

1 improve with the surgery. I decided to mention that
2 particular point since we spent so much time discussing
3 it. But discussed in detail means discussed in detail.

4 Q. Could I see the original chart?

5 A. Sure, discussed in detail. And then in -- I went
6 back and it was the same pen but I was doing it at a
7 different angle and my writing is a little different, I
8 mentioned that at one point that I had written
9 discussed in detail.

10 Q. So basically, what you're saying is the space
11 between detail and that extra space that looks like
12 it's there, that tells you that discussed in detail
13 means you discussed all these things you've told us
14 about and that the sentence doesn't actually read as it
15 appears on the page.

16 MS. NEWMAN: I'm going object and
17 instruct her not to answer. She's
18 testified as to what it means, and you're
19 taking it and you're paraphrasing. She
20 discussed it pretty much in detail.

21 MR. KAFRISSEN: Okay.

22 BY MR. KAFRISSEN:

23 Q. Going back to 2/18, you had gone through a whole
24 discussion that you had with us, that you recall that

1 discussion. Now, on that page, I don't see anything
2 that talks about what was discussed?

3 A. Repeat the question?

4 Q. On 2/18, you told us about a discussion that you
5 had with Cheryl, correct?

6 A. I talked about discussions on each of these
7 visits.

8 Q. Exactly. Each of the visits you talk about the
9 discussions that you had. And what I'm saying is,
10 looking at the 2/18/97 note, is there something in that
11 note that talks about what you discussed?

12 A. What are you claiming I discussed that day that
13 isn't in that note?

14 Q. I'm not claiming anything.

15 A. I don't know what you are alluding to.

16 MS. NEWMAN: May I?

17 MR. KAFRISSEN: Sure.

18 MR. NEWMAN: In the March 3rd note, I
19 think it was --

20 MS. POST: No, February 18 was what
21 he was asking about.

22 MR. KAFRISSEN: We started with March
23 3rd and then we went to February.

24 MS. NEWMAN: The note where you said

1 discussed in detail.

2 THE WITNESS: That was the 3rd.

3 MS. NEWMAN: Right. Obviously,
4 referencing a discussion between you and
5 Ms. Fiorelli.

6 MR. KAFRISSEN: Right.

7 MS. NEWMAN: I think what plaintiff's
8 counsel is asking you is, discussing the
9 visit of February 18 you said that you
10 recalled a conversation with Ms. Fiorelli
11 on that date, is there anything in your
12 note of February 18 that references the
13 conversation that you had, is that
14 accurate, counsel?

15 MR. KAFRISSEN: That's accurate.

16 THE WITNESS: There's a detailed
17 description of pupil size. There's Dr.
18 Sterling's measurement and then I said that
19 they were 6 to 6.5 millimeters in room
20 light, and I gave the dim light, what they
21 constrict to in bright light, I spent a lot
22 of time on her pupils and we talked about
23 pupil size and its implications.

24 BY MR. KAFRISSEN:

1 Q. Okay. I guess what the question was, was there
2 something in your note that tells you what you talked
3 about or is what you're saying the discussion was, just
4 what you, actually, sitting here today remember taking
5 place?

6 MS. NEWMAN: Or is it a combination?

7 THE WITNESS: It's a combination.

8 BY MR. KAFRISSEN:

9 Q. Okay.

10 A. I don't document a running transcript of my
11 conversations with each patient or I would only see two
12 patients a day.

13 Q. Sure.

14 A. The whole exchange on the 10th regarding whether
15 she could persuade me to let her put her contact lenses
16 back in as I described it to you is a lengthy exchange,
17 but that's not --

18 Q. Not documented --

19 A. The only clue in the chart is that I said,
20 reevaluate 10 weeks and then I said return 2/18 that
21 she had persuaded me to at least -- not insist that she
22 simply spend a month without lenses and that we'd take
23 a look sooner and see whether she could possibly put
24 them in sooner.