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1 her as a patient.
 2 Q. Okay. The records that we were given -- just
 3 so I'm clear, the records from your office, we have a
 4 typed translation of those records. With regard to the
 5 entries that you made, have you seen the typed entries?
 6 A. I dictated it.
 7 Q. Oh, okay. Is there anything in your review, in
 8 terms of these records getting ready for the case today
 9 or in your review of these records after they were
 10 dictated, that you feel is inaccurate?
 11 A. No.
 12 MS. POST: Your question, just so I
 13 understand, is you want to make sure that
 14 what's in the handwritten record has been
 15 translated accurately.
 16 MR. KAFRISSEN: Accurately, right.
 17 MS. POST: I just want it right.
 18 THE WITNESS: As far as I know.
 19 MR. KAFRISSEN: Okay. That's the
 20 question.
 21 MS. POST: Okay.
 22 BY MR. KAFRISSEN:
 23 Q. Now, do you have any independent recollection
 24 of the March 20 Lasik procedure on Cheryl Fiorelli?
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1 March 20 surgery, did you make any evaluation or any
 2 recommendations with regard to Cheryl trying to be fitted
 3 for contact lenses?
 4 A. Prior to what?
 5 Q. The March 20...
 6 A. Well, I didn't see the patient prior to the
 7 surgery.
 8 Q. Okay. Can you tell me what was your
 9 understanding as to the purpose for the procedure on
 10 March 20.
 11 MS. NEWMAN: Objection. He doesn't
 12 remember.
 13 MS. POST: Right.
 14 THE WITNESS: The purpose for the Lasik
 15 procedure?
 16 MR. KAFRISSEN: Yeah.
 17 MS. POST: Let me -- since he doesn't
 18 remember the procedure, I don't know whether
 19 he can say what the purpose was of this
 20 particular procedure. Do you want to know
 21 what the goal is generally in performing a
 22 Lasik procedure?
 23 MR. KAFRISSEN: Well, I think he can say
 24 -- I know he doesn't remember the procedure,
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1 A. No.
 2 Q. You are listed in the operative form from the
 3 Laser Surgery Institute as assistant. Do you see that?
 4 A. Yes.
 5 Q. And the primary surgeon in that was Anita
 6 Nevyas-Wallace; is that right?
 7 A. Yes.
 8 Q. Why did you assist in that procedure?
 9 A. I just wanted to be present to increase my
 10 experience and to be of any help which I could.
 11 Similarly, she assisted at my procedures.
 12 Q. Okay. Do you have any idea how many Lasik
 13 procedures you had performed as of March of 1997?
 14 A. No, but we have a logbook that would list the
 15 number exactly. I don't remember.
 16 Q. Okay. Let me ask it this way. Without making
 17 a wild guess, is there any way to reasonably estimate how
 18 many per month or per six months or per year you had
 19 performed?
 20 A. Well, we had just started, as I said, in
 21 December of '96 -- was it '96?
 22 MS. POST: Your testimony was December
 23 of '95.
 24 THE WITNESS: '95, I'm sorry. I don't
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1 but he has looked at the records so he may
 2 have -- having looked at the records, it may
 3 have refreshed his recollection as to why they
 4 were performing this particular procedure on
 5 Cheryl as opposed to what they do generally,
 6 so I think I can ask him that question:
 7 Having looked at the records, do you know what
 8 the purpose --
 9 MS. POST: My problem is as opposed to
 10 what they do in general?
 11 MR. KAFRISSEN: Well, I don't know if
 12 there is a difference or not, but that's why I
 13 need -- I'd like to ask the doctor to clarify.
 14 MS. POST: Objection to the form. If
 15 you know.
 16 THE WITNESS: The purpose of the
 17 procedure was the same as any of myopic Lasik
 18 procedure: to relieve the patient of the
 19 myopia, which made her dependent upon glasses
 20 or contact lenses, and in her case made her
 21 absolutely blind and helpless without an
 22 optical prosthesis.
 23 BY MR. KAFRISSEN:
 24 Q. Okay. Was there any upper limit to the
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1 really remember numbers. Maybe a couple of
 2 hundred but I'm not sure. I would have to get
 3 you the accurate number if you need it.
 4 BY MR. KAFRISSEN:
 5 Q. Can you tell me, as an assistant, do you have
 6 any recollection of what you actually did during this
 7 specific procedure?
 8 MS. POST: Not generally.
 9 THE WITNESS: Not generally?
 10 BY MR. KAFRISSEN:
 11 Q. Right. Not what you would normally do.
 12 A. I don't recall this specific procedure.
 13 Q. Okay. Now let me ask you generally as an
 14 assistant in a Lasik procedure in March of 1997, could
 15 you tell me generally what it is that you would be doing.
 16 A. Just standing by, observing; if one needed any
 17 help with the operation of the laser, I would perhaps
 18 help. I would follow orders. If I were told to do
 19 anything to help retract the drape if the patient were
 20 having trouble breathing or sometimes I may have operated
 21 the foot pedals for the microkeratome, although I don't
 22 believe I did in this case, but I just stood by and
 23 observed, primarily, see if I was needed.
 24 Q. Okay. Now, prior to the performance of the
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1 nearsightedness as of 1997 in determining whether you
 2 would operate on someone or not?
 3 MS. POST: Objection to form. He didn't
 4 operate, but I'll allow him to testify as to
 5 his considerations.
 6 MS. NEWMAN: Objection. Go ahead. You
 7 can answer.
 8 THE WITNESS: At that time Lasik was
 9 being done up to about 25 diopters around the
 10 world, and, therefore, there was no specific
 11 limit, but for the higher ones we tended to do
 12 refractive lensectomy and for the lower ones,
 13 Lasik, since the results of Lasik were less
 14 predictable and dependable the higher you get.
 15 BY MR. KAFRISSEN:
 16 Q. Okay. Were you aware prior to surgery of what
 17 Cheryl's preoperative refraction was?
 18 MS. NEWMAN: Objection. He doesn't
 19 remember.
 20 MS. POST: Yeah.
 21 MR. KAFRISSEN: Well, it's actually in
 22 the records.
 23 MS. NEWMAN: Well, I object. They speak
 24 for themselves.
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