

means by that?

BY MR. KAFRISSEN:

Q. You understand what I'm saying? I'll explain it to you. Rather than involved as the person being sued or being a witness of somebody that's being sued, an expert would be somebody who is actually looking at the case to determine did the surgeon involved violate or not violate the standard of care?

A. Yes, I've done that.

Q. How many times have you done that?

A. Once or twice.

Q. Okay.

A. Not recently.

Q. Have you ever issued an expert report based on your review of a case?

MS. POST: Have you ever actually reduced it to writing?

THE WITNESS: I don't recall, I'm sorry.

BY MR. KAFRISSEN:

Q. Have you ever testified in court?

A. Never.

Q. Okay. For today's deposition, did you review any materials?

A. Did I review any materials?

MS. NEWMAN: What did you review?

BY MR. KAFRISSEN:

Q. What did you review? Did you look at the records from the surgical center?

A. I just read through our records, that was it.

Q. But ours is, all surgical center and the -- I'm just, when you said you read through our records, you said, when you came, you said, I have my chart -- we have our chart and then I have the records from surgery center?

A. I read through my chart, I flipped through the surgery center. I can't say I read it, every single word.

Q. Okay.

A. But I can if you wish.

Q. Okay. Did you review any articles or journals or books which involved any of the issues -- I'm sorry, you know, there was one other instruction that I didn't give, which is my fault.

You have to wait until I finish my entire question. I know you probably are anticipating what I'm going to say. But just for the record, it comes out all choppy, otherwise. So I'm going to try

and wait until you finish your answer and just try and wait until I finish my question.

Did you review any articles or journals or books which dealt with any of the issues involved in this case?

A. No.

Q. Did you do any research into any of the issues involved in this case?

A. No.

Q. Did you speak with any colleagues concerning any issues involved in this case?

A. No.

Q. Have you discussed your testimony of this deposition with anyone other than your attorney prior to coming here today?

A. No.

Q. Have you ever discussed this lawsuit with Herbert Nevyas outside the presence of counsel?

A. No.

Q. Are you aware of any statistical study, article, paper research document, textbook treatise, or any portion of these things which you would regard as authoritative concerning the procedures performed in this case?

MS. NEWMAN: I'm going to object to using the term authoritative because I don't know that it may carry with it legal connotations which this witness may not be aware of.

BY MR. KAFRISSEN:

Q. Okay. Let me --

MS. NEWMAN: Let me also put another cat out there which may do something to your rephrasing.

MR. KAFRISSEN: Okay.

MS. NEWMAN: Which is objection to anything after the time of the surgery took place because then we get into the area of expert testimony. I'll represent to you now that we are not planning on calling her as an expert. If that changes, I'll let you know and then if you'd like we can think about revisiting that area.

MR. KAFRISSEN: Okay.

BY MR. KAFRISSEN:

Q. Are there any books, papers, journal articles, which you as a physician would reference if you were looking to find out about this surgery?