## DEIDENTIFIED DEPOSITION OBSTETRICIAN/GYNECOLOGIST RESIDENT TESTIFIES IN PRE-TRIAL HEARING IN FAILURE TO DIAGNOSE SEPSIS CASE RESULTING IN DEATH OF PATIENT

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2	SUPREME COURT OF THE STATE OF NEW YORK	
3	COUNTY OF	
4	x	
5	, as Administrator of the	
6	Estate of , Deceased, , individually,	and
7	Plaintiff,	
8	-against-	
9		
10		
11		
12		
13	Defendants.	
14	Delendants.	
15	x	
16		
17		
18	June 2, 12:40 p.m.	
19	12.40 р.ш.	
20	EXAMINATION BEFORE TRIAL of ,	
21	M.D., a Defendant in the above-entitled	
22	action, held at the above time and place,	
23	taken before , a Notary	
24	Public of the State of New York, pursuant	
25	to Order.	

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     APPEARANCES:
      LAW OFFICES OF GERALD M. OGINSKI, LLC
      Attorneys for Plaintiff
       25 Great Neck Road
 4
       Great Neck, New York 11021
5
      BY: GERALD M. OGINSKI, ESQ.
6
      Attorneys for all Defendants
8
9
10
      BY:
                            , ESQ.
11
                                         LLP
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      Attorneys for Defendant
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      BY: , ESQ.
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      Attorneys for Defendant
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      BY:
                , ESQ.
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1 STIPULATIONS

- 3 IT IS HEREBY STIPULATED, by and among
- 4 the attorneys for the respective parties
- 5 hereto, that:
- 6 All rights provided by the C.P.L.R.,
- 7 and Part 221 of the Uniform Rules for the
- 8 Conduct of Depositions, including the
- 9 right to object to any question, except
- 10 as to form, or to move to strike any
- 11 testimony at this examination is
- 12 reserved; and in addition, the failure to
- 13 object to any question or to move to
- 14 strike any testimony at this examination
- shall not be a bar or waiver to make such
- 16 motion at, and is reserved to, the trial
- 17 of this action.
- 18 This deposition may be sworn to by the
- 19 witness being examined before a Notary
- 20 Public other than the Notary Public
- 21 before whom this examination was begun,
- 22 but the failure to do so or to return the
- 23 original of this deposition to counsel,
- 24 shall not be deemed a waiver of the
- 25 rights provided by Rule 3116, C.P.L.R.,

1	, M.D.
2	and shall be controlled thereb
3	The filing of the original of this
4	deposition is waived.
5	IT IS FURTHER STIPULATED, a copy of
6	this examination shall be furnished to
7	the attorney for the witness being
8	examined without charge.
9	
10	* * *
11	
12	, the Witness herein,
13	having first been duly sworn by the
14	Notary Public, was examined and testified
15	as follows:
16	EXAMINATION BY
17	MR. OGINSKI:
18	Q Please state your name for the
19	record?
20	A .
21	Q Please state your address for
22	the record?
23	A
24	

Q Good afternoon. Where you do

5 1 , M.D. 2 currently work, Doctor? 3 A I'm currently working at 4 5 Q And how long have you been 6 working there? A Since August Q What do you do there? 8 9 A I'm attending physician of OB/GYN Department. 10 11 Q And in November of , where did you work? 12 13 MR. : November? 14 MR. OGINSKI: Yes. A November, I was still in 15 16 17 Q In December where did you 18 work? 19 A That was my first day in 20 21 Q What were you doing? Why were

23 rotation?

22

24 A That was my first day on my

you at ? Were you doing a

25 rotation in .

- 2 Q You were an OB/GYN resident?
- 3 A Yes.
- 4 Q Where were you doing your
- 5 residency?
- 6 A I was in third-year resident.
- 7 Q Where?
- 8 A At
- 9 Center, OB/GYN Department.
- 10 Q And that's a four-year program;
- 11 correct?
- 12 A That's correct.
- 13 Q And one of the rotations you
- were doing was GYN oncology?
- 15 A Correct.
- 16 Q And you were going to be
- 17 working at in the
- 18 Department of GYN Oncology?
- 19 A Correct.
- 21 ?
- 22 A On December 1, .
- 23 Q And when did you continue to
- 24 work on that rotation at ?
- 25 A I worked there for two months.

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1
                           , M.D.
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               And during the time that you
          Q
      worked there, was it in one particular
 3
      division, Department or were there
 4
 5
      multiple places where you worked while at
 6
      that hospital?
               MR. : Just object to the
 8
          form. You're not asking location or
 9
         are you asking department?
               MR. OGINSKI: Departments,
10
11
         divisions.
12
               Oncology GYN surgery
               And after you completed your
13
14
     two months of rotation at
15
           , where did you go after that?
             I went back to my own hospital.
16
               То
17
         Q.
18
         Α
19
         Q Were there any other residents
20
                Hospital, that also worked
           at the same time as
21
      at
22
      you?
23
         Α
               No.
24
               What were your job duties when
          Q
```

you started on December 1, , at

1 , M.D.

2 ?

3 A The job duty on December 1,

4 ?

5 Q Yes.

6 A I was on call on that day, so

7 basically covers the GYN oncology floor

8 and the urology surgery floor.

9 Q Were there any other residents

10 that also had a similar responsibility to

11 you for the same group of patients?

12 A That day?

13 Q Yes.

14 A No.

15 Q If you needed to talk to

16 someone who was senior or superior to

you, who would you be able to contact or

18 speak to?

19 A That day was a fellow, his name

20 is . He was on call with me.

21 Q Other than Dr. , was there

22 anybody else on call with you on

23 December 1, ?

24 A No.

25 Q And if Dr. was unavailable

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1 , M.D.
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- 2 and you needed to speak to someone who
- 3 was higher up the chain of command, who
- 4 would you be able to speak to?
- 5 MR. : I have to object
- 6 to that.
- 7 MR. OGINSKI: I'll rephrase.
- 8 Q Was there anyone else you could
- 9 speak to if Dr. was unavailable on
- 10 December 1st?
- 11 A But I called him, he was
- 12 available.
- 13 Q I'll get to that. I'm only
- 14 asking if he was not available, was there
- 15 an attending or some other fellow that
- 16 was available that you could talk to?
- 17 A I don't recall that.
- 18 Q Did you participate in Mrs.
- 's surgery on November 30, ?
- 20 A No.
- 21 Q Did you participate in her
- 22 postoperative care before you came on
- 23 duty on December 1, ?
- 24 A Before, no.
- 25 Q When you came on duty --

- 2 withdrawn.
- 3 Had you worked December 1st and
- 4 then also continued your work into the
- 5 evening as an on call resident?
- 6 A That was 24 hours call.
- 7 Q How did you learn about Mrs.
- 8 ?
- 9 A She was a patient on the floor.
- 10 I don't understand your question.
- 11 Q When you arrived at
- 12 , did another physician tell you
- 13 about what patients were already on the
- 14 floor?
- 15 A I don't remember details of the
- 16 first da
- 17 Q Typically --
- 18 A It's typically custom and
- 19 practice.
- 20 Q Let me rephrase it. When you
- 21 arrive at the hospital, specifically
- , and you are now taking
- over call from someone else, does one
- 24 doctor relay information to the next
- 25 doctor; do you have a sign out?

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1 , M.D.
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- 2 MR. : You're asking
- 3 what's typical?
- 4 MR. OGINSKI: Yes.
- 5 A Yes, that's typical.
- 6 Q During the course of sign out,
- 7 do you tend to take notes?
- 8 A I was not there sign out.
- 9 Q When you arrived, how did you
- 10 learn about the patients that were
- 11 already on the floor?
- 12 A When I arrived, Dr.
- 13 gave me the orientation. And custom and
- 14 practice, I don't remember details, but
- 15 custom and practice, they have sheet and
- 16 all the patient name is on that sheet.
- 17 Q How many patients were you
- 18 responsible for on December 1, ?
- 19 A I don't remember how many
- 20 patients there were.
- 21 Q Was it more than ten?
- 22 A I guess.
- 23 Q I don't want you to guess,
- 24 Doctor. Let me rephrase it.
- On the GYN oncology floor, were

- 2 you responsible for more than ten
- 3 patients on December 1st?
- 4 A Probably, yes.
- 5 Q Was it more than 20 patients?
- 6 A Probably, yes.
- 7 Q Was it more than 30 patients?
- 8 A I'm not sure.
- 9 Q And if a patient has a
- 10 particular problem, how do you get
- 11 notified or learn about a particular
- 12 problem while you are on call?
- 13 A You mean generally?
- 14 Q Yes.
- 15 A Usually the nurse will inform
- 16 you.
- 17 Q And once you learn from a nurse
- 18 that there is a particular problem, what
- 19 do you do to address that problem,
- 20 generally?
- 21 MR. : That's very broad.
- MR. OGINSKI: I'll rephrase it.
- 23 Q If a nurse contacts you about a
- 24 patient problem, do you go to see the
- 25 patient?

- 2 A It depends.
- 3 Q On what?
- 4 A If you just want to give some
- 5 diet --
- 6 Q I'm sorry?
- 7 A If you want to order some clear
- 8 diet, give some Colace for constipation,
- 9 probably not.
- 10 Q And if it's something more
- 11 significant, would you expect to go see
- 12 the patient?
- 13 A Yes.
- 14 Q Now, as a third-year resident
- in December of , had you participated
- in GYN surgery?
- 17 A GYN surgery, yes.
- 18 Q And had you participated in
- 19 hernia repairs?
- 20 A Never.
- 21 Q Had you participated in
- 22 surgeries that involved hysterectomies?
- 23 A Benign, yes.
- 24 Q Had you done a GYN oncology
- 25 rotation at Hospital?

- 2 A No.
- 3 Q During your second year of
- 4 training at Hospital, did you
- 5 have a GYN oncology rotation?
- 6 A No.
- 7 Q Who is Dr. ?
- 8 A ? I don't know.
- 9 Q Do you know a Nurse ,
- 10 ?
- 11 A No, I don't know.
- 12 Q Did you have a conversation
- 13 with a nurse regarding Mrs. on
- 14 December 1, , the first day you were
- 15 taking call?
- 16 A I don't recall.
- 17 Q Now, in preparation for being
- 18 questioned today, did you have an
- 19 opportunity to look at some of the
- 20 records in the hospital for this patient?
- 21 A You mean the chart?
- 22 Q Yes.
- 23 A For preparation?
- 24 Q Yes.
- 25 A Yes.

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1 , M.D.
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- 2 Q And did you notice that there
- 3 are references by other people about --
- 4 withdrawn.
- 5 Did you write a note for this
- 6 patient at any time on December 1, ?
- 7 A From the chart, no.
- 8 Q Other than what's in the chart,
- 9 do you have any other documents anywhere,
- 10 that would reflect any notes that you
- 11 made regarding this particular patient?
- 12 A No.
- 13 Q In the chart that you reviewed,
- 14 did you see that there is a nurse's note
- that discusses a conversation with you
- 16 and a particular nurse named ?
- 17 A It was in the chart.
- 18 Q And did that note, that nurse's
- 19 note, refresh your memory about the
- 20 conversation that you had with this
- 21 particular individual?
- 22 A No.
- 24 particular patient?
- 25 A Vague.

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1 , M.D.
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- 2 Q Tell me what you do remember.
- 3 A I only remember after -- I only
- 4 remember the husband was asking me to
- 5 give the patient beta blocker because
- 6 patient was on beta blocker in the past
- 7 and she needs it.
- 8 Q And what beta blocker was that?
- 9 A Metoprolol.
- 10 Q And what is that; what type of
- 11 medication is that?
- 12 A It's a cardiovascular
- 13 medication.
- 14 Q What is it prescribed for?
- 15 A They can be multiple reasons
- 16 you can give to patient.
- 17 Q Did you learn why this patient
- 18 was on that particular medication?
- 19 A From her medical record, yes.
- 20 Q What did you learn?
- 21 A She has tachycardia histor
- 22 Q Did you ever examine this
- 23 patient?
- 24 A I don't recall.
- 25 Q Now, if you had examined the

- 2 patient, you would have written a note in
- 3 the chart; correct?
- 4 A It depends.
- 5 Q On what?
- 6 A It's a judgment call.
- 7 Q What is a judgment call?
- 8 A If it's a total normal exam, I
- 9 may not write it.
- 10 Q Let me go back for a second.
- 11 If you are called to see a patient
- 12 because of a problem the patient is
- 13 having, and you examine the patient, what
- is the purpose of your examination?
- 15 MR. : I'm objecting
- 16 here. Are you asking her what she
- 17 did in this case?
- MR. OGINSKI: No, in general.
- 19 MR. : Because there is
- 20 no testimony about being called for a
- 21 problem here.
- 22 Q How was it that you had a
- 23 conversation with Mr. ?
- 24 A Say that again.
- 25 Q The patient's husband, how is

- 2 it that you came to speak to Mr. ?
- 3 A I don't remember an
- 4 Q Is there anything in the notes
- 5 that you reviewed, that indicate how you
- 6 happened to have had a conversation with
- 7 the patient's husband?
- 8 MR. : She remembers the
- 9 conversation.
- 10 A I only remember the husband
- 11 asking me to give the medication.
- 12 Q Did you learn from the husband
- 13 how often she was taking this medication?
- 14 A I don't recall.
- 15 Q Is there anything in this
- 16 hospital chart to indicate that you ever
- 17 examined this patient?
- 18 A In this chart?
- 19 Q Yes.
- 20 A I just reviewed, no.
- 21 Q Do you have a memory of ever
- 22 physically examining this patient?
- 23 A I don't remember.
- Q Do you know Dr. ?
- 25 A I don't know who is Dr.

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1 , M.D.
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- 2 Q Do you know Dr. ?
- 3 A Yes.
- 4 Q How do you know Dr. ?
- 5 A Dr. is or was in the
- 6 team, which I was assigned
- 7 later on.
- 8 Q Did you ever have any
- 9 conversations with Dr. about this
- 10 patient?
- 11 A No.
- 12 Q Did you learn, at any time
- 13 during your rotation at ,
- 14 that this patient had died?
- 15 A I have no clue.
- 16 Q I'm only asking while you were
- 17 at during those two
- 18 months, did you ever learn from anyone
- 19 while you were there, that this patient
- 20 had died?
- 21 A No.
- Q Were you ever present for any
- 23 discussion with any physicians who
- 24 discussed this patient's care and
- 25 treatment while at ?

- 2 A No.
- 3 MR. : You mean that she
- 4 can remember?
- 5 MR. OGINSKI: Of course.
- 6 MR. : That you remember,
- 7 do you remember being present for
- 8 discussions about her?
- 9 A What does that mean? I don't
- 10 understand.
- 11 Q While you were doing your
- 12 rotation over the course of two months at
- , were you ever present
- 14 for any conversation with any physician
- 15 after December 4, , that discussed
- this patient's care and treatment?
- 17 A No.
- 18 Q Did you order Metoprolol for
- 19 this patient?
- 20 A Yes.
- 21 Q Why?
- 22 A The husband was asking for it
- 23 and also from her past medical history,
- 24 she was taking it.
- 25 Q And did you learn in what form

- 2 she was taking it?
- 3 A I don't recall.
- 4 Q Now, are there different types
- 5 of methods for -- withdrawn.
- 6 What is an extended release
- 7 capsule?
- 8 A Extended release?
- 9 Q I'm sorry?
- 10 A You asked for the definition of
- 11 extended relief?
- 12 Q Yes.
- 13 A The onset is the same, like
- 14 immediate release, but just the duration
- is different. So you control the release
- 16 time and last for maybe 24 hours, so you
- 17 can give the medication only once a da
- 18 Q Does Metoprolol come in an
- 19 extended release form?
- 20 A It does.
- 21 Q Does it come in any other type
- 22 of form?
- 23 A It comes different form,
- 24 immediately release and extended release.
- 25 Q And what type did you order for

- 2 this patient?
- 3 A I don't recall.
- 4 Q Did you have a discussion with
- 5 the patient's husband about the type of
- 6 Metoprolol that you would be ordering,
- 7 whether it was extended release or the
- 8 immediate one?
- 9 A I don't recall.
- 10 Q I'm going to show you a
- 11 document which is noted at the top, page
- 12 18 of 23. It says OMS orders.
- Take a look at that, please,
- 14 the top one. Do you see there is an
- order with your name on it for the
- 16 extended release Metoprolol?
- 17 A Yes.
- 18 Q Can you tell me why you ordered
- 19 the extended release version for this
- 20 patient?
- 21 A I don't recall.
- 22 Q Did you have a conversation
- 23 with any physician about the type of beta
- 24 blocker that the patient should receive,
- 25 whether extended release, immediate

- 2 release or something else?
- 3 A I called Dr. regarding to
- 4 order of Metoprolol.
- 5 Q When did you have that
- 6 conversation?
- 7 A After patient's husband was
- 8 asking for it.
- 9 Q And what did you say to Dr.
- 10 and what did Dr. say to you?
- 11 A Dr. said check on the -- I
- don't remember details, but check on the
- 13 computer and order if there is no
- 14 Metoprolol and to just order. I don't
- 15 remember details.
- 16 Q Was the patient experiencing
- 17 any episodes of tachycardia at the time
- 18 that you ordered this medication?
- 19 A I don't recall.
- 20 Q Was there anything that you
- 21 recorded in the notes, to suggest that
- 22 the patient was experiencing tachycardia?
- 23 A At the time I ordered, no.
- Q Did the patient's husband
- 25 specifically ask you for an immediate

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1 , M.D.
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- 2 release form of the Metoprolol?
- 3 A I don't recall.
- 4 Q Did you learn from the
- 5 patient's husband that the extended
- 6 release form did not work well for his
- 7 wife and her condition?
- 8 A I don't recall that.
- 9 Q Did you have any conversation
- 10 with the patient's husband again, after
- 11 that one time you told me about?
- 12 A I don't recall.
- 13 Q Now, there is a nurse's note by
- 14 Nurse that says, "Dr. on
- 15 floor and asked to see patient. Dr.
- stated she wanted to wait for fellow, Dr.
- 17 ."
- Do you have any memory of that
- 19 event?
- 20 A No.
- 21 Q Did you have a conversation
- 22 with Dr. about this particular
- 23 patient?
- 24 A I don't know who is Dr. .
- 25 Q Do you know a Nurse ,

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1 , M.D.
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- 2 ?
- 3 A No.
- 4 Q Do you know a Dr.
- 5 ?
- 6 A No.
- 7 Q Do you know Dr.
- 8 ?
- 9 A No.
- 10 Q Did you ever have any
- 11 conversations with Dr. , a
- 12 surgeon?
- 13 A No.
- 14 Q Did you ever see this patient
- 15 after December 1, ?
- 16 A This patient?
- 17 Q Yes.
- 18 A No.
- 19 Q When you checked the computer
- 20 to see what medications would be
- 21 appropriate for the patient, did you also
- 22 check any laboratory results or lab
- values for this patient?
- 24 A I don't recall.
- 25 Q Did you perform an EKG on this

- 2 patient?
- 3 A I don't remember.
- 4 Q Did you evaluate an EKG for
- 5 this patient?
- 6 A I don't remember.
- 7 Q Did you have any conversation
- 8 with any cardiology physician about this
- 9 patient?
- 10 A No.
- 11 Q Were you ever called back to
- 12 this patient's room at any other time on
- 13 December 1, ?
- 14 A After that day?
- 15 Q Let me rephrase it. Other than
- 16 the conversation that you told me about
- 17 regarding the Metoprolol, did you have
- another interaction with this patient on
- 19 the same day?
- 20 A I don't recall.
- 21 Q Do you have any notes in the
- 22 chart to reflect that you saw this
- 23 patient at any other time on
- 24 December 1st?
- 25 A From my -- the notes, no. From

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1 , M.D.
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- 2 the medical record, there are no notes
- 3 from me.
- 4 Q I would like you to take a look
- 5 please at the nursing addendum dated
- 6 December 1, . In the middle of this
- 7 nursing note by it says,
- 8 "Patient's husband upset because wife was
- 9 promised pill earlier in the day and
- 10 immediate release, rather than extended
- 11 release."
- 12 Did you have any conversation
- 13 with the patient's husband about that
- 14 fact?
- 15 A I don't remember.
- 16 Q Were you the one who had
- 17 promised the patient or the patient's
- 18 husband that she would be getting
- 19 immediate release Metoprolol?
- 20 A I really don't remember. I
- just remember he asked me to give the
- 22 beta blocker and I called the fellow.
- 23 Q The note continues by sa
- 24 that she spoke to Dr. and Dr.
- 25 about the situation. Patient visited by

- 2 M.D.s.
- 3 Do you have any note about any
- 4 visit to the patient that day?
- 5 A There is no notes from me.
- 6 Q Were you present when Dr.
- 7 physically examined the patient?
- 8 A It's not Dr. -- I don't
- 9 know who is Dr. .
- 10 Q Were you given the results of
- 11 the EKG? Let me rephrase it.
- 12 The last four lines it says,
- 13 "EKG ordered, EKG performed by
- 14 , R.N. Results given to Dr.
- 15 and Dr. ."
- Do you see that?
- 17 A Uh-huh.
- 18 Q Do you have any knowledge of
- 19 the EKG that was done for this patient?
- 20 A I don't remember.
- 21 Q Do you have any notation about
- 22 your evaluation or review of the
- patient's EKG?
- 24 A I don't review EKG.
- 25 Q In your residency, in the event

- 2 you were called to evaluate a patient and
- 3 actually examine them, are you trained
- 4 and taught to write notes in the
- 5 patient's chart following your
- 6 examination?
- 7 A It depends.
- 8 Q Under what circumstance would
- 9 you make entries in the patient's chart?
- 10 A If there is no significant, I
- 11 may not write a note.
- 12 Q What would you --
- 13 A It's judgment call.
- 14 Q What is a judgment call?
- 15 A You know, if I examine, nothing
- 16 major and no changes, nothing major, I
- 17 may not write a note. Or if you -- if
- 18 I'm with some other doctors together, my
- 19 seniors and senior examine, I may not
- 20 write notes.
- 21 Q How would you know if there was
- 22 no significant change, if you had never
- seen the patient before?
- 24 A Significant change is for
- 25 example --

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1 , M.D.
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- 2 MR. : I don't think he's
- 3 asking what is significant changes.
- 4 I think he's asking how do you make
- 5 the determination.
- 6 A Abnormal findings.
- 7 Q Are you talking about abnormal
- 8 physical findings?
- 9 A Yes.
- 10 Q Are you licensed to practice
- 11 medicine in New York?
- 12 A Yes.
- Q When were you licensed,
- 14 approximately?
- 15 A End of .
- 16 Q Are you licensed in any other
- 17 state?
- 18 A No.
- 19 Q Are you board certified in any
- 20 field of medicine?
- 21 A No.
- 22 Q Have you sat for any portion of
- the OB/GYN board certification exam?
- 24 A There are two parts of the
- 25 board certification. One is written,

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1 , M.D.
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- 2 which I passed. One is oral, which I'm
- 3 going to take the end of this year.
- 4 Q And the written part, did you
- 5 need to take that more than once?
- 6 A I took only once.
- 7 Q Where did you go to medical
- 8 school?
- 9 A .
- 10 Q Where?
- 11 A of
- 12 .
- 13 Q When did you graduate that
- 14 program?
- 15 A In .
- 16 Q And was that combined with
- 17 college?
- 18 A Yes, it's a five-year program
- 19 directly after the high school.
- 20 Q What did you do after finishing
- 21 medical school in ?
- 22 A I finished five years OB/GYN
- 23 training program.
- Q Where?
- 25 A In Hospital, ,

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1
                     , M.D.
2
     Q And after that, what did you
    do?
4
5
        A I stayed in the hospital as an
    attending physician.
6
       Q For how long?
       A Until '.
8
       Q And ' , what did you do?
9
10
       A I came to
      Q In terms of your training,
11
    where did you go?
12
13
    A I went to
14
       fellowship.
15
16
       Q How long was that?
17
       A
       Q Did you finish that?
18
       A Yes.
19
20
       Q And after doing that, what did
21
    you do?
22
       A I finished that, I was stay
23
    home for -- from ' to , as
```

Q Did you work in the medical

24

25

housewife.

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1
                          , M.D.
 2
      field at all during those four years?
 3
         Α
               No.
               Then what?
         Q
 4
 5
              Then I -- we doing some
 6
                   to make some
                  products and export to
8
     this
                  from
9
               What did you do after that?
10
               I was medical assistant in the
11
           ,
                 , as a medical assistant.
12
13
               And that was from when to when?
         Q
14
         A From to end of
             What did you do after that?
15
         Q
16
              Then I started my residency in
         Α
17
               Have you written anything in
18
         Q
      the field of obstetrics and gynecology?
19
20
               Say that again.
         Α
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Do you have any publications?

Have you ever testified before?

Being involved in a lawsuit?

21

22

23

24

25

Q

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No.

Yes.

- 2 A Yes.
- 3 Q How many times?
- 4 A Once.
- 5 Q Like this, what we're doing
- 6 now, where you are being asked questions?
- 7 A Yes.
- 8 Q Was that in a case where you
- 9 were being sued as a participant in the
- 10 care?
- 11 A I actually -- eventually they
- 12 dropped me.
- 13 Q But that was as a doctor who
- 14 was caring for a patient?
- 15 A I was a first-year resident, so
- they didn't actually eventually sue me.
- 17 Q Did you ever speak with Dr.
- 18 again about this patient?
- 19 A No.
- MR. : When?
- 21 Q At any time after December 1,
- 22 ?
- 23 A No.
- Q Did you review the autopsy
- 25 report in preparation for today's

- 2 questioning?
- 3 A No.
- 4 Q Now, in addition to being an
- 5 attending at Hospital, do you
- 6 have your own private office?
- 7 A No, I don't.
- 8 Q You're part of the
- 9 ?
- 10 A Yes, I'm part of the
- 11 .
- 12 Q Were you ever asked to give any
- 13 written statement to anyone at the
- 14 hospital about this patient's care and
- treatment, outside of what's contained in
- 16 the records?
- 17 A No.
- 18 Q Did you ever learn what
- 19 reaction, if any, the patient had to the
- 20 Metoprolol that was ordered for her on
- 21 December 1, ?
- 22 A You mean for this patient?
- 23 Q Yes.
- 24 A Say that again, I don't
- 25 understand.

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1 , M.D.
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- 2 Q When you ordered the
- 3 medication, to your knowledge, the
- 4 patient received the medication?
- 5 A I don't remember.
- 6 Q Once you order it, do you
- 7 follow-up to see if the patient has any
- 8 problems or reactions to that particular
- 9 medication?
- 10 A I don't recall.
- 11 Q Were you ever called to the
- 12 patient's room regarding the medication
- 13 that you had ordered?
- 14 A I don't remember.
- MR. OGINSKI: Thank you, I have
- 16 nothing else.
- 17 EXAMINATION BY
- 18 MR. :
- 19 Q Did you ever speak to Dr.
- 20 regarding this patient?
- 21 A Who is Dr. ? I don't know.
- 22 Q He's another doctor who is
- 23 mentioned in the chart.
- 24 (Continued on the next page.)

1				, M	.D.		
2	A	I don't	re	call	. I	really	don't
3	know.						
4		MR.	:	Tha	nk yc	ou.	
5		MS.	:	No	quest	ions.	
6		(Time n	ote	d:	1:10	p.m.)	
7							
8				,	M.D.		
9							
10	Subscrib	ed and sw	orn	to i	befor	e me	
11	this	day of			,	20	
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2	EXAMINATION BY	PAGE	
3	MR. OGINSKI	4	
4	MR.	36	
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2	CERTIFICATION
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5	I, , a Shorthand
6	Reporter and a Notary Public, do hereby
7	certify that the foregoing witness, was
8	duly sworn on the date indicated, and
9	that the foregoing is a true and accurate
10	transcription of my stenographic notes.
11	I further certify that I am not
12	employed by nor related to any party to
13	this action.
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