

1	MDTV MEDICAL NEWS NOW - LASIK SURGERY	
2	COMMERCIAL: At Save The Children, we	00:28:06
3	have photos and personal stories of thousands of	00:28:10
4	children who need a sponsor, a caring friend,	00:28:12
5	someone just like you. Won't you reach out to one	00:28:12
6	of these wonderful children? Your \$20 gift each	00:28:16
7	month is not a handout; it's a hand up. Your	00:28:20
8	contributions will be combined with gifts from	00:28:24
9	others to help provide self-help programs for all	00:28:24
10	the children in the community. Just call and say,	00:28:28
11	yes, I'm ready to be a child's sponsor and friend.	00:28:30
12	ANNOUNCER: If you would like a copy of	00:28:38
13	today's program, you can contact us toll free at	00:28:40
14	1-877-MDTVNOW or visit us or our web site at	00:28:42
15	www.MDTVNOW.com.	00:28:50
16	- - -	00:28:56
17	MS. MURPHY-STARK: I'd like to thank Dr.	00:28:56
18	Herbert Nevyas and Dr. Anita Nevyas-Wallace for	
19	sharing their expertise on refractive surgery,	
20	specifically LASIK laser vision correction and	00:29:04
21	explaining the technology behind it.	00:29:06
22	I would also like to formally announce	00:29:08
23	that both doctors have agreed to join our staff as	00:29:12
24	medical experts on future programs. We look forward	00:29:14
25	to working with both of them.	00:29:16



1	MDTV MEDICAL NEWS NOW - LASIK SURGERY	
2	Well, that wraps up this edition of	00:29:18
3	Medical News Now. For everyone here at MDTV, I'm	00:29:20
4	Pat Murphy-Stark. Take care and stay healthy.	00:29:26
5	- - -	
6	ANNOUNCER: If you would like more	00:29:30
7	information on LASIK laser vision correction, you	00:29:32
8	can reach Nevyas Eye Associates toll free at	00:29:34
9	1-800-9-LASER-6. That's 1-800-952-7377.	00:29:38
10	- - -	
11	(End of videotape.)	
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		



1
2 CERTIFICATE
3

4
5 I HEREBY CERTIFY that this is a true and
6 correct transcript of the videotape entitled, "MDTV
7 MEDICAL NEWS NOW - LASIK SURGERY."
8
9
10

11 
12

13 Lisa C. Bradley, RPR
14 and Notary Public
15
16
17

18 (The foregoing certification of this
19 transcript does not apply to any reproduction of the
20 same by any means, unless under the direct control
21 and/or supervision of the certifying reporter.)
22
23
24
25

\$
\$20 27:6

1
1 3:23; 14:5
1-800-9-LASER-6 28:9
1-800-952-7377 28:9
1-877-638-8669 11:11;
26:10
1-877-MDTVNOW 11:11;
26:10; 27:14
1000 2:10
15 7:3; 16:4
1600s 2:12
1950s 2:12
1979 10:11
1983 22:22

2
20 4:3
20/20 21:25
200 23:24
21 22:25

3
30s 23:6

4
40 20:16, 20
40-year 20:14
40s 24:21

6
6 9:5
6,000 23:15

8
80 3:14
800 8:22; 9:20; 18:5, 23;
26:17
800-9-LASER-6 8:22;
9:20; 18:5, 23; 26:17
80s 25:2, 2

9
952-7376 8:23; 9:21;
18:6, 24; 26:18
98 12:7

A
A.D 2:11
a.m 9:5
ablation 11:7
able 4:13; 8:5; 15:15;
16:22, 24; 17:2; 23:9;
25:10, 25
abnormalities 19:15
abroad 7:6
Academy 19:20
accomplished 10:16
According 3:23; 10:18
accuracy 8:5; 11:8
active 15:10
actors 2:5
actually 14:24; 22:4
addition 6:5; 11:16;
15:10
address 5:11
addressed 2:13; 19:13
adjustments 19:10
admitted 6:19
advancement 3:16
advances 2:15; 4:19, 19;
5:5
advice 2:4
advised 2:7
affect 17:8
affects 17:10, 11
again 8:4; 16:21; 22:19;
24:6
against 15:21
Age 4:17; 24:22
ago 4:21; 5:6; 20:16, 20;
25:8
agreed 27:23
ahead 5:2
aid 2:10; 17:24
Airlines 9:2, 3
AK 5:20
alive 20:19
ALK 19:9, 17
allow 2:15; 3:20
alma 11:15
almost 22:6
along 14:17
amazed 4:22; 23:22; 24:4
amazing 8:10
amber 26:19
American 19:20, 21
amount 5:24
amounts 19:6
analyze 10:15
Andrew 15:3, 5; 17:16
Anita 6:24; 7:7, 13; 8:12;
11:13; 19:18; 27:18
announcement 27:22
ANNOUNCER 2:2; 8:19;
9:17; 18:2, 20; 26:14;
27:12; 28:6

anticipate 22:2
anxiety 21:20
anymore 15:24
apparent 24:18
appearance 2:5
appointment 11:17
approach 15:20
around 2:10; 7:5; 9:6
arrive 9:6, 12
aspects 5:5
aspire 12:9
associated 13:8
Associates 8:22; 9:20;
18:5, 23; 26:17; 28:8
astigmatism 5:22; 9:25;
12:21; 13:3, 23
atraumatic 8:6
attorney 15:4
automated 10:17; 19:8
available 15:25
avoid 16:5
award-winning 19:21
away 2:25; 13:17, 21;
17:4; 23:24

B
back 3:19; 8:7, 11, 17;
9:23; 12:23, 25; 17:24;
19:2; 26:11
badge 7:7
Bala 7:14
base 20:14
basketball 13:6
beam 11:4
beautifully 20:21; 25:12
became 6:18; 19:3
become 25:22
begin 9:5
begins 18:19
behind 10:5; 27:21
beneficiary 4:16
benefit 16:3
benefits 15:21
best 14:23; 19:17
better 23:19; 24:12, 15;
25:24
big 8:3
birth 2:12
bit 13:25; 22:3; 23:21
board 2:21; 11:13
body 8:2; 13:11
bonds 11:5
both 21:19; 27:23, 25
box 23:24
break 26:7
breaking 23:7; 24:11
brighter 24:6
bring 13:19; 14:2
bringing 3:7
broad 19:14; 22:24

burn 11:3
business 18:13, 16

C
call 11:10; 13:22; 25:6;
26:9; 27:10
called 3:20; 9:11, 13;
10:2, 12, 22; 19:12; 20:17;
26:23
came 4:17, 18, 18; 5:8;
6:17; 23:11
can 4:20; 5:14, 17, 19, 19;
7:18, 23; 8:7, 21; 9:19;
12:21; 13:5, 18, 20; 16:18;
17:11; 18:4, 22; 23:25;
24:2, 3, 11; 26:16; 27:13;
28:8
candidate 8:21; 9:19;
12:12, 18, 19; 16:8; 18:4,
22; 26:16
Cannon 26:24, 24
care 3:8; 28:4
career 24:19
careers 17:11
caring 27:4
carpeted 14:12
carry 18:15
cases 7:21
Cataract 19:22; 25:5, 5, 8
cause 2:14
cells 11:5
central 12:24; 13:2
certain 17:3
certainly 6:15
certified 2:21; 11:13
championship 22:22
chance 13:13
change 7:21
child's 27:11
children 16:22; 27:2, 4, 6,
10
chips 10:12
cities 9:6
cleaning 23:8
clear 3:13; 22:6; 25:6
clearer 17:23
clock 23:10
coach 23:25
Cold 4:18
College 11:17
color 24:11, 12; 26:22, 24
Colors 24:6, 9; 26:23, 24
combined 27:8
comfortable 7:24, 25;
21:12, 18
Coming 15:12
comments 11:10
COMMERCIAL 8:24; 9:5;
18:7, 12; 26:19; 27:2
common 5:10
community 27:10

company 18:12, 14, 14,
15, 18
competition 26:25
computer 4:19; 5:3;
10:11, 20
computer-controlled
10:10
computer-guided 3:20
computerized 4:24, 25
concerns 21:19
condensation 15:15
condition 14:12
consider 20:8
construed 2:3
contact 2:12; 3:2; 4:12;
13:14; 17:14; 27:13
contacts 23:7; 24:14
continues 20:7
contribute 25:25
contributions 27:8
controlled 5:3
cool 11:4
copy 27:12
cornea 3:12, 13, 18; 4:23;
5:18; 11:2, 6, 8; 12:24;
13:2, 4; 19:7, 10; 20:18
cornea's 10:19
corneal 3:19, 21; 10:16,
23, 24
corny 24:6
corporations 9:7
corrected 16:13; 19:6;
20:11; 22:16
correcting 2:17; 3:22;
4:11
correction 2:19, 24;
3:24; 4:3; 5:17, 23; 7:19,
24; 8:20; 9:18, 24; 10:3, 8,
15; 11:8; 17:21; 18:3, 21;
19:11; 20:21; 26:15;
27:20; 28:7
corrections 5:19
corrective 2:10; 17:24
country 7:6
course 14:5
covered 26:8
create 3:19; 10:22
created 6:5; 26:24
creates 10:18
crucial 12:16; 14:21
Cynwyd 7:14

D
daughter 6:7, 14
dawn 2:9; 26:22
day 4:22; 9:13; 20:4;
25:20, 20, 21
daylight 26:21, 21
dead 5:20
deal 8:4
decide 15:7

large 22:4
laser 2:19, 23; 3:16, 20, 21, 23; 4:19; 5:3; 8:6, 13, 20; 9:18; 10:2, 7, 10, 12, 14, 21, 25; 11:4; 12:14, 23, 25; 17:21; 18:3, 21; 19:14; 20:18; 26:15, 24; 27:20; 28:7
lasering 14:2
lasers 11:3
LASIK 2:20, 23; 3:17; 5:9, 10; 7:16, 17, 24; 8:14, 19, 21; 9:17, 19; 10:2, 4, 7, 14; 11:18; 12:2, 5, 6; 13:14; 15:4, 8; 16:6; 17:21; 18:2, 4, 20, 22; 19:15, 25; 20:16, 25; 21:5; 25:11; 26:14, 16; 27:20; 28:7
last 3:24; 16:4; 20:12; 23:2
lasted 20:21
latest 2:19; 3:9; 19:15
layer 3:18
lead 15:9
leader 4:4
leaders 3:7; 9:10
learn 8:13, 19; 9:17; 18:2, 20; 26:14
learned 5:7; 12:15; 24:14
leaves 24:7, 9, 10
left 25:9
leg 21:6
lens 5:15, 15; 25:4, 5, 7
lensectomy 5:14; 25:6
lenses 2:12; 3:2; 4:12; 13:14; 17:14; 23:8
level 4:6; 12:15; 16:7
life 8:16; 24:19
lifestyle 15:10
lift 13:25
lifts 3:17
light 3:22
liked 23:12
limitations 19:13
limited 19:11
linen 26:20
lines 18:18
little 5:18; 8:3; 13:19, 23, 24, 25; 21:25; 22:3; 23:21
lives 16:19; 17:9
local 18:17
long 18:16; 20:9, 9
longer 4:11; 8:8; 17:13
look 7:6; 21:11; 24:10; 27:24
looked 15:24
looking 15:23; 16:2, 4; 22:7
lot 12:10; 15:12; 16:2; 23:17
love 25:16, 18, 23
low 19:6
lucky 25:21

luncheon 7:5

M

Macnow 22:15, 19
magnified 4:24
major 9:7
makes 7:8
making 25:16
many 4:17; 5:6; 6:16, 25; 7:3, 21; 25:20
map 10:19
mater 11:15
matters 8:25
may 2:6; 14:10; 21:15, 15; 24:6
MDTV 2:2; 3:2, 6, 25; 9:23; 10:6; 19:2; 22:17; 28:3
mean 23:19
means 6:19
measures 10:17
measuring 4:25
mechanically 19:10; 20:18
media 5:11
Medical 2:2, 4; 3:3, 6, 25; 6:20, 24; 9:24; 10:5, 6; 11:17; 19:3, 19; 26:11; 27:24; 28:3
medically 2:6
medicine 3:10; 11:16
meeting 7:5
meetings 6:24
member 19:21
mentioned 12:18
meridian 13:4
met 6:10
microkeratome 10:22; 12:14
million 3:23
millions 8:24
mindset 12:16
minimize 13:9; 14:4, 5, 8
molecules 11:5
moment 10:6; 21:24
money 9:16
month 27:7
months 20:8; 22:8
more 3:23; 4:3; 5:23; 8:19; 9:17; 10:4; 13:5, 5, 25; 17:20; 18:2, 20; 26:11, 14; 28:6
morning 20:6; 23:9; 26:23
most 3:15; 7:25; 9:15; 11:3; 25:14, 15
moving 18:13, 16
much 5:11; 6:7; 11:23; 24:12, 15; 26:3
MURPHY-STARK 2:9; 3:5, 5; 4:10; 5:7, 25; 6:13; 7:10, 13; 8:11; 9:23; 11:12,

25; 12:17; 13:7; 14:17; 15:2, 7, 18; 16:9, 14, 17; 17:5, 7, 15, 19; 19:2; 20:11, 23; 21:4, 21; 22:10, 13; 24:16; 25:13; 26:2, 6; 27:17; 28:4
must 6:13; 23:15
myopia 5:21; 19:5, 6
myself 6:6

N

name 18:18
nation 9:10
Nationwide 12:7
nearsighted 12:21, 22; 13:22; 25:9
nearsightedness 9:25; 28:3
need 4:11; 12:11; 17:13; 27:4
needless 7:8
needs 18:10
nervous 23:21
Nevyas 4:2, 2, 9, 15; 5:13; 6:4, 15; 7:7, 11, 12; 8:21; 9:19; 18:4, 22; 23:11; 26:16; 27:18; 28:8
Nevyas-Wallace 7:8, 14, 17; 8:12; 11:13, 14, 23; 12:6, 20; 13:10; 14:20; 16:12, 20; 17:6, 10, 20; 19:18, 19; 20:3, 13; 24:24; 25:15; 26:4; 27:18
New 2:22; 3:9; 4:17; 8:16; 17:12; 25:18
News 2:2; 3:3, 6; 9:24; 19:3; 26:11; 28:3
next 2:18; 3:3; 10:21; 20:6
night 7:25; 13:20; 22:3, 5
non-sterile 14:11
normally 25:2
notice 20:4
notices 20:2
number 14:5

O

obtain 4:23
obviously 15:12, 22
ocean 15:16; 16:23, 24; 17:2
off 24:10
office 7:14; 9:14; 14:12
often 6:24; 7:4
old 22:25; 23:2
older 5:23
once 20:12; 25:20
one 8:25; 9:14; 12:11; 13:4; 16:20; 21:12; 23:4; 26:23; 27:5
only 2:3; 8:25; 14:21; 19:6; 26:25

open 26:22
opened 25:19
opens 17:12
operated 11:19
operating 14:9, 13
operation 20:17
operations 8:4; 15:25
ophthalmic 3:17; 4:5; 6:6, 8, 11; 7:2; 10:21
ophthalmologist 6:10; 11:14
ophthalmologists 2:21; 6:3, 5, 12
ophthalmology 6:8; 19:20
opinion 20:14
opportunities 9:15
opportunity 15:23
optometrist 16:3; 17:21; 20:25; 21:5
originality 6:7
others 27:9
out 5:15; 6:17; 8:20; 9:18; 16:24; 18:3, 12, 21; 22:7; 24:2; 26:15; 27:5
outdoors 15:12, 13
outer 3:18
outside 24:19
over 10:23; 16:21, 21
over-corrected 13:23
overnight 18:15
owe 4:15
owes 10:8

P

packages 18:15
paid 2:5
painlessly 11:6
parade 22:23
parents 16:21
particle-free 14:14
particles 14:15
particularly 5:22; 6:9
parts 7:6
past 26:21
Pat 3:5; 4:9; 7:12; 11:24; 13:12; 15:6; 20:13; 24:24; 26:4; 28:4
patient 15:4; 20:25; 22:17
patients 5:23; 7:25; 8:15; 12:8; 20:3, 5, 19; 21:9; 25:8, 16
Pennsylvania 6:19, 23; 11:15, 17; 15:4
people 7:18, 20; 8:6; 16:25; 17:13; 21:6; 23:4, 12; 24:17, 25; 25:11
people's 16:19; 17:8
percent 3:15; 12:7, 9
perfect 4:23; 22:13
perfectly 7:25

perform 25:10
performed 3:24; 11:18; 21:5
performing 4:3
person 12:12, 20, 22, 24; 13:20; 14:2; 20:9; 21:18; 25:2
person's 4:11
personal 27:3
personality 17:22; 22:15
perspective 4:6; 8:16
phenomenal 10:8
Philadelphia 2:22; 17:23; 22:22; 23:2, 23
Photorefractive 19:12
photos 27:3
physician 21:13
picture 4:23
pieces 5:18
pioneer 4:2
place 5:4, 12; 9:3; 11:7
planned 21:15
plastic 5:15, 18; 6:11
play 12:10
player 15:11
please 11:10; 26:9
pleased 21:23; 22:8
pleasure 9:2; 26:5
point 4:13, 20; 16:5
points 10:18
pool 16:23
poor 2:13; 3:13; 10:13
popular 7:18; 19:3
popularity 7:15
possible 7:19
potential 15:25
power 3:15; 5:16
precise 19:14
precisely 5:4; 10:25
press 23:24
previous 8:4; 11:9
primarily 15:24
PRK 19:12, 17
probably 23:17
problem 2:16; 4:14
procedure 2:19; 8:14, 16; 10:2, 8; 12:2, 4, 18; 13:8; 14:6; 15:8; 16:7, 10, 13, 15; 17:8; 20:20; 21:14, 17, 24; 23:20; 24:25; 25:24
procedures 3:24; 5:8, 9, 21; 11:9, 18; 21:10
production 10:11
profile 22:18
program 2:3, 4, 6; 3:6; 4:8; 6:22; 21:2; 27:13
programs 27:9, 24
prompt 7:24
protective 3:18; 10:23
proud 6:14, 16, 17, 21, 23
provide 7:18; 27:9
provides 3:14

weigh 15:20
Welcome 3:6; 4:8; 9:23;
11:22; 15:5; 17:18; 19:2;
21:2
well-known 17:22
weren't 20:16; 23:13
What's 18:18
who's 12:24; 22:25
whole 17:12
wife 6:6
winter 15:13
wireless 18:17
wish 5:17
without 17:24
won 23:2
wonderful 27:6
word 23:19
wore 23:6, 6
work 4:22; 6:11; 8:8;
19:22; 21:6; 24:20
working 24:17; 27:25
works 2:20; 8:13
world 9:4, 6; 14:23;
17:13; 18:7, 8, 10, 10, 11;
25:18
worry 13:11, 15
wraps 28:2
www.MDTVNOW.com
27:15

Y

yards 23:24
year 3:24
years 4:3, 21; 5:6; 7:3, 22,
22; 16:2, 4; 20:16, 20;
22:25, 25; 25:8

Steven A. Friedman, Esquire
Attorney I.D. No. 76402
850 West Chester Pike
Havertown, PA 19083
(610) 789-0568

Dominic Morgan
Plaintiff

vs.

Herbert J. Nevyas, M.D., and
Joann Y. Nevyas, M.D., and
Anita Nevyas-Wallace, M.D., and
Ira B. Wallace, M.D., and
Edward A. Deglin, M.D., and
Mitchell Stein, M.D., and
Nevyas Eye Associates, P.C., and
Nevyas Eye Associates of New Jersey, P.C.
Defendants

: PHILADELPHIA COUNTY
: COURT OF COMMON PLEAS
: TRIAL DIVISION

:
: April 2000 Term, No.002621

PLAINTIFF'S FOURTH SET OF INTERROGATORIES
ADDRESSED TO Nevyas Eye Associates

TO: Nevyas Eye Associates

Plaintiff hereby demands that defendant answer the following interrogatories under oath within the time and in the manner provided by the Pennsylvania Rules of Civil Procedure.

These interrogatories are to be deemed continuing and any information secured subsequent to the filing of answers is to be supplied to Supplemental Answers.

The word "occurrence" used in the following interrogatories refers to those events alleged in plaintiff's Complaint which caused injury to the plaintiff.

The word "you" used in the following interrogatories refers not only to defendant as an individual but likewise to defendant's agents, representatives, attorneys and all other persons acting on behalf of defendant.

The singular includes the plural, and vice versa.


Complaint refers to the Complaint as amended.

Gender designation shall refer to masculine, feminine, or neutral, and not be otherwise restrictive.

For all questions which you cannot answer, state why not, and state where or from whom you have reason to believe the answer may be obtained, and the basis for your belief.

32. This is a request to produce a copy of the current web site, especially those parts which discuss the results of refractive eye surgery by defendants, from previous times.
33. Do you maintain an appointment and privilege list of Dr. Deglin?
34. This is a request to produce such list.
35. Do you use Snellen eye charts?
36. This is a request to produce a copy of the Snellen eye chart used at the City Line Avenue and New Jersey offices.
37. Have you ever leased or purchased Summit excimer lasers? Specify which.
38. If so, give applicable dates of usage.
39. For patients going to have LASIK, describe how you decide whether to use the Nevyas Excimer Laser or another laser.
40. What is the difference in NEV-97-001 between an investigator and a sponsor, or investigator-sponsor.
41. Do you or your agents, including Dr. Sterling and Dr. Barbara Fant, maintain copies of the data given to agent Dr. Fant, for her to prepare for submission to the IRB and/or FDA?
42. This is a request for copies of all such data. The names of patients other than Mr. Morgan may be redacted. Up to now such requests have been answered by you presuming this or that about such information, or have been otherwise non-responsive or evasive. For example, Dr. Sterling and Dr. H. Nevyas both said in deposition that Dr. Sterling submits data to agent Dr. Fant to be processed for forwarding to the IRB and FDA, but no-one has specifically answered plaintiff's request for the information sent to Dr. Fant. Accordingly, plaintiff will not be satisfied without answers which are verified in writing by your agents, in the form of declaration or affidavit.

Date: 1/4/02



Steven A. Friedman, Esquire
Attorney for Plaintiff

STEIN & SILVERMAN, P.C.

BY: Andrew Lapat, Esquire
Attorney Identification No. 55673
230 South Broad Street, 18TH Floor
Philadelphia, PA. 19102
(215) 985-0255

Attorney for Defendant
Nevyas Eye Associates, P.C. and
Nevyas Eye Associates of New Jersey, P.C.

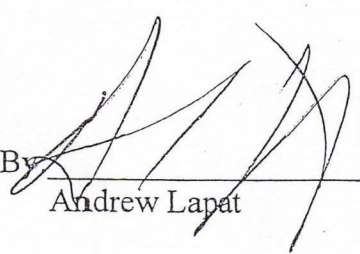
DOMINIC MORGAN : COURT OF COMMON PLEAS
: Philadelphia County
vs. :
: :
HERBERT J. NEVYAS, M.D.; : APRIL TERM, 2000
JOANN Y. NEVYAS, M.D.; :
ANITA NEVYAS-WALLACE, M.D.; :
IRA B. WALLACE, M.D.; :
EDWARD DEGLIN, M.D.; :
MITCHELL STEIN, M.D.; :
NEVYAS EYE ASSOCIATES, P.C. : No. 2621

**ANSWERS OF DEFENDANT, NEVYAS EYE ASSOCIATES, P.C. AND
NEVYAS EYE ASSOCIATES OF NEW JERSEY, P.C.
TO PLAINTIFF'S FOURTH SET OF INTERROGATORIES**

On July 15, 2002 Judge Bernstein ordered Answering Defendant to provide responses to interrogatories 37, 38, 39. The responses are as follows:

- 37. A Summit laser was in the New Jersey office.
- 38. March 25, 1998 - November 11, 1999
- 39. The Nevyas laser was used for near-sighted patients and the Summit laser was used for far-sighted and PTK patients.

Date: July 29, 2002

By 
Andrew Lapat