is her address,
25 18146 Trailside, Strongsville, 44136. Telephone

1 number, 238-8631, and below that is Percodan and
2 Codeine, black and red which denotes that she **is**
3 allergic to Percodan and Codeine, and the date,
4 5-19-87.

5 Q. That's the first time you saw her?

6 A. That's the first time I saw her.

7 Q. **All** right. Go ahead.

8 A. BP last week. On the bottom there was a note on
9 5-6-87 that her weight was 121 pounds, her blood
10 pressure from the left arm was 132 over 52, and
11 112 over 50. On the right arm it was 124 over
12 50. Had surgery on the right side **of** the brain
13 for benign tumor September of '86, Deaconess, by
14 Dr. Tanken Hendershott.

15 Below the dates I have first office visit
16 circled and \$35 which was our fee. On Viskin, 5
17 milligrams b.i.d. On Plaquenil, 200 milligrams
18 b.i.d., and Methotrexate for arthritis, once a
19 week, treated by Dr. Moinuddin, 842-6966.

20 She had residual right facial palsy.

21 Left arm, blood pressure, 130 over 52.

22 Right arm, 122 over 50. Stop Dyazide.

23 Systolic murmur, grade two out of six.

24 Enlarged hiatus hernia, cause, calcium in the
25 mitral valve, 30 percent obstruction **of** both

1 carotids.

2 Hard lump, 25 millimeters times one year,
3 left thigh, and above the mm. is F.S. which is
4 for frozen section, will do excision under
5 local, and below that is marked L for local.

6 Q. Is that the standard of care when you are
7 confronted with a lump in an extremity is to do
8 an excisional biopsy?

9 MR. JACKSON: Don't answer that.

10 Q. Go ahead. What is the reason you were going to
11 do an excisional biopsy?

12 MR. JACKSON: Go ahead, you can
13 answer that.

14 THE WITNESS: Huh?

15 MR. JACKSON: Go ahead, you can
16 answer that.

17 A. well, to see if it's malignant or not.

18 Q. Well, why wouldn't you just watch it? Why would
19 you do a biopsy right away?

20 A. Because it was a hard lump.

21 Q. And 25 millimeters is how big?

22 A. One inch.

23 Q. And did you do that biopsy?

24 A. Yes.

25 Q. How long after you saw her did you do it?

1 A. On the -- May 28, 1987.

2 Q. Eleven days later?

3 A. No. Nine days later.

4 Q. I'm sorry, right. Okay. Then there's a line
5 under that entry that you just read?

6 A. Yes.

7 Q. And is there any reason for that line?

8 A. That means I had finished seeing her already. I
9 was done with her and she must have left the
10 office already.

11 Q. Okay.

12 A. And the line said May 19, 1987 for Methotrexate,
13 2.5 milligrams, No. 60, three tablets weekly.

14 Q. What does that mean? Why is that in your
15 record?

16 A. She had called and one of the -- my employees,
17 and wanted a prescription for the Methotrexate.

18 Q. And did your employees say okay or did they come
19 and talk to you or what happened?

20 A. They came and talked to me and I wrote it down,
21 but she did not get it.

22 Q. She didn't get the prescription?

23 A. She didn't get the prescription,

24 Q. How do you know that, Doctor?

25 A. Because they'll have -- if the prescription is

1 filled in they'll initial it with a pharmacist's
2 number.

3 Q. Who is they?

4 A. Either one of my employees, Kate or Jan or
5 Jenny.

6 Q. Would there be a prescription number?

7 A. No.

8 Q. You read that and does it indicate how long the
9 prescription is for or how many pills?

10 A. Say that again?

11 Q. Yes. It says two and a half milligrams at 60?

12 A. Uh-huh.

13 Q. Is that for 60 tablets?

14 A. For 60 tablets.

15 Q. Why would you have allowed her to get such a
16 prescription from you at that time, Doctor?

17 A. I don't know.

18 Q. Well, could you tell me what kind of drug
19 Methotrexate is?

20 A. It's a strong medication that we use, that I
21 don't -- well, doctors use for severe rheumatoid
22 arthritis.

23 Q. When you say strong, are there severe potential
24 problems with the use of that drug?

25 A. Yes.

- 1 Q. What are they, Doctor?
- 2 A. They can cause bone marrow depression, they can
3 cause liver problems. I think they can cause,
4 even kidney problems, and also colitis,
5 stomatitis, inflammation of the mouth.
- 6 Q. And are you supposed to do any, you as a doctor,
7 supposed to do any particular tests prior to
8 prescribing that medication?
- 9 A. Yes.
- 10 Q. What are they?
- 11 A. You check their -- do a complete blood count,
12 check urinalysis, check their liver function. I
13 think that's it,
- 14 Q. What is leukopenia?
- 15 A. Leukopenia is when the white count, white count
16 is below normal.
- 17 Q. And are there different elements in the blood
18 that make up the blood?
- 19 A. Yes.
- 20 Q. What are they?
- 21 A. Well, you have what we call neutrophils, you
22 have your lymphocytes, you have your -- you are
23 talking about what now, the white cells?
- 24 Q. Yes. The three elements of blood.
- 25 A. Well, you have the red cells, you have the white

1 cells, you have the platelets. The white cells,
2 you have different kinds, you have the
3 neutrophils, you have what you call the
4 eosinophils, the basophils. You have the
5 lymphocytes.

6 Q. Can the prescription of Methotrexate cause
7 leukopenia, Doctor?

8 A. Yes, I think.

9 Q. And can it cause nose bleeds?

10 MR. JACKSON: Objection. Go
11 ahead. If you know, go ahead.

12 A. Yes.

13 Q. Can it cause bleeding out of other parts of the
14 body?

15 MR. JACKSON: Objection. Go ahead.

16 Q. Rectal bleeding, for example?

17 A. Yes.

18 Q. Prior to approving the prescription of
19 Methotrexate on May 19, 1987, did you, in fact,
20 have any tests conducted on Mrs. Schultz?

21 A. No.

22 Q. Why not?

23 A. She was referred to me because of the lump in
24 the thigh and she was under the care of another
25 doctor for the severe rheumatoid arthritis

1 so --

2 Q. Well then why didn't you refer her to him for
3 the prescription?

4 A. That's what I told Mrs. Schultz, that I don't,
5 never prescribe, I never prescribe Methotrexate
6 in my 28 years of medical practice.

7 Q. When did you tell her that?

8 A. When I saw her on the next -- when I removed her
9 Penrose drain, I think that was on the 29th.

10 Q. Well, let's stick with the 19th for a moment.
11 I'm sorry, the entry of the 19th. I thought you
12 told me that it was one of your employees that
13 came to see you, that she had talked to an
14 employee of yours?

15 A. Yes.

16 Q. And your employee came to see you and you said
17 okay?

18 MR. JACKSON: It's not what he said
19 but go ahead and answer it, Doctor.

20 Q. Isn't that what you said? Isn't that why that's
21 written down here?

22 MR. JACKSON: That's not what he
23 said.

24 Q. Why is it written down there, Doctor?

25 A. I wrote it down because I didn't have a chance

1 to talk to Mrs. Schultz.

2 Q. Yes.

3 A. About the Methotrexate on May 19th, about
4 getting a prescription, and she had called after
5 she had left the office that she needed the
6 medication.

7 Q. She said she needed 60 tablets?

8 A. I don't know if she needed 60 tablets or I was
9 the one that wrote down the 60 tablets.

10 Q. I see. Go ahead.

11 A. And that's when I -- we didn't talk about it
12 until I saw her when I removed her drain.

13 Q. Is this your writing on this, on this office
14 record?

15 A. All of this is my writing except for the things
16 on the top.

17 Q. Okay. All right. The next time you saw her,
18 Doctor, was the 28th, is that correct?

19 A. Yes.

20 Q. And why don't you read that record if you would,
21 please?

22 A. 5-28-87, SurgiCare. Surgery. Excision of
23 infected deep cyst, left thigh under local.

24 Culture taken, and I prescribed Ilosone,
25 250 milligrams, 150 cc., and Tylenol liquid for

1 pain. And then the little sticker here is from
2 the hospital, SurgiCare record.

3 Q. Okay. Did you discuss the Methotrexate with her
4 then?

5 A. I discussed it when I saw her the following day.

6 Q. Okay. And that's your May 29 note?

7 A. May 29, '87.

8 Q. All right. Why don't you read that then?

9 A. Path report, benign cyst with fibrosis, serous
10 atrophy, fat necrosis with acute and chronic
11 inflammation.

12 Penrose drain removed, and her blood
13 pressure, 120 over 64. Moderate sanguinous
14 drainage, dressing change. Return one week.
15 Leg edema. Hands edema. And then Methotrexate
16 2.5 milligrams, No. 60.

17 Q. Well, wait. Right above that what does it say?

18 A. Return one week.

19 Q. Oh, I'm sorry. Go ahead.

20 A. And then Viskin, 5 milligrams, No. 60, b.i.d.
21 with 4 refills and Dyazide, 100, 1 q.d., 1
22 refill.

23 Q. Am I correct, then, these are all medications
24 down at the bottom that you were prescribing for
25 her, sir?

1 | A Yes.

2 Q. Why did you prescribe Methotrexate on that
3 occasion for her?

4 A. Because when I talked to her she was -- she had
5 been in severe pain because of the rheumatoid
6 arthritis, and only the Methotrexate helped her
7 pain, and I told her at that time that this is a
8 very strong medication, and I never prescribed
9 it before, that she should follow-up with the
10 original doctor that had prescribed the
11 Methotrexate.

15 A. Yes. To follow-up as far as -- because they
16 should be followed-up every three to six months.

18 THE WITNESS: Three to six months.

20 | A. The patients.

25 | A. Yes.

1 Q. And you didn't do that, did you?

2 A. No.

3 Q. When you say three to six months, don't you mean
4 monthly, Doctor? Shouldn't you get blood work
5 on a patient taking Methotrexate every month?

6 MR. JACKSON: I think he said three
7 to six months.

8 MR. KAMPINSKI: I know what he said
9 and I'm asking him if that's what he meant.

10 Q. Shouldn't you do it every month, Doctor?

11 A. As far as I know it's three to six months.

12 Q. So three months from May 29, 1978 you had her
13 back in to follow-up on her blood work, right,
14 it would have been June, July, end of August of
15 '87, right?

16 A. Yes.

17 Q. Is that correct?

18 A. Yes.

19 Q. Did you follow-up on her blood work then?

20 A. No.

21 Q. Why not?

22 A. Because I assumed that she was being treated by
23 another doctor for the Methotrexate.

24 Q. You are the one that prescribed it?

25 A. Yes, but I was not the one that initiated

1 therapy. I had excellent rapport with
2 Mrs. Schultz, and we talked a lot about -- I
3 think my wife and I have excellent relationship
4 with her. Because my wife's name was also
5 Schultz, maiden name, and we -- the relationship
6 was like being a member of the family, and she
7 was a good patient, she was reliable, as far as
8 I'm concerned, and I just assumed that she was
9 going to follow-up with this whoever prescribed
10 the Methotrexate.

11 Q. Did you have Thanksgiving dinner with her that
12 year?

13 MR. JACKSON: Don't answer that,
14 Doctor.

15 Q. When prescriptions are filled that you order do
16 you get called from the pharmacy? Is that how
17 it happens?

18 A. Sometimes.

19 Q. Well, do you know whether or not this
20 prescription that you wrote down on June 29,
21 whether -- I'm sorry, May 29, whether that was
22 filled?

23 A. I don't know. I wouldn't know.

24 Q. Would it all be filled at once or would it be
25 filled on two occasions or do you know?

1 A. I don't know.

2 Q. Didn't you tell me earlier that the reason you
3 knew that it hadn't been filled on May 19 is
4 that there was no indication of a call or check
5 mark from a pharmacy?

6 A. Yes. But this was a written prescription on the
7 29th.

8 Q. On May 29th?

9 A. May 29th.

10 Q. Oh, I see. You actually wrote out a
11 prescription for her?

12 A. Yes.

13 Q. E see. So then she would have gone to the
14 pharmacy, handing them your written note, right,
15 and they would have filled it there?

16 A. Yes.

17 Q. Well, did you then call Dr. -- I'm sorry, who
18 was it that you said you thought was treating
19 her for this, Dr. Moinuddin?

20 A. Moinuddin.

21 Q. Yes.

22 A. No.

23 Q. You had his phone number down there, right?

24 A. Yes.

25 Q. From the May 19, 1987 visit?

1 A. Yes.

2 Q. Why didn't you call him?

3 A. I don't know why I didn't call him. I just
4 assumed that Mrs. Schultz would follow-up with
5 my instruction.

6 Q. Well, then you saw her again I guess what was
7 it, June 5, right, was the next time you saw
8 her? Am I correct?

9 A. Yes.

10 Q. Did you follow-up with her at that time about
11 the Methotrexate -- well, let me back up. Let
12 me withdraw that question.

13 Where was the excision of the lump done?
14 Was it done in your office or in the hospital or
15 where?

16 A. At SurgiCare.

17 Q. And where is that at?

18 A. Southwest.

19 Q. Southwest?

20 A. Southwest General.

21 Q. Did they have provisions for taking blood there?

22 A. Yes.

23 Q. In other words, you could have taken blood from
24 her right then and there?

25 A. No. This is in the operating room.

- 1 Q. Yes.
- 2 A. But there's a laboratory in the hospital.
- 3 Q. I see. What kind of anesthesia did she receive,
4 just local?
- 5 A. Local.
- 6 Q. When you take blood to do blood work, what do
7 you do, just prick her finger, take some blood,
8 send it to the lab?
- 9 A. Or you can do it through the vein.
- 10 Q. I see. It's something I take it you do fairly
11 often as a physician with patients coming in?
- 12 A. Depending on what the condition is.
- 13 Q. Yes. If you wanted it, I mean it's not
14 difficult for you to do. You know how to do it,
15 right?
- 16 A. Not in the office, no.
- 17 Q. You would send them to the lab to do it?
- 18 A. Yes.
- 19 Q. And where is the lab in relation to your office?
- 20 A. The laboratory is at Southwest.
- 21 Q. Where is Southwest from here? Well, I shouldn't
22 say from here, you saw her at your other office,
23 right? It's a fairly new building but that's
24 right down the street, right?
- 25 A. It's about I would say four miles.

1 Q. And where is Southwest from your other office?

2 A. Yes. That's what I meant.

3 Q. Oh, I'm sorry, four miles from your other
4 office?

5 A. Yes.

6 Q. And you never did send her for blood work, did
7 you?

8 A. No.

9 Q. And you didn't get any blood work when she was
10 at Southwest for the surgery, did you?

11 A. No.

12 Q. Why not?

13 A. It wasn't -- the blood work was not required
14 before for a local surgery.

15 Q. I apologize. You didn't understand my
16 question. The blood work for purposes of
17 prescribing Methotrexate, to make sure that she
18 wasn't having any of the problems that you would
19 have wanted to assure yourself that she wasn't
20 having prior to prescribing the medication?

21 A. No.

22 Q. Why didn't you?

23 A. I just -- at that time she didn't have any
24 symptoms or problems from the Methotrexate, and
25 I just assumed that she was being followed up by

1 this other doctor.

2 Q. What did you do on June 5th, Doctor?

3 A. All sutures removed, and made a notation, wound
4 healed. Blood pressure, 140 over 64.

5 Q. Next time you saw her was when, Doctor?

6 A. July 21, 1987. Her weight was 115 and
7 three-fourths pounds. Blood pressure, 130 over
8 64. Scar tissue, lumpy at the site of the
9 incision on the left thigh, and I reassured her
10 about the lumpy scar tissue. And notation,
11 right retroauricular area, incision one year
12 ago, has foreign body granuloma. I also
13 reassured her about that.

14 Lower lip irritation from teeth like a cold
15 sore, and I prescribed Zovirax cream, 5 percent
16 refill, 2, and reduction of the Plaquenil to 1
17 q.d. from b.i.d.

18 Q. Why didn't you send her to a dentist?

19 MR. JACKSON: For what?

20 Q. For her teeth?

21 A. For the irritation?

22 Q. Yes.

23 MR. JACKSON: Doesn't say
24 irritation of her teeth, it says from her
25 teeth.

- 1 A. From the teeth,
- 2 Q. And what was the reason for the irritation?
- 3 A. From the teeth. There was irritation on the
- 4 lower lip.
- 5 Q. Yes.
- 6 A. By her teeth. By her cold sore.
- 7 Q. I see. So you treated the cold sore?
- 8 A. Yes.
- 9 Q. Did you ask her how she was doing with respect
- 10 to her Methotrexate at that time?
- 11 A. No.
- 12 Q. Well, did you ask her if she had followed up
- 13 with Dr., what was it, Moinuddin?
- 14 A. Moinuddin.
- 15 Q. Moinuddin at that time?
- 16 A. No.
- 17 Q. Did you call Dr. Moinuddin at that time?
- 18 A. No.
- 19 Q. Did you do blood tests at that time?
- 20 A. Did I do?
- 21 Q. Yes.
- 22 A. No.
- 23 Q. Because you assumed everything was okay?
- 24 A. Yes.
- 25 Q. When is the next time you saw her?

1 A. September 4, '87. Lost balance. Blood
2 pressure, 120 over 60. Ended up in sidewalk and
3 injured her right side of the face, and
4 forehead. Marked ecchymosis, right maxillary
5 area and right periorbital edema and prescribed
6 Talwin Nx, 50 milligrams, No. 30 for pain.

7 Conscious, ambulates with walker, and she
8 had short arm cast applied.

9 Q. She had a fracture?

10 A. Yes. Do x-ray right wrist, right hip and right
11 orbit.

12 Q. What caused her to lose her balance?

13 A. I don't know what made her lose her balance.

14 Q. What is anemia?

15 A. Anemia is lack of red cells.

16 Q. Can that be caused by use of Methotrexate?

17 A. Yes.

18 Q. Can use of Methotrexate result in somebody
19 losing their balance, do you know, Doctor,
20 fever, dizziness?

21 MR. JACKSON: Which question would
22 you like him to answer?

23 Q. Pick one.

24 MR. JACKSON: No. You ask and
25 we'll respond to your question.

1 Q. Can use of Methotrexate result in someone losing
2 their balance, Doctor?

3 A. I don't know.

4 Q. Have you ever looked at the PDR regarding
5 adverse reactions for Methotrexate?

6 A. Yes, I have looked at the PDR before, yes.

7 Q. Before today's deposition, right?

8 A. Yes.

9 Q. Did you ever look at it before prescribing
10 Methotrexate to her?

11 A. Yes.

12 Q. You did?

13 A. Yes. I used the PDR.

14 Q. I'm sorry?

15 A. I used the PDR when I was going to residency.

16 Q. I'm sorry, my question wasn't clear. Did you
17 use the PDR as it relates to Methotrexate before
18 prescribing Methotrexate to her?

19 A. **No.**

20 Q. When she came in and told you that she had lost
21 her balance, did you then look at the PDR to
22 determine whether one of the adverse reactions
23 to Methotrexate was dizziness?

24 A. No, because she was not pale, that's why I
25 didn't think she was anemic. If she were anemic

1 I would have done, I could have done the
2 hematocrit in my office. If somebody's pale I
3 always do that.

4 Q. Were you there when she lost her balance?

5 A. No.

6 Q. Was she dizzy when she lost her balance?

7 A. I don't know.

8 Q. Did you ask her?

9 A. No. She just lost her balance from -- she ended
10 up on the sidewalk.

11 Q. Did it ever occur to you that use of the drug
12 Methotrexate caused her to lose her balance?

13 MR. JACKSON: Objection. You can
14 answer.

15 A. No.

16 Q. So you scheduled her for surgery, correct?

17 A. Yes.

18 Q. And when was the surgery done, Doctor?

19 A. September 5. It was just an application of a
20 cast.

21 Q. Where was that done?

22 A. Okay. I did it in the emergency room at
23 Southwest.

24 Q. I'm sorry, I didn't hear you, Doctor.

25 A. I did it in the emergency room at Southwest.

1 Q. And when did you do it?

2 A. 9-4-87.

3 Q. September 4, right?

4 MR. JEFFERS: What date was it?

5 A. September 4.

6 Q. Doctor, if you would *go* back to this last note
7 about losing balance?

8 A. Uh-huh.

9 Q. What is the date of that note, September 4?

10 A. September 4.

11 Q. Was this a phone call or did you actually see
12 her in the office or what was that? Or can you
13 tell from looking at that?

14 A. Say that again.

15 Q. Does that reflect you have seen her in the
16 office or is that a phone call or what is that?
17 What does that note reflect?

18 A. No. See, this is my handwriting so -- I saw her
19 in the office.

20 Q. Did you *go* straight -- I'm sorry.

21 A. And then I saw her in the emergency room and put
22 the cast in the emergency room.

23 Q. Did you *go* straight from your office to the ER?

24 A. Yes.

25 Q. With her or met her there?

1 A. I met her over there.

2 Q. Okay. And then your next note is what day,
3 September 5?

4 A. Yes. I wrote it on September 5 but that should
5 have been September 4.

6 Q. Okay. It refers to things done on September 4?

7 A. September 4.

8 Q. Would you read that for me, please?

9 A. Closed reduction and immobilization of fracture,
10 distal right radius and fracture of the fourth
11 metacarpal.

12 Q. And you had some x-rays done, is that correct?

13 A. Yes.

14 Q. Actually, the x-rays are dated September 5,
15 aren't they, Doctor?

16 A. Yes.

17 Q. So did you have her go back the next day then
18 for x-rays?

19 A. Must be. This is dated September 5.

20 Q. And she went, right?

21 A, Yes.

22 Q. Is it your writing on the Southwest General
23 Hospital ER record on September 4?

24 A. Yes.

25 Q. Okay. Could you read that for me, please?

1 A. Fell down yesterday. Impacted fracture of the
2 distal radius and ulna. Right wrist, was in
3 office. An x-ray. Had ecchymosis, right wrist
4 and right forehead. Tenderness, right hip.

5 And then on the Diagnostic Impressions,
6 fracture impacted right radius, undisplaced
7 fracture, right ulna. Closed reduction and
8 immobilization with short arm cast under local 2
9 percent Xylocaine. Cast instruction. Follow-up
10 in the office in eight weeks or p.r.n. and use a
11 sling.

12 Q. You didn't do any investigation at that time as
13 to the cause of her fall?

14 A. No.

15 Q. Why not?

16 A. Because she felt all right after I put the cast
17 on her.

18 Q. I think in your initial history you indicated
19 that she had 30 percent stenosis in the
20 carotids?

21 A. Yes.

22 Q. Were you concerned at all about that?

23 A. No. 30 percent, no.

24 Q. Did you do a repeat to determine whether it had
25 gotten worse and maybe that made her dizzy and

1 caused her to fall?

2 A. No. Because the time element is too close, you
3 know. We had patient with carotid stenosis of
4 more than that of like 50 percent and we don't
5 repeat that until -- we do that once a year.

6 Q. Okay. So you were satisfied that that was not
7 the cause of her fall then?

8 MR. JACKSON: Objection.

9 Q. Correct?

10 MR. JACKSON: Go ahead, you can
11 answer that, I think he told you he didn't know
12 what the cause of the fall --

13 A. Yes. I didn't know what the cause of the
14 fall --

15 Q. What investigations did you do to determine what
16 was the cause of the fall?

17 A. I didn't.

18 Q. Why not?

19 MR. JACKSON: He's answered that.

20 A. Because she was okay when I treated her.

21 Q. Well, was she okay when she fell?

22 MR. JACKSON: Don't answer that,
23 Doctor.

24 MR. KAMPINSKI: Why not?

25 MR. JACKSON: Your next question.

1 **MR. KAMPINSKI:** No. That is my
2 question. Was she okay when she fell?

3 **MR. JACKSON:** Obviously she
4 fractured her wrist, didn't she?

5 **MR. KAMPINSKI:** Well, was she okay
6 before she fractured her wrist and as the
7 way -- on the way down?

8 **MR. JACKSON:** Don't answer that.

9 Q. Didn't it concern you as to your patient having
10 fallen and you not knowing why?

11 **MR. JACKSON:** You can answer that,
12 Doctor.

13 A. I have seen, you know, in my practice people
14 falling or slipping, you know, just losing their
15 balance, especially in the elderly and be okay,
16 and they're okay, but we're not concerned about
17 it.

18 Q. If one's okay they're all okay?

19 **MR. JACKSON:** Don't answer that.

20 Q. You saw her again when, September 11?

21 A. September 11, 1987.

22 Q. I thought you said in the ER record that she
23 should return in eight weeks?

24 A. Or p.r.n.

25 Q. As needed?

1 A. Right. As needed.

2 Q. So apparently she needed you, right?

3 A. This was for a bladder infection.

4 Q. A bladder infection. I thought you said you
5 were a surgeon?

6 MR. JACKSON: He did say he was a
7 surgeon.

8 Q. Well, why would she come to you for a bladder
9 infection?

10 A. Because our surgical patients also develop
11 bladder infections.

12 Q. Well, do you then refer them to somebody to take
13 care of that?

14 A. Sometimes.

15 Q. Did you refer her?

16 A. No.

17 Q. You treated her, didn't you?

18 A. Yes.

19 Q. Is there a specialist that treats people for
20 bladder infections, internist?

21 MR. JACKSON: He is just trying to
22 be cute, now, Doctor, but go ahead and answer
23 his questions.

24 MR. KAMPINSKI: I'm thirsting for
25 knowledge.

1 MR. JACKSON: He is just trying to
2 be a wise guy but go ahead and answer his
3 questions.

4 A. Yes.

5 Q. What kind of specialist is that, sir?

6 A. Anyone, family practitioners, general
7 practitioners, pediatricians.

8 Q. Urologists?

9 A. Urologists, obstetricians.

10 Q. Surgeons, too?

11 A. Yes.

12 MR. JEFFERS: Pardon me?

13 Q. Surgeons, too?

14 A. Yes.

15 Q. Okay. What did you prescribe for her?

16 A. Azo Gantanol.

17 Q. Anything else?

18 A. That's it.

19 Q. Now, there's writing underneath there that's got
20 a check next to it, it's got -- well, it looks
21 like a K?

22 A. Yes.

23 Q. And it's circled. What is that?

24 A. That's an initial of one of my employees, Kate,
25 and below that is the pharmacy, Medic, 238-5505,

1 where the pharmacist called in for the
2 prescription.

3 Q. Okay. When is the next time you saw her?

4 A. October **23**, 1987.

5 Q. And why don't you read your note, if you would,
6 Doctor?

7 A. Checked her, had urinary dripping, incontinence.

8 Q. Well, above that there's --

9 A. Oh, the urinalysis, that was written by my
10 nurse, and it says leukocytes, negative, check
11 the urinalysis, nitrates, positive, protein
12 trace is negative for blood, ketone, sugar.

13 Q. Okay. This is just what was determined on the
14 urinalysis?

15 A. Just on the urinalysis.

16 Q. And the urinalysis would have been done in your
17 office?

18 A. Yes.

19 Q. Before you saw her?

20 A. Yes.

21 Q. Okay. I'm sorry. Go ahead, Doctor.

22 A. Had urinary dripping, and incontinence.

23 Occasional pain, medial aspect, **right** thigh.

24 When she steps down, uses walker.

25 Blood pressure, 110 over 64, and flu

1 vaccine, .5 cc., left arm.

2 I trimmed her cast. Cast trimmed. She had
3 dryness of the skin and I advised lotion and do
4 x-ray, will remove the cast November 5, 1987.

5 Prescribed Azo Gantanol, .5, No. 20. And
6 on the left hand, course, office visit plus the
7 urinalysis plus the flu vaccine. We charge \$5
8 for that.

9 Q. Flu vaccine, is that something normally taken
10 care of by a surgeon?

11 A. Well, yes. I have colleagues who are surgeons
12 and they give flu vaccines to their patients.

13 Q. How about her dry skin, dryness of skin?

14 A. Dryness of the skin.

15 Q. What is that specialist called, dermatologist,
16 that deals with skin?

17 A. Well, depends on how you look at it. Plastic
18 surgeons also deal with skin.

19 Q. Are you a plastic surgeon?

20 A. No.

21 Q. No.

22 MR. JACKSON: He is trying to be a
23 wise guy again, Doctor.

24 Q. No. I'm just trying to understand all of the
25 parameters of your practice, Doctor, or if there

1 are any. Did you do any blood work at that
2 time, sir?

3 A. No.

4 Q. Did you talk to her about whatever Dr. Moinuddin
5 had done?

6 A. No.

7 Q. Did you discuss the Methotrexate at all?

8 A. No.

9 Q. Okay. When is the next time you saw her?

10 A. November 6, 1987.

11 Q. Why don't you read that for me?

12 A. X-ray AP pelvis, noted x-ray right radius and
13 ulna. Comminuted fracture with 35 degree
14 angulation. Fracture, fourth metacarpal
15 healing. New bone formation. And on the right
16 upper side, if patient has problem, will refer
17 to orthopod,

18 MR. JEFFERS: I couldn't hear
19 that.

20 A. If patient has problem will refer to Orthopod
21 Shin or Rodriguez, and then put down cast
22 removed, three-inch Ace bandage.

23 Q. Is that the whole note, Doctor?

24 A. I didn't hear you.

25 Q. Is that your entire note?

1 A. Yes.

2 Q. What is the last two words on that note? I just
3 couldn't read it, Doctor.

4 A. Right down there at the bottom? Comminuted
5 fracture with 35 degree angulation. New bone
6 formation. Fracture, fourth metacarpal healing,

7 Q. Was there a problem with the fracture that she
8 had sustained back in September?

9 A. Yes. There was a deformity in the bone which
10 was angulated, a Colle's fracture.

11 Q. So it wasn't healing right?

12 MR. JACKSON: Objection. That's
13 not what he said.

14 Q. So it wasn't healing properly?

15 A. That's not what I said.

16 MR. JACKSON: That's not what he
17 said.

18 Q. Is this a new fracture?

19 A. No. There's a deformity in the bone.

20 Q. Before she fractured it?

21 A. Which was healing.

22 Q. The deformity, does that refer to the fracture?

23 A. Yes.

24 Q. Okay. Go ahead. I'm sorry.

25 A. There was a deformity in the bone which was

1 healing. There was a 35 degree deformity.

2 Q. Yes. I'm sorry. I thought I had asked you if
3 there was a problem with the fracture or with
4 the healing process. Was there or was it
5 healing fine?

6 A. He was healing. The problem was cosmetic.

7 Q. Okay. All right. When did you see her next,
8 Doctor?

9 A. December 1, '87.

10 Q. why don't you read that for me?

11 A. Function of right hand improving. Can write,
12 can sew. Advise exercises to the right hand and
13 fingers. Right wrist stiff, and I put down
14 arrows both ways, arthritis.

15 Then I start to write something, I didn't
16 finish it, hip is blank, blood pressure, 120
17 over 84 and then she's on Plaquenil,
18 Methotrexate, Viskin and Dyazide.

19 Q. Well, is Methotrexate the last one or Plaquenil?

20 A. Plaquenil,

21 Q. Show me what word is Methotrexate. I'm sorry,
22 Doctor.

23 A. This one is Methotrexate.

24 Q. Oh, okay.

25 A. She took that three tablets once a week.

1 Q. Well, it says -- there's a little star there, it
2 says 60?

3 A. 60. That she had 60 Methotrexate.

4 Q. Three tabs once --

5 A. Once a week.

6 Q. Well, is this something that you were obtaining
7 from her?

8 A. Yes.

9 Q. All right. So I'm sorry, go ahead and finish
10 your note and we'll come back and talk about
11 it.

12 A. And then I prescribed for her the Dipyridamole,
13 50 milligrams, 100, 3 times a day with 4
14 refills, and then on the bottom was Ecotrin, 1
15 tablet, twice a week.

16 Q. What is the Dipyridamole?

17 A. Dipyridamole?

18 Q. Yes.

19 A. It prevents platelets from aggregating and we
20 use that for people with what we call transient
21 ischemic attacks or mini strokes.

22 Q. Well, where was it that you had determined that
23 she had TIA's?

24 A. Because of her -- we see this a lot with elderly
25 people, and they get symptoms of a stroke

1 without being paralyzed.

2 Q. Well, where were the symptoms of the stroke,
3 Doctor?

4 A. Well, she herself had that except I didn't write
5 it down for me to prescribe Dipyridamole.

6 Q. What were the symptoms?

7 A. They get lightheaded.

8 Q. What were her symptoms that caused you to
9 prescribe this medication, sir?

10 A. I didn't write it down.

11 Q. Well, do you remember what they were? She was,
12 you know, close to being a member of your
13 family.

14 MR. JACKSON: He is being rude
15 again.

16 MR. KAMPINSKI: No. That's what he
17 said. I didn't say it. He said it.

18 MR. JACKSON: He's being rude
19 again.

20 MR. KAMPINSKI: Actually, I'm just
21 trying to be accurate.

22 MR. JACKSON: Let him ask you
23 another question, you can respond.

24 Q. That's the question I'd like an answer to. What
25 were her symptoms as you recall them, sir?

1 A. It's not written here so I can't -- I must think
2 of TMS to prescribe Dipyridamole.

3 Q. If somebody is having a TIA don't you get them
4 in for a workup to determine what is causing the
5 TIA's?

6 A. Not necessarily. Treatment is still the same.
7 You give them Dipyridamole or Persantine and
8 aspirin.

9 Q. Did she tell you that she had taken all of her
10 Methotrexate or that she had filled the
11 prescriptions or what?

12 A. No.

13 Q. What did she tell you? I mean when you wrote
14 down Methotrexate times or I guess that's a
15 times 60, right, or 60 of them?

16 A. Yes.

17 Q. Three tabs once a week, I mean why did you write
18 that down? Well, just to show her what you had
19 prescribed last?

20 A. Yes. Just for my own record what medication
21 she's taking.

22 Q. Well, you knew that. I mean it was in your
23 record. You are the one that prescribed it?

24 MR. JACKSON: Is that a question?

25 Q. Didn't you remember what you had prescribed,

1 sir?

2 **MR. JACKSON:** Objection. Do you
3 have another question?

4 Q. Did you remember what you prescribed when you
5 wrote this down on December 1st, 1987?

6 **MR. JACKSON:** Go ahead, you can
7 answer that.

8 A. Yes. I remember what I prescribed and I made a
9 notation of what I had, medication she's on.

10 Q. You just told me that that's what she told you,
11 correct?

12 A. Right.

13 **MR. JACKSON:** That's what he just
14 said again.

15 Q. Tell me again what the reason is you wrote it
16 down then was?

17 **MR. JACKSON:** He's already answered
18 that for you, hasn't he?

19 **MR. KAMPINSKI:** I don't think so.

20 **MR. JACKSON:** I think he has.

21 **MR. KAMPINSKI:** You mean he can't
22 answer it twice? I just want this on the record
23 that if you ask a question once that under no
24 circumstances can it be asked and answered
25 again. I want to make sure of that.

1 MR. JACKSON: I'm learning from
2 you.

3 MR. KAMPINSKI: I want to make sure
4 of that.

5 MR. JACKSON: So apparently you
6 like to operate that way.

7 MR. KAMPINSKI: I want this on the
8 record, Mr. Jackson, because I'm going to blow
9 it up very largely.

10 MR. JACKSON: And we can share it.
11 So I will share in the cost of that. Do you
12 have a question of him? Ask him a question.

13 MR. KAMPINSKI: I did ask him.

14 MR. JACKSON: Ask him again.

15 Q. All right, I want to make sure I understand why
16 you wrote this down on December 1st, 1987,
17 Doctor. If I understand correctly you are the
18 one that made that prescription, correct? We
19 went through that already, right?

20 A. Say that again.

21 Q. Sure. You are the one that on May, or I'm
22 sorry, June 21, I believe, '87 prescribed the
23 Methotrexate, right?

24 MR. JACKSON: You mean July?

25 Q. Was it July? July 21?

1 MR. JACKSON: Where do you see
2 that? When did you prescribe the Methotrexate,
3 Doctor, May 29, 1987? Right?

4 THE WITNESS: Yes.

5 Q. All right. Okay. Did you remember on December
6 1st, 1987 that you had prescribed it on May 29,
7 1987?

8 A. I must have.

9 Q. Why did you write it down again then on December
10 1st?

11 A. Because when I ask the patients, you know,
12 there's so many medications what medications do
13 you take, I write it down.

14 Q. Okay.

15 A. I don't see anything wrong with that.

16 Q. Okay, fine. Did you prescribe some more?

17 A. I prescribed Dipyridamole.

18 Q. Did you prescribe any more Methotrexate, sir, on
19 December 1st, 1987?

20 A. I don't know.

21 Q. Why don't you know?

22 A. I don't know if this is my notation of what his
23 medications is because I didn't mark it down
24 treatment like the one on the bottom. It's not
25 separate. It's the same medication she is

1 taking.

2 Q. You prescribed some more, didn't you, prescribed
3 another 60 pills, didn't you, sir?

4 MR. JACKSON: When?

5 MR. KAMPINSKI: On December 1st,
6 1987. That's when.

7 MR. JACKSON: I think he answered
8 that, didn't he?

9 MR. KAMPINSKI: No.

10 Q. Did you prescribe 60 on December 1st, 1987?

11 MR. JACKSON: He did answer that.

12 MR. KAMPINSKI: I didn't understand
13 him to answer that.

14 A. I am not sure.

15 Q. Oh, you don't know if you did?

16 A. I don't know.

17 Q. So you may have, you may not have?

18 MR. JACKSON: He's answered it.

19 A. Yes.

20 Q. All right. You just can't tell from your record
21 one way or the other?

22 A. Yes.

23 Q. Let's assume, just for the sake of argument,
24 Doctor, that you did. Did you do any tests to
25 determine whether or not the Methotrexate was

1 having any adverse effect on her prior to
2 renewing her prescription?

3 A. No.

4 Q. Why not?

5 A. I assumed she was doing well.

6 Q. Well, what levels or what blood studies can you
7 show me that would even arguably support your
8 assumption, Doctor? I ntean can you look at a
9 person and tell what their blood levels are?

10 A. Well, she is not pale, she was not pale. She
11 was not jaundiced, that would denote liver
12 problems. Pallor would denote that she was
13 anemic. She didn't have any patches on the skin
14 like bruising easily that would denote some
15 problems with clotting, bleeding.

16 Q. Does the PDR indicate you should do a clinical
17 examination of a patient to determine whether or
18 not to either prescribe or renew a prescription
19 or does it indicate that you should do blood
20 work, which?

21 MR. JACKSON: Prescription of
22 what?

23 Q. Methotrexate?

24 A. I don't know.

25 Q. When is the next time you saw her?

- 1 A. December 18, 1987. Bleeding in the naval.
2 Bleeding past week. Patient stopped taking
3 Dipyridamole one week ago. Had started taking
4 them again three times a day. Blood pressure,
5 120 over 60. Below, systolic murmur grade two
6 out of six.
- 7 Right hand grip getting stronger. Pulse,
8 68 per minute. I made a drawing of her
9 umbilicus. It says irritated area. Has
10 tenderness. No blood now. Some serous
11 drainage, Slight hernia. I prescribed
12 microstatic powder, 10 grams, refill 4 times,
13 and return after New Year's.
- 14 Q. Just so I understand, what was the blood out of
15 her naval caused by, sir?
- 16 A. I thought she had an irritation in the naval.
17 When I saw her there was no bleeding.
- 18 Q. Was there any --
- 19 A. That was like a sore.
- 20 Q. Sore. And that's why you prescribed the powder
21 was for the sore?
- 22 A. Yes.
- 23 Q. I'm sorry, the first sentence said what,
24 bleeding - naval - what?
- 25 A. Bleeding past week.

1 **MR. JEFFERS:** Past week?

2 Q. Is that that she was bleeding for a week?

3 A. The past week, last week.

4 Q. Well, I mean is that one day for five minutes or
5 for the whole week or --

6 A. I don't know.

7 Q. You don't know. And did she often come in for
8 sores that caused bleeding?

9 **MR. JACKSON:** He's already read his
10 entire chart up to this point for you, hasn't
11 he?

12 **MR. KAMPINSKI:** Did he say she has
13 a sore that caused bleeding?

14 **MR. JACKSON:** He just read his
15 chart for you,

16 **MR. KAMPINSKI:** I know what he read
17 but I'm asking him what she said.

18 Q. Did she say she had a sore that caused bleeding
19 or did you say that?

20 A. I saw the sore.

21 Q. You saw it?

22 A. Yes.

23 Q. How big was it?

24 A. It's a small sore. It's about, I would say 1
25 cm. right on the -- right in the belly button,

1 about 1 cm.

2 Q. Okay. So you were satisfied as to what the
3 cause of the bleeding was?

4 A. Well, I didn't see it bleeding then. What I saw
5 was a sore.

6 Q. But you believed this patient as to what she
7 said was happening to her, right, that she had
8 been bleeding?

9 A. That she had blood in the --

10 Q. Yes?

11 A. That she had blood in the umbilicus.

12 Q. So you were satisfied as to what the cause of
13 that was, right?

14 A. The sore, yes.

15 Q. Okay. The next time you saw her was when,
16 Doctor?

17 A. January 26, '88. 120 over 60. Small umbilical
18 hernia, no drainage. She did not have any
19 symptoms, no symptoms. And Dipyridamole, 50
20 milligrams, t.i.d. Return treatments.

21 Q. Read that first sentence again for me, Small --

22 A. Small umbilical hernia.

23 Q. What is a hernia?

24 A. It's a defect in the wall of the -- well, it can
25 be the abdomen, it can be any other structure.

1 And then part of an abdominal content can
2 protrude through this defect.

3 Q. Is that what you saw?

4 A. Well, I saw she had a small defect in the
5 umbilicus,

6 Q. Was that the same sore you were talking about?

7 A. No.

8 Q. This was something different?

9 A. Something different.

10 Q. Since there were no symptoms there was nothing
11 that you were going to do for that, right?

12 Correct?

13 A. Say that again.

14 Q. Since there were no symptoms there was nothing
15 you were going to do for that?

16 A. Like for this thing now?

17 Q. Yes.

18 A. No.

19 Q. Okay. When is the next time you saw her?

20 A. March 11, 1988. Not feeling well. 122 over
21 62. Hemorrhoid problems. Had bleeding. Not
22 bleeding now. The abdomen was bloated. Could
23 not use sitz bath. Anusol-Hydrocortisone No. 6,
24 refill 4. Used to drink heavily. Imodium
25 capsule No. 30, refill 2.

1 Mass abdomen, enlarged liver,
2 hepatomegaly. Plaquenil of 100, 1 t.i.d.,
3 Methotrexate, 2.5, No. 60, 2 tablets once a
4 week.

5 Q. What is a hepatomegaly, Doctor?

6 A. It's an enlargement of the liver.

7 Q. What causes that?

8 A. Many things can cause hepatomegaly.

9 Q. How about Methotrexate?

10 A. It may.

11 Q. Why did you prescribe some more Methotrexate?

12 A. Well, at this point I was not really sure what I
13 was dealing with. I examined her, her abdomen
14 was more protuberant than normal. I wasn't sure
15 whether this was gas or fluid or mass or tumor
16 or liver. I sent her for x-ray of the abdomen,
17 and the x-ray of the abdomen did not show
18 organomegaly so it did not help me as far as
19 getting a diagnosis.

20 Q. I'm sorry. I asked you why you prescribed
21 Methotrexate on March 11, 1988.

22 MR. JACKSON: Would you read back
23 that last answer to Mr. Kampinski, please?

24 - - - -

25 (Thereupon, the requested portion of

1 the record was read by the Notary.)

2 - - - -

3 Q. Just so the record is clear, I mean, Doctor, I
4 asked you why you prescribed Methotrexate on
5 March 11, 1988. As I understood your last
6 answer you indicated to me things you did but
7 you didn't answer me as to why you prescribed it
8 on that occasion. What were her indications
9 that caused you to prescribe that medication
10 again, sir?

11 A. That was prescribed for her severe rheumatoid
12 arthritis.

13 When I examined her on March 11 I was not
14 really sure whether she had an enlarged liver as
15 I had said -- I knew she had a protuberant
16 abdomen which was not -- which she did not have,
17 and I didn't know whether I was dealing with an
18 abdomen that was bloated by gas or whether that
19 was a tumor or there was an enlarged liver and
20 that's when I asked for some x-rays of the chest
21 as well as for the x-rays of the abdomen.

22 And as I mentioned, these x-rays really did
23 not help me as far as getting a diagnosis, and I
24 called her on March 15, I made a notation at
25 4:45 p.m., there was no answer, and then I

1 called her again --

2 Q. I'm sorry, where are you reading that from,
3 Doctor? Oh, that's on the radiology report?

4 A. On 4:50 p.m. and she said that she felt okay.

5 Q. What date of the radiology report?

6 A. 3-11-88.

7 MR. JEFFERS: What was the day you
8 called, I couldn't read? Is that 3-15 or 3-18?

9 MR. JACKSON: 3-15,

10 A. I called her on 3-15 at 4:45 p.m.

11 Q. That's on the 3-11-88 radiology report. Could
12 you read that for me? No answer at 4:45 on
13 3-15, okay.

14 A. 4:50 p.m. I got hold of her and patient felt,
15 feels okay.

16 Q. As long as she felt okay, no problem, right, as
17 far as you were concerned?

18 A. Yes.

19 Q. All right. What about the blood that she had
20 mentioned, Doctor? Did you do a rectal
21 examination?

22 A. Yes.

23 Q. Found hemorrhoids?

24 A. Yes. She had hemorrhoids but it wasn't
25 bleeding.

1 Q. I see. So you prescribed Anusol?

2 A. Anusol-Hydrocortizone.

3 Q. And Anusol is for hemorrhoids, right?

4 A. Yes.

5 Q. If they weren't bleeding why did you assume that
6 it was the hemorrhoids that was causing the
7 blood?

8 A. Well, I saw the hemorrhoids in her.

9 Q. Some people have hemorrhoids that bleed, some
10 have hemorrhoids that don't bleed, right?

11 A. But the hemorrhoids were obvious. It was there.

12 Q. Sure. And do you automatically assume that
13 rectal bleeding is due to hemorrhoids or do you
14 check further to make sure that it's not caused
15 for example by cancer?

16 A. Well, yes. During a rectal examination if I had
17 found blood during a rectal examination I would
18 do more to find out what, whether they had
19 hemorrhoids or not. I do a rectal exam, there's
20 blood, I do more tests to find out what is
21 causing the bleeding.

22 Q. Did you give her hemocult slides to determine
23 whether she had occult blood?

24 A. I did a rectal on her.

25 Q. Doctor, did you give her a hemocult slide to

1 determine if she had occult blood?

2 A. We have hemocult here.

3 Q. Did you have her do it?

4 A. No.

5 Q. Why not?

6 A. Because I know she had hemorrhoids. I was not
7 concerned with anything else.

8 Q. Apparently not.

9 MR. JACKSON: Was that a question
10 or just a smart remark?

11 MR. KAMPINSKI: Well, it was an
12 accurate remark. I don't think it was all
13 smart. Probably pretty dumb.

14 MR. JACKSON: I agree.

15 MR. KAMPINSKI: But accurate.

16 MR. JACKSON: I agree with the
17 first part of that.

18 MR. KAMPINSKI: Who cares what you
19 agree with?

20 Q. Were you informed she was admitted to the
21 hospital on March 28, Doctor? Were you aware of
22 her admission?

23 A. I got a call.

24 Q. From Dr. Go?

25 A. No, not Dr. Go. From the daughter.

1 Q. Mrs. Manning?

2 A. Mrs. Manning.

3 Q. What did she tell you?

4 A. She was very irate, how come I didn't call her.
5 She said that her mom was admitted to Parma
6 emergency room and was in like a rest home or
7 something, you know, and apparently had some
8 nose bleeds.

9 And I, when I talked to her I said well,
10 two of my employees had talked to Miss Manning
11 before, the impression that was given to me was
12 that she was going to the emergency room, she
13 had asked which hospital I belong to, and the
14 girls said Southwest General Hospital, and then
15 she was going to take Mrs. Schultz to the
16 emergency room.

17 And I assumed it would be Southwest General
18 Hospital emergency room, and I did not receive
19 any call from Southwest nor from Parma, and the
20 next thing I -- that was the following day, the
21 following morning, and Mrs. Manning was
22 obviously very hostile.

23 And I said I was waiting for the hospital
24 to call me, and she said that she, that
25 Mrs. Schultz was admitted to the -- to Parma

1 emergency room and that she was -- that Mrs.
2 Schultz was doing very well under the care of
3 Dr. Go, and thank goodness for Dr. Go. And I
4 said I was going to admit her anyway had she
5 been admitted to Southwest and she said I don't
6 want you to take care of her anyway.

7 MR. JEFFERS: Pardon?

8 THE WITNESS: She didn't want me to
9 take care of Mrs. Schultz.

10 Q. Let's back up just a little, Doctor.

11 MR. JEFFERS: Is there soon we can
12 take a break?

13 MR. KAMPINSKI: Let me just finish
14 this train of thought and I will take a break,
15 you may call your office.

16 Q. You are saying was aware of the fact that she
17 had been bleeding from her nose and mouth?

18 MR. JACKSON: No. He didn't say
19 that.

20 Q. Why is it that you were going to meet her or --

21 A. No.

22 Q. At the hospital or you assumed she was going to
23 go to Southwest?

24 A. No. She, we assumed that she was going to
25 Southwest.

1 Q. Well, let's go slow, You got a call after she
2 was already in Parma or in the nursing home from
3 Mrs. Manning, is that correct?

4 A. No. We got a call from the nurse at the nursing
5 home that Mrs. Schultz had severe nose bleed,
6 that her pressure was down and my girls told her
7 take her to the emergency room.

8 And Mrs. Manning called and said that she
9 was taking her mom to the emergency room, and I
10 just assumed -- well, she asked which hospital I
11 belong to, and they told her it was Southwest,
12 so I assumed she was going to the Southwest
13 emergency room, and I did not hear anything from
14 Southwest or from Parma.

15 MR. JACKSON: You answered his
16 question,

17 Q. Did you then follow-up to see why she wasn't at
18 Southwest?

19 MR. JACKSON: He said he heard
20 nothing from either.

21 A, I didn't hear anything.

22 MR. JACKSON: Neither Southwest or
23 Parma.

24 Q. Did you follow-up with anybody, with the family,
25 Southwest, Parma, anybody to see where she was

1 or the nursing home?

2 A. No.

3 MR. KAMPINSKI: Okay. Why don't
4 you go ahead and make your call.

5 - - - -

6 (Thereupon, a discussion was had off
7 the record.)

8 - - - -

9 (Thereupon, Mr. Groedel left the
10 deposition.)

11 - - - -

12 Q. Doctor, did you say you had privileges at Parma
13 also?

14 A. No.

15 Q. You don't. What were the two hospitals,
16 Southwest and?

17 A. Fairview.

18 Q. Fairview, I see. Have you ever applied for
19 privileges at Parma?

20 A. No.

21 Q. Did you ever speak with Dr. Go about the
22 treatment that was provided to her at Parma?

23 A. No.

24 Q. Did you ever speak with anybody at the nursing
25 home to see what happened either at Parma or

1 after discharge from Parma?

2 A. No.

3 Q. Do you know what happened to her?

4 A. Yes.

5 Q. What happened?

6 A. She died.

7 Q. Do you know why?

8 A. I don't know.

9 MR. JEFFERS: Object.

10 A. I saw her on the obituary, name.

11 Q. Obituary?

12 A. Yes, obituary.

13 Q. Did you call anybody to try to find out?

14 A. No.

15 Q. Have you reviewed any records in this case that
16 dealt with cause of death?

17 A. No.

18 Q. Do you believe that you deviated from the
19 appropriate standard of care required of you in
20 prescribing Methotrexate in a patient on whom
21 you did not conduct blood work and liver
22 function tests prior to prescribing it?

23 MR. JACKSON: Objection. Don't
24 answer that.

25 A. No.

1 MR. JACKSON: Go ahead and answer
2 it.

3 Q. You feel you did pretty good in doing that?

4 MR. JACKSON: Objection. Don't
5 answer that.

6 Q. If I'm correct, Doctor, you indicated to me that
7 that was required, and you didn't do it, right?

8 MR. JACKSON: Objection. He's
9 answered that question before.

10 Q. How is it that you first came to see her again?
11 It was on referral from a physician or from a
12 friend or both?

13 A. Both.

14 Q. Was she in a nursing home when she first came to
15 you?

16 A. No. That's a residence. It is right here, so,
17 no.

18 MR. JEFFERS: I couldn't hear.

19 THE WITNESS: No.

20 Q. Did she ever go into a nursing home while she
21 was treating with you?

22 A. I don't think that's a nursing home.

23 MR. JACKSON: No.

24 A. That's not a nursing home. It's 2005 Stadium
25 Drive, Chippewa Place, Apartment 10,

1 Brecksville.

2 Q. Do you have any contracts or agreements as far
3 as seeing patients in nursing homes, in any
4 nursing homes?

5 A. No.

6 Q. Do you have any association with Royalview
7 Manor?

8 A. No.

9 Q. Do you know Dr. Go?

10 A. No.

11 Q. Dr. Patawaran?

12 A. No. I think they're from my country.

13 Q. But you don't know them?

14 A. I don't know them.

15 Q. Okay. Did you have any additional discussions
16 with any of the members of the family after
17 Mrs. Manning called you?

18 A. No.

19 Q. Did you have any before that that dealt with her
20 condition? When I say her, I mean Mrs. Schultz?

21 A. Say that again.

22 Q. Yes. Between the time that you last saw her
23 which I think was March 11, and the time of her
24 death --

25 A. Yes.

- 1 Q. -- you told me about one phone call with Mrs.
2 Manning, right?
- 3 A. Yes.
- 4 Q. Were there any calls or discussions with any
5 other members --
- 6 A. That was it. That was the one time.
- 7 Q. Okay. With her or any other member of the
8 family?
- 9 A. Yes.
- 10 Q. Did you ever at any time during the time that
11 you prescribed Methotrexate to Mrs. Schultz
12 discuss her, her condition or her care with
13 Dr. Moinuddin?
- 14 A. No.
- 15 Q. Have you since?
- 16 A. No.
- 17 Q. Have you reviewed his records?
- 18 A. I don't have his records.
- 19 Q. That's not what I asked you. I asked if you
20 reviewed them?
- 21 A. No.
- 22 Q. You haven't seen them?
- 23 A. No.
- 24 Q. You weren't showed his records?
- 25 MR. JACKSON: He said he hasn't

1 seen his records. How many times does he have
2 to say that?

3 MR. KAMPINSKI: Six times and then
4 we'll be done. That was three.

5 MR. JACKSON: That was three.

6 Q. That was three. You haven't seen them?

7 A. No.

8 Q. At all.

9 MR. JACKSON: That's four.

10 MR. KAMPINSKI: No. That was
11 three. You didn't let him answer the third.
12 I'll stop.

13 MR. JEFFERS: I now pronounce you
14 man and wife, you two get along so well.

15 MR. KAMPINSKI: I will stop
16 prematurely.

17 Q. She was the only person that you had ever
18 prescribed Methotrexate for?

19 A. I never prescribe, you know -- by you mean
20 prescribe, initiate treatment or refill
21 prescriptions?

22 Q. I mean prescribe, I mean send a prescription to
23 a pharmacist so somebody can get drugs. That's
24 prescribe. That's what I mean.

25 A. Have I?

1 MR. JACKSON: So what is your
2 question?

3 MR. KAMPINSKI: Did he ever
4 prescribe it for anybody. I was trying to
5 answer his question so that he could answer my
6 question. Have I answered your question.

7 MR. JACKSON: You answered my
8 question.

9 Q. Now if you would answer my question.

10 A. Okay.

11 MR. JACKSON: He'll repeat it for
12 you if you have lost it, Doctor.

13 A. Okay.

14 Q. Have you ever prescribed Methotrexate for
15 anybody other than Mrs. Schultz?

16 A. Yes.

17 Q. Who?

18 MR. JACKSON: Don't answer that
19 question.

20 Q. All right. When?

21 A. The last one I would say is probably a month
22 ago.

23 Q. How many times, how many people have you
24 prescribed Methotrexate for?

25 A. Three.

1 Q. How many before Mrs. Schultz?

2 A. That's it, three.

3 Q. I mean before her, before you saw her.

4 A. Say that again,

5 Q. Did you ever --

6 MR. JACKSON: Just so the record's
7 clear, we were interrupted. Someone was at the
8 door.

9 - - - -

10 (Thereupon, a discussion was had off
11 the record.)

12 - - - -

13 MR. JACKSON: Go ahead. Next
14 question.

15 Q. Did you ever prescribe Methotrexate for anybody
16 prior to your having prescribed it for
17 Mrs. Schultz?

18 A. Yes.

19 Q. All right. Because -- I'm sorry, I'm confused,
20 I thought you said earlier that you told her you
21 had never prescribed it for anybody. Didn't you
22 say that?

23 MR. JACKSON: That he told her
24 that?

25 MR. KAMPINSKI: Yes.

1 MR. JACKSON: That's not what he
2 said.

3 A. No.

4 Q. Okay. Well then my hearing or recollection is
5 faulty. How many of those three people other
6 than Mrs. Schultz that you have prescribed
7 Methotrexate to had you prescribed it for prior
8 to seeing her?

9 MR. JACKSON: Objection. Go ahead
10 and answer, Doctor.

11 A. Say that again. Say that again.

12 Q. Before you saw her, you had prescribed it for
13 three people, is that correct?

14 A. Yes.

15 Q. All right. And you are still prescribing it for
16 those three people?

17 A. Yes,

18 Q. Did you do liver function tests or blood work on
19 those three people before prescribing it?

20 MR. JACKSON: Don't answer that,
21 Doctor. You don't have to answer that.

22 MR. KAMPINSKI: He doesn't?

23 MR. JACKSON: He is not going to
24 talk to you about his treatment of other
25 patients, no.

1 MR. KAMPINSKI: As long as he
2 doesn't identify who they are I think he can.

3 MR. JACKSON: I don't think so.

4 Q. Are you still treating those three patients with
5 Methotrexate, Doctor?

6 MR. JACKSON: You can answer that.

7 A. They are being treated by other doctors.

8 Q. Currently?

9 A. Yes.

10 Q. Were they being treated by other doctors when
11 you had prescribed the medication?

12 A, Yes.

13 Q. And were those other doctors following on the
14 liver function tests and blood work?

15 A. Yes.

16 Q. How do you know that?

17 MR. JACKSON: Don't answer that.

18 MR. KAMPINSKI: What is the basis
19 for telling him not to answer that,
20 Mr. Jackson?

21 MR. JACKSON: Go ahead. You know
22 the question?

23 MR. KAMPINSKI: No. I mean that
24 seems to me to be extremely relevant based on
25 the answer to his last question.

1 MR. JACKSON: You want to know
2 communications he's had with other doctors
3 regarding his patients.

4 MR. KAMPINSKI: I don't know that
5 he had communications. I want to know how he
6 knew that they had this other work. I'm not
7 asking him what his communications are, I'm just
8 asking him how he knew. Maybe he asked the
9 patient, maybe he did it by osmosis, I don't
10 know.

11 MR. JACKSON: You really think he
12 did it by osmosis?

13 MR. KAMPINSKI: Until he answers
14 the question I have no idea. That's why I ask
15 questions. They taught me that in law school.
16 You ask questions, you get answers, and without
17 that you can't tell.

18 MR. JACKSON: Just don't know,

19 MR. KAMPINSKI: No. So would you
20 let him answer that as to how he knew?

21 MR. JACKSON: Go ahead, Doctor.

22 MR. KAMPINSKI: Thank you.

23 Q. How do you know that they were doing blood work
24 and liver function tests?

25 A. Because I got a report from some of his doctors.

1 Q. Okay. So that way you are sure that they're
2 okay, you can continue to prescribe the
3 medication, correct?

4 A. Yes.

5 Q. And that wasn't true with Mrs. Schultz, was it,
6 you weren't getting reports on liver function
7 tests or blood work, were you?

8 MR. JACKSON: You can answer that.

9 A. No.

10 Q. Then why in God's name did you continue to
11 prescribe it if you didn't have that
12 information, Doctor?

13 MR. JACKSON: Don't answer that.
14 We have been through that already.

15 MR. JEFFERS: Strike God's name.

16 MR. KAMPINSKI: In deference to
17 your meeting today.

18 MR. JEFFERS: Yes.

19 MR. KAMPINSKI: I don't have
20 anything further, Doctor. Maybe some of the
21 other attorneys do.

22 MR. JEFFERS: I have no questions.

23 MR. HURT: No questions.

24 MR. JACKSON: Okay. Doctor, we are
25 going to have you read this over.

JESUS A. RAMOS, M.D.

C E R T I F I C A T E

The State of Ohio,) SS:
County of Cuyahoga.)

I, Aneta I. Fine, a Notary Public within and for the State of Ohio, authorized to administer oaths and to take and certify depositions, do hereby certify that the above-named JESUS A. RAMOS, M.D., was by me, before the giving of his deposition, first duly sworn to testify the truth, the whole truth, and nothing but the truth; that the deposition as above-set forth was reduced to writing by me by means of stenotypy, and was later transcribed into typewriting under my direction; that this is a true record of the testimony given by the witness, and was subscribed by said witness in my presence; that said deposition was taken at the aforementioned time, date and place, pursuant to notice or stipulations of counsel; that I am not a relative or employee or attorney of any of the parties, or a relative or employee of such attorney or financially interested in this action.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office, at Cleveland, Ohio, this ____ day of _____, A.D. 19 __

Aneta I. Fine, Notary Public, State of Ohio
1750 Midland Building, Cleveland, Ohio 44115
My commission expires February 27, 1991

1 IN THE COURT OF COMMON PLEBS.

2 CUYAHOGA COUNTY, OHIO

3 BARBARA MANNING, etc.,

4 Plaintiff,

5 -vs-

6 J. A. WAMOS, et al.,

7 Defendants.

8 - - - -

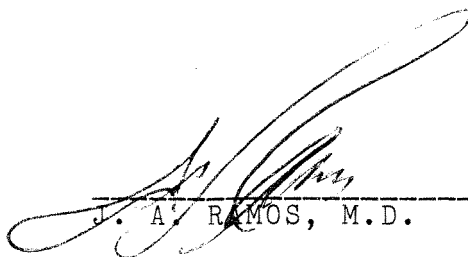
9 Deposition of JESUS A. RAMOS, M.D., taken as
10 if upon cross-examination before Aneta I. Fine,
11 a Registered Professional Reporter and Notary
12 Public within and for the State of Ohio, at the
13 offices of Jesus A. Ramos, M.D., 11925 Pearl
14 Road, Strongsville, Ohio, at 1:00 p.m. on
15 Monday, November 13, 1989, pursuant to notice
16 and/or stipulations of counsel, on behalf of the
17 Plaintiff in this cause.

18 - - - -

19 MEHLER & HAGESTROM
20 Court Reporters
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22 Cleveland, Ohio 44115
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25 800.822.0650

CORRECTIONS TO DEPOSITIONOFJ. A. RAMOS, M.D.MANNING, etc. v. J. A. RAMOS, et al.

<u>PAGE</u>	<u>LINE</u>	<u>DESCRIPTION</u>	<u>REASON</u>
1	13	10850 PEARL Rd	Corrected Address
20	8	pubic instead of cubic	correction
23	6	Kuhn instead of Corn	"
25	8	RESIDENT instead of RESISTANT	"
25	13	excision biopsy instead of ex biopsy	"
34	22	BURK instead of BERK	"
35	25	The plaintiff instead of he could not find my expert witness	clarified
37	3	FERTAL	
77	2	SHOULD BE TIA instead of TMS	
102	21	I told Mrs. Samity, I never initiated treatment with Methotrexate. I had refused it on 2 other patients.	(Clarification)



J. A. RAMOS, M.D.