

[REDACTED]

3. Consent form for [REDACTED] was not signed. There was no way of determining whether consent was obtained before or after [REDACTED] surgery to the right eye on 12/4/97, due to lack of a date next to patients' signature.

According to the [REDACTED] /intra-operative form **EXHIBIT#18** [REDACTED] had right eye myopic [REDACTED] surgery on 12/4/97.

Page 9 of the patient information and consent form **EXHIBIT #19** indicates the patient signed the form however, the date is missing. Therefore, it is not certain what date the patient actually signed the consent form. [REDACTED] assured me this was merely a mistake and that all patients read and sign consent forms before surgery.

4. Consent forms for [REDACTED] were signed and dated (2/20/98) one day after [REDACTED] surgery to the right eye was performed (2/19/98).

The [REDACTED] /intra-operative form for [REDACTED] **EXHIBIT #20** and [REDACTED] **EXHIBIT #22** verify both had [REDACTED] surgery on their right eyes for myopia on 2/19/98.

However, page 9 of the patient information and consent forms, **EXHIBIT #21**, **EXHIBIT #23**, respectively show a date next to the patients signature of 2/20/98. This indicates the patients signed the consent forms one day after they had surgery.

[REDACTED] stated it might appear the patients signed the consent forms one day after surgery however, this was a mistake made by someone on his staff.

5. [REDACTED] had [REDACTED] For [REDACTED] on 8/13/98. However, the patient information and consent form which was approved for use by the IRB on 7/17/98, was not present in the patient file or made available upon request.