

Nevyas, M.D.

1 Q. Okay. Have you ever testified on a videotaped
2 deposition for a Philadelphia County case?

3 A. I think so. I can't remember specifically
4 where the cases originated but I've been on video
5 depositions on a number of occasions.

6 Q. Okay. Have the cases that you've served on
7 been -- what side have you worked on?

8 A. Both.

9 Q. Okay. And of the cases that you've served on,
10 do you recall the names of any of the attorneys that
11 you've worked with?

12 MS. POST: Sam, the only reason I want
13 to limit this is there may be situations where
14 Doctor Nevyas has been retained as an expert
15 but not anticipated to testify at trial,
16 which, obviously, would not be discoverable in
17 any situation. I don't know that he knows the
18 difference, so if he knows -- if we can limit
19 it to those cases where he's actually been
20 involved --

21 MR. KAFRISSEN: Where he's already
22 testified.

23 MS. POST: -- where he's already
24 testified, then I don't have a problem with
Simpkins Court Reporting (215) 676-4921

Nevyas, M.D.

1 A. No.

2 Q. Do you know the name of the firm representing
3 you in that case?

4 A. I don't remember it. Oh, I'm sorry.
5 Representing me?

6 Q. Yes.

7 A. I forget.

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

10 A. Yes.

11 Q. And can you tell me what you reviewed.

12 A. I looked over the -- very briefly, I looked
13 over the records. I didn't go through them all on this
14 case.

15 Q. Did you review any articles, journals or any
16 books that dealt with any of the issues involved in this
17 case?

18 A. No.

19 Q. Did you do any research, outside of looking in
20 the records, into any of the issues involved in this
21 case?

22 A. No.

23 Q. Did you speak with any colleagues concerning
24 any of the issues involved in this case?

Simpkins Court Reporting (215) 676-4921

Nevyas, M.D.

1 it.

2 MR. KAFRISSEN: Okay.

3 BY MR. KAFRISSEN:

4 Q. Do you understand the distinction?

5 A. No.

6 MS. POST: That's the problem. I just
7 don't want to interfere with his contractual
8 relationship with someone in a situation where
9 he's not called to testify.

10 MR. KAFRISSEN: I can just change the
11 question.

12 BY MR. KAFRISSEN:

13 Q. What I'm looking for are cases that you've
14 actually either testified on videotape or in court live,
15 if you know any of the attorneys that you've worked with
16 in that capacity.

17 A. In the past, I have -- I don't remember very
18 many of the attorney's names. One was David Shrager I
19 have testified for him, but that's been a long time ago.

20 I'm not very good with remembering the names of
21 attorneys. I happen to know him personally so I
22 remembered his name. I can't tell you others. I don't
23 remember them.

24 Q. Okay. Have you ever been involved as a
Simpkins Court Reporting (215) 676-4921

Nevyas, M.D.

1 A. No.

2 Q. Did you speak with Anita Nevyas-Wallace about
3 this case?

4 A. No.

5 Q. And my understanding, from Anita's deposition,
6 is that Anita is your daughter?

7 A. Anita's my daughter. Other than to say it's a
8 pity that this woman has resorted to lawsuits, that's
9 all. We haven't discussed the facts of the case at all.

10 Q. Okay. Did you discuss Anita's testimony,
11 Anita's deposition testimony prior to coming here today?

12 A. Not at all.

13 MS. POST: With Anita?

14 MR. KAFRISSEN: With Anita.

15 THE WITNESS: No.

16 BY MR. KAFRISSEN:

17 Q. Did you read Anita's deposition transcript?

18 A. No.

19 Q. Okay. Other than your attorney, have you
20 spoken to anyone about this case and your testimony here
21 today?

22 A. No.

23 Q. What I'd like to do is get an idea -- and I
24 looked through -- because we had been provided a C.V.
Simpkins Court Reporting (215) 676-4921

Nevyas, M.D.

1 defendant in a medical negligence case other than this
2 one?

3 A. Yes.

4 Q. On how many occasions?

5 A. I'm not sure what you mean by defendant. I
6 have one other case at present where I am being sued, and
7 I've had three or four, perhaps, in the past where I was
8 sued but they never got so far as to a deposition.

9 Q. Okay. The case -- there's one other case
10 that's currently active?

11 A. That's right.

12 Q. And do you know where that case is pending?

13 A. In Philadelphia, I think, yes.

14 Q. Rather than get into that case, because it's
15 probably a lot of other issues involved with it, does
16 that involve anything to do with Lasik or lens
17 replacement surgery?

18 A. Yes.

19 Q. Do you know the name of the person bringing
20 that case?

21 A. Yes.

22 Q. What's that?

23 A. Dominic Morgan.

24 Q. Have you been deposed in that case?
Simpkins Court Reporting (215) 676-4921

Nevyas, M.D.

1 before about -- if you could describe for me your
2 experience with lens replacement surgery, rather than
3 having me go and say: What's this article about; what's
4 that one about.

5 MS. POST: You mixed metaphors. Do you
6 want to know if his C.V. contains any articles
7 or anything about lens replacement --

8 MR. KAFRISSEN: No.

9 MS. POST: -- or do you want to talk
10 about as of '97, what his experience was with
11 lens replacement?

12 MR. KAFRISSEN: Right.

13 MS. POST: Because they were two
14 questions.

15 MR. KAFRISSEN: Okay. I would like the
16 doctor just to give me, if you can, to kind of
17 summarize for me his experience with lens
18 replacement surgery.

19 MS. POST: As of 1997?

20 MR. KAFRISSEN: As of 1997.

21 THE WITNESS: Well, I've been performing
22 cataract surgery since about 1963 or so, and
23 lens replacement surgery is cataract surgery
24 except it's easier and safer because you don't
Simpkins Court Reporting (215) 676-4921