1	BEFORE THE SUPREME COURT OF THE STATE OF NEVADA		
2	ALI PIROOZI, M.D.,		
3		Supreme Court Case No.:	
4	Petitioner,	EJDC Case NElection of the Election of the Ele	
5	V.	Feb 05 2014 01:33 p.m. Tracie K. Lindeman	
6	THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF	Clerk of Supreme Court	
7	CLARK; AND THE COUNTY OF CLARK; AND THE HONORABLE JAMES BIXLER, DISTRICT COURT		
8	JUDGE,		
9	Respondent(s),		
10	and		
11	TIFFANI D. HURST and BRIAN		
12	ABBINGTON, jointly and on behalf of		
12	their minor child, MAYROSE LILI-		
13	ABBINGTON HURST; MARTIN BLAHNIK, M.D.,		
14	BLAIIVIK, W.D.,		
	Real Party in Interest.		
15			
16			
17	RESPONDENT ALI PIROOZI	I, M.D.'S APPENDIX VOL 1	
18			
19	JOHN H. COTTON, ESQ.		
20	Nevada Bar No. 005268	om	
21	E-mail: CRigler@cdwnvlaw.com COTTON, DRIGGS, WALCH, HOLLEY, WOLOSON & THOMPSON 400 South Fourth Street, Third Floor		
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## A- 10- 616728- C

CIVIL COVER SHEET

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I. Party Information	(//JJIgreu	ov Clerk's Office)		
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Attorney (name/address/phone):	- SHHARAAVE	Attorney (name/address/	phone):	
& OBERT MONKS N	M/19/AUVERD	99104 (702)40	13-8441	<u></u>
II. Nature of Controversy (Please chapplicable subcategory, if appropriate)		•		ration Requested
	Civ	il Cases		
Real Property		Te	orts	
☐ Landlord/Tenant ☐ Unlawful Detainer ☐ Title to Property	☐ Negligence – Au  Negligence – Me	edical/Dental	Other Torts	pility/Motor Vehicle Product Liability
<ul> <li>☐ Foreclosure</li> <li>☐ Liens</li> <li>☐ Quiet Title</li> <li>☐ Specific Performance</li> </ul>	☐ Negligence – Pro	Slip/Fall)	Interfere wi	onduct lation (Libel/Slander) h Contract Rights rts (Wrongful termination)
<ul> <li>☐ Condemnation/Eminent Domain</li> <li>☐ Other Real Property</li> <li>☐ Partition</li> <li>☐ Planning/Zoning</li> </ul>			Anti-trust	presentation
Probate	Other Civil Filing Types			
<ul> <li>☐ Summary Administration</li> <li>☐ General Administration</li> <li>☐ Special Administration</li> <li>☐ Set Aside Estates</li> <li>☐ Trust/Conservatorships</li> <li>☐ Individual Trustee</li> <li>☐ Corporate Trustee</li> <li>☐ Other Probate</li> </ul>	Insurance Commerci Other Con Collection Employme Guarantee Sale Contr	ract c Construction Carrier al Instrument tracts/Acct/Judgment of Actions ent Contract	Transfer from Justice Cou   Justice Cou   Other Specific Compromis   Conversion   Damage to   Employmen   Enforcemen	m Justice Court t Civil Appeal  al Proceeding  g of Minor's Claim of Property Property t Security t of Judgment
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<ul><li>NRS Chapters 78-88</li><li>Commodities (NRS 90)</li><li>Securities (NR\$ 90)</li></ul>	☐ Investments (NR☐ Deceptive Trade☐ Trademarks (NR☐	Practices (NRS 598)		ase Mgmt/Business ess Court Matters
6/12/11		MAX	Mu-	
Date	-	Signature of	initiating party or re	presentative

Alun D. Column

**CLERK OF THE COURT** 

Robert A. Monks
Nevada Bar #11423
1810 East Sahara Rm. 199
Las Vegas, NV 89104
Telephone: (702) 727-4640
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Attorney for Plaintiffs

# DISTRICT COURT CLARK COUNTY, STATE OF NEVADA

TIFFANI D. HURST and BRIAN ABBINGTON, jointly and on behalf of their minor child, MAYROSE LILI-ABBINGTON HURST,	A - 10 - 616728 - C  XXI V  COMPLAINT (Jury Demanded)
Plaintiffs,	)
vs.	) )
SUNRISE HOSPITAL AND MEDICAL CENTER, LLC, MARTIN BLAHNICK, M.D., ALI PIROOZI, M.D., RALPH CONTI, M.D. and FOOTHILL PEDIATRICS LLC,	) ) ) )
Defendants.	)

Plaintiffs Tiffani D. Hurst and Brian Abbington, jointly and on behalf of their minor child, MayRose Lili-Abbington Hurst, a minor, hereby complain against Defendants and for causes of action allege as follows:

1. Plaintiffs Tiffani D. Hurst and Brian Abbington are individuals currently residing in Clark County, State of Nevada and are the natural parents of MayRose Lili-Abbington H 11st (hereinafter "MayRose"), a minor child.

- 2. Defendant Sunrise Hospital and Medical Center LLC (hereinafter "Sunrise Hospital") is a health care facility engaged in the business of providing medical care and services in Clark County, State of Nevada. Upon information and belief Sunrise Hospital employed one of more of the individually-named physicians that provided care and treatment to MayRose during her hospitalization at Sunrise Hospital from May, 2008 through August 2008 and is liable for the acts and/or omissions of said agents and/or employees as more specifically described herein.
- 3. Upon information and belief, Defendant Martin Blahnick, M.D. is a neonato ogist licensed to practice medicine in the State of Nevada and, at all times relevant hereto, provided medical care and services to MayRose in Clark County, State of Nevada.
- 4. Upon information and belief, Defendant Ali Piroozi, M.D. is a neonatologist licensed to practice medicine in the State of Nevada and, at all times relevant hereto, provided n edical care and services to MayRose in Clark County, Nevada.
- 5. Defendant Foothills Pediatrics LLC (hereinafter "Foothills Pediatrics") is a tusiness entity engaged in the business of providing medical care and treatment to children in the State of Nevada. At all times relevant hereto, Defendant Conti and/or others was/were employee(s) and/or agent(s) of said facility and provided medical care and treatment to MayRose at this facility.
- 6. Upon information and belief, Defendant Ralph Conti, M.D., is a pediatrician licensed to practice medicine in the State of Nevada and, at all times relevant hereto, provided medical care and services to MayRose in Clark County, Nevada.
- 7. The acts and/or omissions giving rise to Plaintiffs claim occurred in Clark County, State of Nevada.

## FACTUAL BACKGROUND

- 8. On or about May 12, 2008, Plaintiff Tiffani D. Hurst (6 ½ months pregnant with her daughter MayRose) was concerned that she might have a bladder infection and went ir for testing.
- 9. Her urinalysis was negative, but fetal monitoring demonstrated that her baby was experiencing heart decelerations for unknown reasons. Plaintiff was admitted and trea ed with medication. During Plaintiff's second day in the hospital, the baby continued to experience heart decelerations.
- 10. Accordingly, on May 14, 2008 at 12:06 a.m., MayRose Hurst was delivered via C-section. The Postoperative diagnosis was that the cause of the heart decelerations was a "short umbilical cord."
- 11. The medical records reflect that "the respiratory effort was delayed 1 min" and CPAP was given for poor respiratory effort. MayRose was intubated and given one dose of st reactant before 1 hour of age and then was immediately extubated. Oxygen was weaned to less than 50% with good SATS and improved respiratory effort after 5 minutes. MayRose's neurolog c exam displayed that she had "appropriate strength and tone for gestational age."
- 12. Following MayRose's birth, her care was transferred to admitting neonatologist Defendant Martin Blahnick, M.D. MayRose's admitting diagnosis to the NICU was hypoglycemia, prematurity, respiratory distress and suspected sepsis.
- 13. During her stay in the NICU, MayRose required various treatments and medical interventions including, without limitation, blood transfusions as follows: two on May 4, three on May 15, one on May 16, June 7, June 15, June 23, June 25, July 3, July 24 and July 16. In

addition, MayRose had two Reticulyte (Retic) tests demonstrating that MayRose's "Retic" level was well below normal and was continuing to drop prior to her discharge from the hospital.

- 14. At no time did Defendants Sunrise, Blahnik or Piroozi advise Plaintiffs that Reticulyte tests were performed, the purpose of such tests, or the results of such tests, including the medical significance thereof.
- 15. Following MayRose's delivery, Plaintiff questioned Defendants Sunrise, I lahnik and Piroozi regarding MayRose's need for transfusions. Defendants explained that MayRose's need for transfusions was the result of "anemia due to prematurity."
- 16. Notwithstanding MayRose's ongoing need for many blood transfusions and her dramatically abnormal and dropping Retic count, Defendants did nothing to determine he cause for MayRose's low and falling Retic count or obtain a consult from a hematologist. Instead, Defendants Sunrise, Blahnik and Piroozi discharged MayRose on August 2, 2008.
- 17. On the day of MayRose's discharge, Plaintiff expressed concern about whe her her baby was really ready for discharge and was reassured by Defendants that they would not be discharging MayRose if she weren't a healthy baby.
- 18. With regard to MayRose's "anemia due to prematurity", Defendants told Pl untiffs that it was a common condition for premature babies and was not a cause for concern.
- 19. Thereafter, Defendants gave Plaintiffs a "Discharge Summary/Instructions" signed by Defendant Ali Piroozi, M.D., one of MayRose's treating neonatologists, and instructed 'laintiff to follow-up with MayRose's pediatrician within 3 days of MayRose's discharge.
- 20. Plaintiff scheduled an appointment for MayRose with her pediatrician, Defe idant Ralph Conti, M.D. on August 5, 2008 and gave Dr. Conti a copy of the Discharge

Summary/Instructions at that time.

- 21. Plaintiff was not aware of everything ordered in the Discharge Summary/Ir structions and was relying upon MayRose's pediatrician to carefully review the Instructions and follow them to the letter.
- 22. The subject Discharge Instructions required a follow-up CBC, Diff & Retic count test 30 days after discharge. Defendant Conti failed to follow the discharge instructions and did not order the follow-up CBC, Diff and Retic tests within 30 days of MayRose's discharge at ordered in the Discharge Instructions.
- 23. MayRose next saw Defendant Conti on September 9, 2008 at which time P aintiff informed Dr. Conti that MayRose had been screaming as if she were in pain. Dr. Conti noted that she had lost weight and discussed with Plaintiff what infant formula could be used to reduce gas. Once again, Dr. Conti failed to order the follow-up CBC, Dif and Retic tests that were ordered in the Discharge Instructions.
  - 24. On both August 5, and September 9, Dr. Conti assessed MayRose as a "wel -child."
- 25. On September 30, 2008, eight weeks following MayRose's discharge from Junrise, Defendant Conti saw MayRose again when Plaintiff brought her in for a sick visit for a lough and a face rash. Again, Dr. Conti failed to order the CBC, Diff & Retic count tests as re juired in MayRose's discharge instructions.
- 26. The following day, on October 1, 2008, Plaintiff brought MayRose in for a vell check and she was assessed as being well. Dr. Conti again failed to order the follow-up CBC, Dif and Retic tests, as ordered in the Discharge Instructions.
  - 27. On October 24, 2008, MayRose returned to Defendant Conti's office for another sick

- visit. Dr. Conti was unavailable and so MayRose was seen by Dr. Kathleen Weber. Plaintiff told Dr. Weber that she believed MayRose had the flu because her son had thrown up earlie; that week.
- 28. Dr. Weber told Plaintiff that MayRose needed medication to control reflux and that MayRose was constipated. Dr. Weber also told Plaintiff to take MayRose downstairs to Quest Diagnostics to obtain some tests.
- 29. Dr. Weber did not tell Plaintiff that the tests were for the CBC, Dif and Ret c count which were supposed to have been obtained within 1 month after MayRose's discharge nor did Dr. Weber convey to Plaintiff that there was any urgency in getting the tests done.
- 30. Nevertheless, Plaintiff went that moment to get the test performed. Unfort mately, Quest would not perform the test and indicated Plaintiff should have been sent to LabC orp for the test.
- 31. Accordingly, Plaintiff immediately went to LabCorp for the test, but it was closed for the day. Plaintiff returned to LabCorp the next business day (Monday) and was told that they were really backed up and Plaintiff should come back the following morning.
- 32. Plaintiff took MayRose to LabCorp on Tuesday, October 28 and a blood sar iple was taken.
- 33. In the early morning hours of October 29, 2008, MayRose went limp and let largic and started breathing shallowly. Plaintiff rushed MayRose to Summerlin Hospital, the closest hospital to Plaintiff's home. At the time of her admission, Plaintiff learned that MayRose was in respiratory distress and anemic shock, with a hemoglobin of only 1.5.
  - 34. A CT scan of MayRose's brain was taken upon her admission to the emerge acy

department at Summerlin Hospital and appeared normal at that time. A follow-up CT can taken a couple weeks later revealed that MayRose had sustained a significant brain injury in connection with her crash on October 29, 2008.

- 35. After several weeks of hospitalization at Summerlin, Plaintiff transferred MayRose to Denver Children's Hospital where an MRI of her brain was taken on December 1, 2008. The MRI confirmed that MayRose had sustained a permanent and severe brain injury.
- 36. During her hospitalization at Denver Children's hospital, it was also discovered that MayRose was suffering from a rare blood disorder known as Diamond Blackfan Anemia that had gone undiagnosed and untreated since the time of her birth. Defendants' failure to diagnose and treat this serious blood disorder ultimately led to MayRose's ill health and systemic crash in late October, 2008 and the brain injury that ensued.
- 37. Since the diagnosis of MayRose's Diamond Blackfan Anemia and the brain injury resulting therefrom, MayRose has required extensive medical care and treatment and has endured much pain, suffering and debilitation.
- 38. If this blood disorder had been properly and timely diagnosed and treated, I iamond Blackfan Anemia is a manageable condition and would not have caused and/or contributed to the brain injury sustained by this child.

## FIRST CAUSE OF ACTION NEGLIGENCE (Individual Neonatologist Physicians)

- 39. The information alleged in paragraphs 1-38 is realleged as if fully set forth herein.
- 40. Defendants Blahnik and Piroozi owed MayRose Hurst a duty of care to provide her with medical treatment that meets the requisite standards for physicians practicing in the same area of expertise.
- 41. Defendants Blahnick and Piroozi breached the applicable standards of care in several respects, including without limitation:
- a. Failing to recognize the medical significance of MayRose's low and falling I etic counts and profound anemia and obtain a consult from a hematologist so that proper treatment could be initiated;
- b. Failing to conduct the appropriate tests to determine the cause for MayRose' low and falling Retic counts and profound anemia;
- c. Failing to adequately monitor MayRose's low and falling retic count and projound anemia with serial blood work and appropriate follow-up and treatment;
  - d. Failing to obtain an appropriate consult from a hematologist and/or other spe sialist;
- e. Failing to timely and accurately diagnose and treat MayRose's Diamond Blackfan Anemia;
- f. Failing to advise MayRose's parents of MayRose's low and falling Retic counts and profound anemia and the urgent need for frequent and serial follow-up testing;
- g. Discharging MayRose at a time when she was not stable and had low and falling Retic counts and profound anemia, without an appropriate referral or discharge plan;

- h. Creating a Discharge Plan that did not require follow-up testing/monitoring of MayRose's CBC, Diff and Retic counts for 30 days following her discharge when, at d scharge MayRose was requiring transfusions on a weekly basis and her retic count was falling;
- i. Failing to schedule and conduct their own follow-up testing with respect to MayRose's anemia and low and dropping Retic counts;
  - j. Failing to refer MayRose to a Hematologist or other appropriate specialist;
- k. Such further and additional failures as may be later identified through the discovery process.
- 42. As a result of the Defendants'negligence as set forth herein, MayRose sustained permanent injury and disability. Plaintiffs, including MayRose, have also incurred and will continue to incur special and general damages, including without limitation past and fu ure medical expenses, loss of earning capacity and employability, future wage loss, loss of enjoyment of life's activities, pain and suffering and other damages to be established at trial.

## SECOND CAUSE OF ACTION NEGLIGENCE-(Pediatrician)

- 43. The information set forth in paragraphs 1-42 is realleged as if fully set forth herein.
- 44. Defendant Conti owed MayRose a duty of care to provide her with medical treatment that meets the requisite standards for physicians practicing in the same area of expertise.
- 45. Defendant Conti breached the applicable standard of care in several respect, including without limitation:
- a. Failing to carefully review MayRose's Discharge Summary and Instructions and carry out the order requiring a follow-up CBC, Dif and Retic count within 30 days of MayRose's

discharge from Sunrise Hospital;

- b. Failing to recognize the urgent need for the CBC, Dif and Retic count test or lered in MayRose's Discharge Summary/Instructions in light of the child's deteriorating condit on and illness;
- c. Failing to communicate the need for a follow-up CBC, Dif & Retic test with MayRose's parents and inform them why the test was needed and the urgency thereof;
  - d. Any other deviations that may be discovered through the discovery process.
- 46. As a result of the Defendant Conti's negligence as set forth herein, MayRos sustained permanent injury and disability. Plaintiffs, including MayRose, have also incurred and will continue to incur special and general damages, including without limitation past an i future medical expenses, loss of earning capacity and employability, future wage loss, loss of enjoyment of life's activities, pain and suffering and other damages to be established at trial.

## THIRD CAUSE OF ACTION NEGLIGENCE-APPARENT AUTHORITY/VICARIOUS LIABILITY (All Institutional Defendants)

- 47. The information set forth in paragraph 1-46 is realleged as if fully set forth I erein.
- 48. Sunrise Hospital and Foothills Pediatrics, by and through their respective agents and/or employees owed a duty of reasonable care to the Plaintiffs, and Defendants breacted that duty.
- 49. Defendants Sunrise Hospital and Foothills Pediatrics are vicariously liable for the negligent acts and/or omissions of their agents and/or employees, committed within the course and scope of their employment and/or agency with said facilities, under the doctrines of respondent superior and apparent authority.

- 50. As stated above, Drs. Blahnick, Piroozi and Conti deviated from the standard of care of reasonably trained physicians in the same or similar circumstances.
- 51. Inasmuch as any one or more of the defendants were employed by these far ilities at the time they rendered medical care and/or treatment to MayRose Hurst, said facility is liable for that care and treatment.
- 52. To the extent that the individual defendants were NOT employed by these facilities at the time they rendered care and treatment to MayRose Hurst, they were acting as agents of the facilities. Under the doctrine of apparent authority, the facilities are liable for the acts and/or omissions of not only their employees, but also their agents.
- 53. Sunrise Hospital selected and provided the neonatologists that provided car and treatment to MayRose Hurst during her stay at Sunrise Hospital from May 2008 throug a August 2008. In so doing, Sunrise Hospital held those physicians out as being agents and/or employees of Sunrise Hospital.
- 54. Defendants Sunrise Hospital and Foothills Pediatrics hold themselves out in the community as a place where patients can find quality health care.
- 55. Defendants Sunrise Hospital and Foothills Pediatrics advertise their services to the public in such a way that patients can reasonably believe that physicians practicing at stid facilities are in fact employees of those facilities.
- 56. Neither Defendants Sunrise Hospital or Foothills Pediatrics nor Blahnick, Pi oozi, or Conti, made any effort to inform Plaintiffs that they are not in fact employees of the facilities where they practice.
  - 57. Defendants Sunrise Hospital and/or Foothills Pediatrics cloaked Drs. Blahnick,

Piroozi, and Conti with such degree of apparent or ostensible agency that Plaintiffs reasonably believed that, while MayRose was being cared for at said healthcare facilities, said physicians were agents and/or employees of the respective facilities while rendering such care.

- 58. Plaintiffs reasonably relied on the conduct of Sunrise Hospital and Foothill:

  Pediatrics in concluding that Drs. Blahnick, Piroozi and Conti were employees, and/or agents, of one or more of said healthcare facilities.
- 59. Drs. Blahnick and Piroozi had apparent authority to act on behalf of Sunris: Hospital, and as such, provided medical care to MayRose Hurst as an agent of the hospital.
- 60. Dr. Conti had apparent authority to act on behalf of Foothills Pediatrics, ard, as such, provided medical care to MayRose Hurst as an employee and/or agent of that facility.
- 61. Defendants Sunrise Hospital and Foothills Pediatrics are responsible for the acts and/or omissions of its agent physicians as well as its employees that caused and/or cor tributed to MayRose Hurst's injuries and damages.
- 62. As a direct and proximate result of the negligence of the employees and/or agent-physicians of Sunrise Hospital and Foothills Pediatrics, Plaintiffs, including MayRose Hurst, have suffered injuries and damages as described herein.
- 63. In accordance with Nevada state law, the Affidavits of experts attesting to the negligence of the Defendants, as well as the harm and injury arising therefrom, are attached hereto as Exhibits A, B and C and incorporated herein by this reference.

WHEREFORE: Plaintiffs PRAY FOR JUDGMENT AGAINST Defendants UNDER THEIR CAUSES OF ACTION AS FOLLOWS:

1. For an award of past and future economic losses;

- 2. For an award of past and future general damages;
- 3. For an award of Plaintiffs' costs of court;
- 4. For an award of pre and post-judgment interest at the maximum rate allowed by law;
- 5. For such further and additional relief as the Court deems just and proper.

DATED this \_\_\_ day of May, 2010.

ROBERT A. MONKS

Robert A. Monks
Attorney for Plaintiffs

## JURY DEMAND

Plaintiffs hereby demand a trial by jury in the above-captioned matter.

DATED this / / day of May, 2010.

ROBERT A. MONKS

Robert A. Monks

Attorney for Plaintiffs

# EXHIBIT A

E. Robert Spear, Esq. (8672) E. ROBERT SPEAR, PC 818 Gass Avenue Las Vegas, Nevada 89101 Telephone: (702) 750-0571 Facsimile: (702) 750-0572

Attorneys for Plaintiff

## DISTRICT COURT

## CLARK COUNTY, STATE OF NEVADA

T. DANIELLE HURST and BRIAN ABBINGTON, individually and on behalf of their minor child, MAYROSE HURST,  Plaintiffs,	) ) ) AFFIDAVIT OF ) ALAN H. ROSENTHAL, M.D.		
i minimi,			
VS.			
SUNRISE HOSPITAL AND MEDICAL CENTER, LLC, MARTIN BLAHNICK, M.D., ALI PIROOZI, M.D., RALPH CONTI, M.D. and FOOTHILL PEDIATRICS LLC,	) ) ) )		
	)		
Defendants.	j		
County of Cuyahoga )			
State of Ohio )			

Being first duly sworn upon his oath to tell the truth under penalty of perjury, Alan 11.

Rosenthal, M.D. hereby deposes and states as follows:

1. I am a physician licensed to practice medicine in the State of Ohio.

- I am over the age of twenty-one and competent to testify to the matters contained
  herein based on personal knowledge or knowledge gained through the review of the
  medical records in this case.
- 3. I received my medical degree from Case Western Reserve University in 1983 and subsequently completed an Internship in Pediatrics at Mount Sinai Medical Cen er in Cleveland Ohio in 1985 and a Residency in Pediatric and Adolscent Medicine a the Cleveland Clinic Foundation in Cleveland, Ohio in 1987.
- 4. I am board-certified in Pediatrics and my certification is current.
- 5. I have been a Clinical Instructor of Pediatrics at Case Western Reserve University in Cleveland Ohio from 1986 to the present. Currently, I am a Preceptor for Nurs: Practitioners from Francis Payne Bolten School of Nursing at Case Western University.
- 6. I have practiced in the field of Pediatrics for over 23 years. My qualifications to give opinions in this case are more fully set forth in my Curriculum Vitae which is attached as Exhibit A to this Affidavit.
- 7. In addition to my education, training, and experience, my opinions are also base 1 upon my familiarity with the medical literature and standards of care governing this area of medicine, as well as a review of the medical records in this case, including the following:
  - a. Records from Sunrise Hospital;
  - b. Records from Foothill Pediatrics (MayRose Hurst's pediatrician);
  - c. Records from Summerlin Hospital where MayRose was treated following her

crash;

- d. Records from Denver Children's Hospital where MayRose was ultimately diagnosed with Diamond Blackfan Anemia;
- e. Select prenatal records; and
- f. September 2008 follow-up MRI
- 8. I was asked to review the care provided to MayRose Hurst by her pediatricia 1, Dr.Ralph Conti following her discharge from Sunrise Hospital on August 2, 2018.
- 9. My opinions in this case are given to a reasonable degree of medical probability.
- 10. Based upon my experience, education, training, medical expertise, knowleds e of the medical literature, applicable standards of care and my review of the medical records in this case, it is my opinion that Ralph Conti, M.D. deviated from the applicable standard of care in the following respects:
  - a. Failing on multiple occasions to carefully review the Discharge Orders/Instructions and obtain the CBC, Diff and Retic Count 30 days following MayRose's discharge from Sunrise Hospital as set forth in the Discharge Instructions.
- 11. It is also my opinion that the foregoing deviation from the standard of care v as a proximate cause of MayRose Hurst's downward spiraling clinical course and resulting harm and injury.

DATED this 18 day of March, 2010.

Alan H. Rosenthal, M.D.

Affiant

ANA

Subscribed and sworn to before me this

April \_day of <del>March,</del> 2010.

NOTARY PUBLIC

My commission expires;

NOTARY PUBLIC - STATE OF DHIO OF STATE OF DHIO OF STATE OF STATE OF SECTION DATE.

## ALAN H. ROSENTHAL, MD

Office: Home: 26900 Cedar Road, Suite 100 23133 Ti nberlaneDrive Beachwood, Ohio 441220 Beachwood, Ohio 44122 (216) 831-7337 · (216) 291-1122 **EDUCATION & TRAINING** THE CLEVELAND CLINIC FOUNDATION, Cleveland, Ohio Residency - Pediatric and Adolescent Medicine 1985 - 1987 MOUNT SINAI MEDICAL CENTER, Cleveland, Ohio Internship - Pediatrics 1984 - 1985 CASE WESTERN RESERVE UNIVERSITY, Cleveland, Ohio School of Medicine MD Degree - 1983 CASE WESTERN RESERVE UNIVERSITY, Cleveland, Ohio Bachelor of Arts Degree - 1978, Phi Beta Kappa, Magna: Cum Laude graduate Dachelor of Justs Degene Major: Psychology Misjor: Paythology UNIVERSITY OF COPENHAGEN, Copenhagen, Denmark universion of con Semester abroad January - June 1976 EMPLOYMENT HISTORY PEDIATRIC PLACE, INC., Beachwood, Ohio HILLCREST PEDIATRICS, INC., Mayfield Heights, Ohio AMELORIS PRIATO: Private Practice July 1987 - I ecember 2000 OHIO PHYSICAL THERAPY AND SPORTS MEDICINE, Cleveland, Ohio TOTAL PRO Medical Director Provided sports medicine coverage for schools in three-county area representing 52% market s sare. Monday Night Sports Clinics - Serviced 93 schools during calendar year. Friday Night Sports Clinics - Hospital-based during football season. Saturday Night Sports Clinics - Hospital-based during football season. Pre-participation examinations for high school and college athletes. Over 1000 per year. Sportsmetrix Performance Enhancement Program. Fitness / testing program.

Coaches' Sports Medicine Certification Program. Over 1,200 coaches annually. High School students in clinic sports medicine careers. Spring and summer.

Physical Therapy Interns. Year round.

Student trainer programs,

Pediatric Residents, Rainbow Babies and Children's Hospital, Cleveland, Ohio.

Podiatric Residents, University Hospital Health System, Richmond Heights, Ohio.

(Continued)

## EMPLOYMENT HISTORY (CONTINUED)

MOUNT SINAI MEDICAL CENTER, Cleveland, Ohio Sports Medicine Institute Medical Director

1991 - 1997

BEACHWOOD HIGH SCHOOL, Beachwood, Ohio

Team Physician

CITY OF BEACHWOOD, Beachwood, Ohio

Beachwood City Doctor (Appointed by Mayor Harvey Friedman)

## LICENSURE

State Medical Board of Ohio

Medical License #35-05-2220, Expiration: 4/1/2006 WER SELVER SELV

Board Certified in Pediatrics - 1987

Recertified in Pediatrics - 1995

Recertified in Pediatrics - 2001 v 2009 to his wards to recently a second and the second of the second o

## HOSPITAL AFFILIATIONS

UNIVERSITY HOSPITAL HEALTH SYSTEMS, Cleveland, Ohio

Rainbow Babies & Children's Hospital

1987 - Present

MERIDIA HILLCREST HOSPITAL, Mayfield Heights, Ohio

1987 - Present

MOUNT SINAI MEDICAL CENTER, Cleveland, Ohio hymna 1987 2000 1987 2000

MERIDIA EUCLID HOSPITAL, Euclid, Ohio

. 1987 - 1992

## ACADEMIC APPOINTMENTS

CASE WESTERN RESERVE UNIVERSITY, Cleveland, Ohio

Clinical Instructor of Pediatrics

## PROFESSIONAL SOCIETIES

American Academy of Pediatrics, Fellow

Ohio Chapter, American Academy of Pediatrics

Northern Ohio Pediatric Society

Academy of Medicine of Cleveland

American Medical Association

American College of Sports Medicine

(Continued)

#### RESEARCH

CASE WESTERN RESERVE UNIVERSITY, Cleveland, Ohio School of Medicine, Department of Biochemistry, Dr. Warwick Sakami Folic Acid Binding Protein.

Rodney Monroy, Alan Rosenthal, Warwick Sakami, Multiple Folate Binding Prot ins, presented at Biochemistry Symposium, 1979.

### EDUCATIONAL ACTIVITIES

UNIVERSITY HOSPITAL HEALTH SYSTEMS, Cleveland, Ohio Rainbow Babies and Children's Hospital

2001 - 2002

- Lecturer to Interns and Residents.
- Sports Medicine workshops on knee, ankle, and shoulder examinations to Interns and Resider s.
- Supervisor for interns and Residents who serve as team physicians for Richmond Heights High School including pre-participation physical examinations and event coverage.

Preceptor for Interns and Residents from Rainbow Babies and Children's Hospital The Cleveland Clinic Foundation, and Akron Children's Hospital in private practice setting (1987 - present).

Preceptor for Third and Fourth year medical students in private practice setting (1987 - 2002)

Preceptor for second year medical students from CWRU School of Medicine in private practice setting.

## LECTURES & TEACHING

UNIVERSITY HOSPITAL HEALTH SYSTEM, Cleveland, Ohio Lecture to Pediatric and Internal Medicine Residents on "Anabolic Steroids in Sports"

une 12, 2002 de de la

UNIVERSITY HOSPITAL HEALTH SYSTEM, Cleveland, Ohio Pediatrics Today

. An gust 28: 2001

"On-the-Field Evaluation of Head Injuries"

JEWISH COMMUNITY CENTER, Beachwood, Ohio Medical Director / Associate Coordinator

1990

First Special Needs Olympics which has now become an annual event.

NORTHEAST OHIO SYMPOSIUM ON PEDIATRIC SPORTS MEDICINE, Cleveland, Ohio Course Director

A practical workshop for prevention, detection, and treatment of sports related medical problems.

OHIO INTERSCHOLASTIC ATHLETIC ADMINISTRATION ASSOCIATION, Columbus, Ohio

Presenter

October 8-10, 1989

Topic: "Drugs in Sports"

(Continued)

## LECTURES & TEACHING (CONTINUED)

MOUNT SINAI MEDICAL CENTER, Cleveland, Ohio

David Berger Memorial Lecture

Septen ber 8, 1989

"Anabolic Steroids: Are they Destroying our Youth?"

MOUNT SINAI MEDICAL CENTER, Cleveland, Ohio

Pediatric Grand Rounds

May 1990

"Head Injuries in Athletes"

MOUNT SINAI MEDICAL CENTER, Cleveland, Ohio

**Pediatric Grand Rounds** 

May 4, 1990

· Gave lecture on Drugs in Sports.

· Gave lecture on Pre-Participation Physical.

Conduced workshop on examination of muscle strength and flexibility.

DEEPWOOD CENTER, Mentor, Ohio

Received recognition award for involvement as Physician for Special Olympics. 1985 - 1

MOUNT SINAI SPORTS MEDICINE INSTITUTE, Cleveland, Ohio

1992 - 1997

OHIO PHYSICAL THERAPY AND SPORTS MEDICINE, Cleveland, Ohio

1027 - 1001

Medical Director

Presented lectures to coaches, athletic directors, teachers, athletes and parents at I igh schools, junior high schools, and colleges throughout Cuyahoga, Lake, Geauga, Ashtabula and Lake Counties.

## PERSONAL DATA

Date of Birth:

September 6, 1955

Place of Birth:

Cleveland, Ohio

Marital Status:

Wife-Tammy (Dentist)

Children:

Douglas (8/31/91), Hannah (5/4/89), and Jacki (12/6/87)

- Excellent references available upon request -

# EXHIBIT B

E. Robert Spear, Esq. (8672) E. ROBERT SPEAR, PC

818 Gass Avenue

Las Vegas, Nevada 89101 Telephone: (702) 750-0571 Facsimile: (702) 750-0572

Attorneys for Plaintiff

## DISTRICT COURT

## CLARK COUNTY, STATE OF NEVADA

T DANIEL E HUDET and DRIAN	
T. DANIELLE HURST and BRIAN	<b>)</b>
ABBINGTON, individually and on behalf	
of their minor child, MAYROSE LILI-	
ABBINGTON HURST,	AFFIDAVIT OF
,	MARCUS C. HERMANSEN, M.I.
Plaintiffs,	MARCOS C. MERIMANSEN, IVI.I.
	1
A record to the second of the	मानक क्षेत्रक मानुष्य है। जिल्लाक विकास सुप्राप्त
vs.	)
and the state of t	ps (4) (5) (5) (6)
SUNRISE HOSPITAL AND MEDICAL	
CENTER, LLC, MARTIN BLAHNICK.	
M.D., ALI PIROOZI, M.D., RALPH	•
	<b>i</b>
CONTI, M.D. and FOOTHILL	1
PEDIATRICS LLC,	)
	)
Defendants.	
County of #1.//550004	
State of New Hampshire )	

Being first duly sworn upon his oath to tell the truth under penalty of perjury, M arcus C.

Hermansen, M.D. hereby deposes and states as follows:

1. I am a physician licensed to practice medicine in the State of New Hampshire.

MCH

- 2. I am over the age of twenty-one and competent to testify to the matters contained herein based on personal knowledge or knowledge gained through the review of the medical records in this case.
- 3. I received my medical degree from Indiana University School of Medicine in 1977 and subsequently completed a Pediatric Internship and Residency at Milwaukee Children's Hospital in 1980 and a Fellowship in Neonatology at Children's Hospital Medical Center at the University of Cincinnati in 1982.
  - 4. I am board-certified in Pediatrics and Neonatal-Perinatal Medicine.
- 5. I have been a Clinical Instructor and Assistant and Associate Professor of Pediatrics at various medical schools and universities across the county. From 1997 to the present, Thave been an Associate Professor of Pediatrics at Dartmouth Medical School.
- 6. I have practiced in the field of Pediatrics and Neonatology for over 30 years and have published in textbooks and authored articles for peer-reviewed journals too numerous to mention.

  My qualifications to give opinions in this case are extensive and more fully set forth in my

  Curriculum Vitae which is attached as Exhibit A to this Affidavit.
- 7. In addition to my education, training, and experience, my opinions are also based upon my familiarity with the medical literature and standards of care governing this area of medicine, as well as a review of the medical records in this case, including the following:
  - a. Records from Sunrise Hospital;
  - b. Records from Foothill Pediatrics (MayRose Hurst's pediatrician);
  - c. Records from Summerlin Hospital where MayRose was treated following her crash;
  - d. Records from Denver Children's Hospital where MayRose was ultimately diagnosed

met

with Diamond Blackfan Anemia;

- e. Select prenatal records; and
- f. September 2008 follow-up MRI
- 9. I was asked to review the care provided to MayRose Hurst by the neonatologists overseeing her medical treatment while she was in the NICU at Sunrise Hospital following her birth on May 14, 2008 until the time of her discharge on August 2, 2008.
  - 10. My opinions in this case are given to a reasonable degree of medical probal ility.
- 11. Based upon my experience, education, training, medical expertise, knowledge of the medical literature, applicable standards of care and my review of the medical records ir this case, it is my opinion that the neonatologists caring for MayRose Hurst following her birth, r amely Martin Blahnik, M.D. and Ali Piroozi, M.D. deviated from the applicable standard of c re in the following respects:
- a. Failing to obtain a hematology consult while MayRose was at Sunrise hospit I or, in the alternative, failing to refer MayRose Hurst to a hematologist immediately upon disc rarge; and
- b. Creating a discharge plan that failed to provide for any follow-up blood worl sooner than 30 days following her discharge.
- 12. It is also my opinion that the foregoing deviations from the standard of care were a proximate cause of MayRose Hurst's eventual crash and resulting brain injury.

DATED this day of March, 2010 Marcus C. Hermansen, M.D.

Affiant

Subscribed and sworn to before me this 187h day of March, 2010.

NOTARY PUBLIC Robert & Belman

My commission expires: 12/3/3013

COMMISSION TO DECEMBER 3, 2013

AMPÉNICO MARIE DECEMBER 3, 2013

AMPÉNICO MARIE DECEMBER 3, 2013

## Marcus C. Hermansen, M.D.

## Curriculum Vitae

#### Address:

Office:

Southern New Hampshire Medical Center

Nashua, NH 03061 1-603-577-2609 Fax: 1-603-883-5951

E-mail: Marcus.Hermansen@SNHMC.org

Home:

14 Gregg Road Lovewell Farm Nashua, NH 03062 1-603-883-5955

E-mail: DoubleThis@Gmail.com

### Personal History:

Birth date:

September 14, 1952

Birthplace:

Rensselaer, Indiana

## **Undergraduate Education:**

1969

DePauw University

1970-1974

Purdue University (Bachelor of Science)

## Graduate and Post-graduate Education:

1973-1977

Indiana University School of Medicine (Doctor of Medicine)

1977-1980

Pediatric Internship and Residency Milwaukee Children's Hospital The Medical College of Wisconsin

Milwaukee, Wisconsin

1980-1982

Neonatology Fellowship

Children's Hospital Medical Center

University of Cincinnati

Cincinnati, Ohio

September, 2009

### Specialty Board Certification:

1982 American Board of Pediatrics

1983 American Board of Pediatrics

Sub-Board of Neonatal-Perinatal Medicine

#### Medical Licensure:

Active: New Hampshire

Inactive: Indiana, Kentucky, Ohio, Pennsylvania, Virginia, and Wiscon in

## Medical Staff Appointments:

Lexington, Kentucky

1982-1986 Albert B. Chandler Hospital

University of Kentucky Medical Center

1983-1986 Humana Hospital of Lexington (consulting staff)

Pittsburgh, Pennsylvania

1986-1995 Allegheny General Hospital

St. Francis Medical Center 1986-1992

Shadyside Hospital (consulting staff) 1986-1990

1987-1991 Forbes Health Systems (consulting staff)

North Hills Passavant Hospital (consulting staff) 1988-1992

Newport News, Virginia

1994-1997 Riverside Regional Medical Center

Nashua, New Hampshire

1997-current Southern New Hampshire Medical Center

1998-current St. Joseph's Hospital (consulting staff)

2007-2008 Catholic Medical Center (Manchester, New Hampshire)

Academic Appointments:

1980 The Medical College of Wisconsin

Clinical Instructor of Pediatrics

1981-1982 University of Cincinnati College of Medicine

Clinical Instructor of Pediatrics

1982-1986 University of Kentucky College of Medicine

Assistant Professor of Pediatrics

1988-1995 The Medical College of Pennsylvania

Associate Professor of Pediatrics

## Academic Appointments (continued):

1995-1997 Medical College of Virginia

Clinical Instructor of Obstetrics and Gynecology

1997-current Dartmouth Medical School

Associate Professor of Pediatrics

Adjunct Associate Professor of Obstetrics and Gynecology

#### Awards:

1982 Frederick M. Kenny Memorial Award in Pediatric Research, Midwest Society for Pediatric Research, Chicago

1998-1999 Excellence in Teaching, Department of Obstetrics and

1999-2000 Gynecology, Dartmouth Medical School

2006 Southern New Hampshire Health System Physician Champion

http://www.snhmc.org/archives/02-10-06.htm

## **Professional Societies:**

1983-current	American Academy of Pediatrics
1984-current	- Section on Perinatal Pediatrics
1985-1993	- Section on Computer Technologies
1983-1994	National Perinatal Association
1983-1986	Southern Perinatal Association
1983-1986	American Association for Medical Systems and Informatics
1984-1985	Southern Society for Pediatric Research
1984-1986	American Federation for Clinical Research
1985-1996	Study Group for Complication of Perinatal Care
1985-1986	Society for Computers in Pediatric Research
1986-2000	Midwest Society for Pediatric Research
1987-1994	Pennsylvania Perinatal Association
1987-199 <u>4</u>	Pittsburgh Pediatric Society
1997-current	New England Association of Neonatologists
1997-current	New Hampshire Pediatric Society
1997-2003	New Hampshire Conflict Resolution Association (formerly the
,	New Hampshire Mediation Association)

## Institutional Committees and Appointments:

## University of Kentucky Medical Center

1983-1986 Pharmacy and Therapeutics Review Committee

1985-1986 Transfusion Review Committee

## St. Francis Medical Center

1986-1987	Director of Neonatology
1986-1987	Intensive Care Committee
1986-1987	Bio-ethics Committee

## Shadyside Hospital

1987-1990 Director of Newborn Services

## Allegheny General Hospital

1987-1994	Director of Neonatology
1987	Advances in Perinatal and Neonatal Medicine, Program Direct or
1987-1989	Nursing Research Committee
1989-1992	Physician Liaison Committee
1991-1993	Cardio-Pulmonary Resuscitation Subcommittee
1991	Environmental Scan Group: Health Care Indicators
1992	Acting Chairman of Pediatrics
1993-1994	Pastoral Care Advisory Committee
1993-1994	Pediatrics Quality Assurance Czar
1993	Corporate Management Committee
1993	Executive Committee of the Medical Staff
1994	Pediatric Nutritional Support Team
1994	Pediatric CPR Committee
19 <del>9</del> 4	Ad hoc Committee on the Multi-disciplinary Care of Infants w th
	Cleft Lip/Cleft Palate, Chair

## Medical College of Pennsylvania

1993	Department of Pediatrics Chair Search Committee
1993-1994	Medical Student Residency Advisor

## Riverside Regional Medical Center .

1994-1996	Director of Newborn Services
1994-1996	Bio-ethics Committee
1994-1996	Pediatrics Quality Assurance Committee
1994-1996	Clinical Resource Management Initiative
1995-1996	OB/GYN Nurse/Physician Liaison Committee
1995-1996	Pharmacy and Therapeutics Committee
	• • • • • • • • • • • • • • • • • • •

# Institutional Committees and Appointments (continued):

Southern New Hampshire Medical Center		
1997-current	Director of Neonatology	
1997-current	Neonatal Intensive Care Unit Committee, Chairman	
1997	Vermont Oxford Network, Participating Investigator	
1997-current	Maternal-Child Health Council	
1997-current	Principle Investigator for the Boston University Pregnancy He alth	
	Interview Study at Southern New Hampshire Medical Center	
1998-2005	Continuing Medical Education Committee	
1998-current	Ethics Committee	
1998-2000	Y2K Task Force	
1998-1999	Medical Partners Foundation Leadership Task Force	
1998-2000	Foundation Information Systems Advisory Group	
1999-current	Director of the Pediatric Hospitalist Program	
1999-2000	Chairman of Pediatrics	
1999	Executive Committee of the Medical Staff	
1999	Community Medical School, faculty	
1999-current	Credentials Committee (Chair 2008-current)	
2001-2003	Vice-Chairman of Pediatrics	
2001-2002	Electronic Medical Records Committee	
2005-current	Breastfeeding Practice Committee	
2008-current	Medical Executive Committee	
2008-current	Professionals Health Committee	

Non-Institutional Committees and Appointments:

-	montenero mur O	ommittees and Appointments.
	1984-1987	Chairman, Sub-Committee on Hospital Based Computer Systens,
		Section on Computers and Other Technologies, American
		Academy of Pediatrics
	1985-1986	Consulting Physician for "Baby Doe" Investigations, Kentuck
		Cabinet for Human Resources, Department of Social Services
	1985-1986	Chairman, Committee on Computers, Kentucky Chapter,
		American Academy of Pediatrics
	1985-1986	Liaison for the Kentucky Chapter and the Section on Computers of
		the American Academy of Pediatrics
	1986	Neonatal Nutritional Software Focus Group, Ross Laboratorie,
		Columbus, Ohio
	1986	Rood and Riddle Equine Hospital, consultant
	1987-1989	Legislative Committee, Pennsylvania Perinatal Association
	1988	Program Coordinator, Pittsburgh Regional Neonatology Forum
	1988-1990	Advisory Board, Peer Review Resources
	1989-1992	Medical and Research Advisory Committee, The Pittsburgh Zoo
	1990-1996	Neonatal Resuscitation Program Regional Trainer
	1990-current	Neonatal Resuscitation Program Provider
	1990-1996	Question writer for the American Board of Pediatrics Neonata -
		Perinatal Medicine Board Examination

Non-Institutional Committees and Appointments (continued): 1991-1992 Editorial Board of Critical Reading: Understanding and Evaluation Studies in Cardiology 1992-1994 Editorial Board of Perspectives on Medical Research 1994-1996 Consultant for the Statistical Assessment Action Task Force for the SunHealth Alliance 1997-2002 Mediator for the City of Nashua, New Hampshire 1999-current Pediatric Advanced Life Support (PALS) provider 2001 New Hampshire Medical Society representative to the New Hampshire Young Inventor's Program 2001-2004 New Hampshire State Birth Defects Surveillance System Advisory Committee ' 2002 Case reviewer for the New Hampshire Board of Medicine 2002, 2003 United Way of Nashua Community Investment Committee -Children and Dependent Needs 2002 Credentialing Consultant to Anthem Blue Cross and Blue Shie d 2003-2008 NICU-NET Moderator 2005-2007 Consultant to the Nashua Police Department 2005-current Physician volunteer for the New Hampshire Malpractice Scree ing Panels Consultant to the Association of Women's Health, Obstetric as d 2007-2009 Neonatal Nurses (AWHONN)

#### Manuscript Reviewer:

Advances in Neonatal Care

American Journal of Diseases of Childhood

American Journal of Obstetrics and Gynecology

2007-current Permedion Independent Medical Reviewer

American Journal of Perinatology

Archives of Disease in Childhood

Haematologica

Journal of Pediatrics

Journal of Postgraduate Medicine

Obstetrics and Gynecology

**Pediatrics** 

**Pediatrics International** 

#### Additional Clinical Experience:

Western lowland gorilla (Gorilla gorilla gorilla) newborns

Thoroughbred (Equus caballus) foals

Bongo antelope (Tragelaphus eurycerus) calves

Reticulated giraffe (Giraffa camelopardalis) calves

Alpaca (Lama pacos) crias

Leopard (Geochelone pardalis) and Indian Star (G. elegans) tortoise hatchlin is

Bantam chicken (Gallus gallus) chicks

#### Books:

- 1. Hermansen M: Biostatistics: Basic Concepts Caduceus Medical Publishers, Patterson, NJ 1990
- Hermansen MC: Guest Editor, <u>Risk Management in Neonatal-Perinatal Medicine</u>. Clinics in Perinatology, Vol. 32, No. 1, March, 2005. ISBN 1-4160-2754-8. <a href="http://www.elsevier.com/wps/find/bookdescription.cws">http://www.elsevier.com/wps/find/bookdescription.cws</a> home/705386/descriptio #de scription
- 3. Hermansen MC: Guest Editor, Perinatal Etiologies of Cerebral Palsy. Clini s in Perinatology, Vol. 33, No. 2, June, 2006. ISBN 1-4160-3543-5. <a href="http://www.elsevier.com/wps/find/bookdescription.cws">http://www.elsevier.com/wps/find/bookdescription.cws</a> home/708200/descriptio #de scription
- Hermansen MC: Guest Editor, <u>Iatrogenic Disease</u>. Clinics in Perinatology, Vol. 35, No. 1, March, 2008. ISBN 1-4160-5798-6.
   <a href="http://www.elsevier.com/wps/find/bookdescription.cws.home/714306/description">http://www.elsevier.com/wps/find/bookdescription.cws.home/714306/description</a> #description

#### **Book Chapters:**

- Perlstein P, Edwards N, Atherton H and Hermansen M: Computer-assisted Environmental Control for Newborns. In Harris TR and Bahr JP (eds.): <u>The U e of</u> <u>Computers in Perinatal Medicine</u> Praeger Scientific, New York, Chapter 21, pp 363-373, 1982
- 2. **Hermansen M**: Thrombocytopenia and Platelet Dysfunction. In Gomella TI and Cunningham MD (eds.): <u>Neonatology: Basic Management</u>, <u>On-Call Problems</u>, <u>Diseases</u>, <u>Drugs</u> McGraw-Hill, New York.
  - 1<sup>st</sup> Edition: pp 201-204, 1988 2<sup>nd</sup> Edition: pp 270-274, 1991 3<sup>rd</sup> Edition: pp 278-281, 1994
- 3. Hermansen M: Hydrocephalus. In Gomella TL and Cunningham MD (eds.): Neonatology: Basic Management, On-Call Problems, Diseases, Drugs McGraw Hill, New York.
  - 1<sup>st</sup> Edition: pp 292-294, 1988 2<sup>nd</sup> Edition: pp 377-379, 1991 3<sup>rd</sup> Edition: pp 383-385, 1994

#### Book Chapters (continued):

4. Hermansen M: Intraventricular Hemorrhage. In Gomella TL and Cunningham MD (eds.): Neonatology: Basic Management, On-Call Problems, Diseases, I rugs McGraw-Hill, New York.

1<sup>st</sup> Edition: pp 294-296, 1988

2<sup>nd</sup> Edition: pp 379-382, 1991

3rd Edition: pp 385-387, 1994

5. Hermansen M and Cunningham MD: Management of the Extremely Low Birth Weight Infant during the First Week of Life. In Gomella TL and Cunningham MD (eds.): Neonatology: Basic Management, On-Call Problems, Diseases, Erugs McGraw-Hill, New York.

2nd Edition: pp 105-113, 1991

 Hermansen MC, Menkes JH and Sarnat HB: Neonatal Neurology. In Menkes JH and Sarnat HB (eds.): <u>Child Neurology</u> 8<sup>th</sup> Edition. Lippincott Williams and Wil tins, Philadelphia. In press.

#### **Original Articles**

- Blankenbaker R, Hermansen M, Steele G and Hall JH: Total Care the Cost-Effective Way. In New Concepts in Health, Proceedings of the Twelfth Annual Meeting of the Society of Prospective Medicine. Health and Education Resources, Bethesda, Maryland, pp 103-107, 1977
- 2. Hermansen MC, Starshak RJ and Werlin SL: Caroli Disease: The Diagnostic Approach. Journal of Pediatrics 1979; 94:879-92.
- 3. Hermansen MC, Chusid MJ and Sty JR: Bacterial Epididymo-orchitis in Children and Adolescents. Clinical Pediatrics 1980; 19:812-5.
- 4. Starshak RJ, Sty JR, Hermansen MC and Werlin SL: Diagnosis of Caroli Discase. Journal of Pediatrics 1980; 96:344.
- 5. Hermansen MC, Starshak RJ and Werlin SL: Diagnosis of Caroli Disease. Journal of Pediatrics 1980; 97:330.
- 6. Hermansen MC and Blodgett FM: Prospective Evaluation of Routine Hospital Admission Urinalyses. American Journal of Diseases of Children 1981; 135:125-30.
- 7. Hermansen MC and Ellison PH: Cerebrospinal Fluid Acid-Base Balanc: in Newborns. Annals of Neurology 1982; 11:334-6.

- 8. Hermansen M, Atherton H, Edwards N and Perlstein P: The Evaluation of a Computer Generated Blood Gas Display in a Newborn Intensive Care Init. Proceedings of the Second Cleveland Symposium on Computers in Perinatal Medicine, 2:112, 1982
- Hermansen MC, Kotagal U and Kleinman L: The Effect of Metabolic Acidosis upon Autoregulation of Cerebral Blood flow in Puppies. Syllabus of the Second Special Ross Laboratories Conference on Perinatal Intracranial Hemorrhage, pp 48-59, 1982
- 10. Hermansen MC, Perlstein PH, Atherton HD and Edwards NK: A Computer Generated Blood Gas Display in a Newborn Intensive Care Unit. Journal of Pediatrics 1983; 102:825-8.
- 11. Hermansen MC: Water Supplementation in Breast-fed Infants. *Pediatrics* 1383; 103:499-500.
- 12. Hermansen MC, Perlstein PH and Edwards NK: A Baffling Case of Hypothermia. The Lancet 1984; 1:40-41.
- 13. Hermansen MC and Johnson GL: Neonatal Supraventricular Tachycardia Folloving Prolonged Maternal Ritodrine Administration. American Journal of Obstetrics and Gynecology 1984; 149:798-9.
- 14. Hermansen MC, Kotagal U and Kleinman L: The Effect of Metabolic Acidosis pon Autoregulation of Cerebral Blood Flow in Newborn Dogs. Brain Research 1984; 324:101-5.
- 15. Hermansen MC and Sullivan LS: Feeding Intolerance Following the Ophthalmologic Examination of Neonates. *American Journal of Disease: of Children* 1985; 139:367-8.
- Hermansen MC and Hasan S: Abolition of Feeding Intolerance Following Ophthalmologic Examination of Neonates. Journal of Pediatric Ophthalmology and Strabismus 1985; 22:256-7.
- 17. Hermansen MC and Hasan S: Inaccurate Recording of Birth Weight of Premature Infants. *Journal of Perinatology* 1986; 6:14-5.
- 18. Hermansen MC, Mooney L and Hines C: Light and Transcutaneous pO<sub>2</sub> Devi :e = Problem? *Pediatrics* 1986; 77:788-789.
- 19. Hermansen MC and Hasan S: The Importance of Using Standardized Birth Weight Increments to Report Neonatal Mortality Data. *Pediatrics* 1986; 78:144-5.

- Hermansen MC, Kahler K and Kahler B: Date Entry Errors in Compute ized Nutritional Calculations. *Journal of Pediatrics* 1986; 109:91-3.
- 21. Hasan S and Hermansen M: The Prenatal Diagnosis of Ventral Abdominal Wall Defects. American Journal of Obstetrics and Gynecology 1986; 155:842-5
- 22. Hermansen MC and Buches M: Super Diapers and Premature Infants. *Pedic trics* 1987; 79:1056-1057.
- 23. Gilmore R, Brock J, Hermansen MC and Baumann R: Development of Lunbar Spinal Cord and Cortical Evoked Potentials After Tibial Nerve Stimulation in Pre-Term Newborns: Effects of Gestational Age and Other Factors. Electroencephalography and Clinical Neurophysiology 1987; 68:28-39.
- 24. Hermansen MC and Hasan S: An Evaluation of a Computer Program to Predict the Outcome of Hyaline Membrane Disease. American Journal of Perinatology 1987; 4:249-52.

- Hermansen MC, Hasan S, Hoppin J, and Cunningham MD: A Validation of a Scoring System to Evaluate the Condition of Very-Low-Birthweight Neorates, American Journal of Perinatology 1988; 5:74-8.
- 26. Hermansen MC and Buches M: Urine Output Determination from Superabso bent and Regular Diapers under Radiant Heat. *Pediatrics* 1988; 81:428-31.

- Hermansen MC: Intrapartum Asphyxia and Cerebral Palsy. Pediatrics 1989; 83 653-654.
- 28. McKay JG, Hermansen MC and Maley BE: Diminished Splenic Function in Asphyxiated Term Infants. *Journal of Perinatology* 1990; 10:12-5.
- 29. Hermansen M: Avoid Common Pitfalls in Retrospective and Prospective Studies. Critical Reading 1991; 1(1):13-14.
- 30. **Hermansen M**: Risk Factors: When to Worry About the Reliability of Data. *Cr tical Reading* 1991; 1(2):13-14.
- 31. Hermansen MC and Barnhart MC: Evaporation from Reusable Cloth Di pers Exposed to Radiant Heat. Journal of Perinatology 1992; 12:72-2.
- 32. **Hermansen** MC and Prior MM: Oxygen Concentrations from Self-Inflitting Resuscitation Bags. *American Journal of Perinatology* 1993: 10:79-80.

- 33. Jasnosz KM, Hermansen MC, Snider C and Oh KS: Congenital Complete Absence (Bilateral Agenesis) of the Diaphragm: A Rare Variant of Congenital Diaphragmatic Hernia. American Journal of Perinatology 1994; 11:340-3.
- Goetz MC, Gretebeck RJ, Oh KS, Shaffer D and Hermansen MC: Incid ace, Timing, and Follow-up of Periventricular Leukomalacia. American Journal of Perinatology 1995; 12:325-7.
- 35. Hermansen MG and Hermansen MC: The Influence of Equipment Weight; on Neonatal Daily Weight Measurements. *Neonatal Network* 1999; 18:33-6.
- 36. Hermansen MC: Nucleated Red Blood Cells as a Marker of Acidemia in 'erm Neonates. American Journal Obstetrics and Gynecology 2000; 182:1645.
- 37. Hermansen MC: Umbilical Cord Blood Gases, Casebook VIII. Journal of Perinatology 2000; 20:450-1.
  - 38. Hermansen MC: Nucleated Red Blood Cells in the Fetus and Newborn. Archives of Diseases in Childhood Fetal and Neonatal Edition 2001; 84:F211-5.
  - Hermansen MC: Potential for Brief but Severe Intrapartum Injury among Neo lates with Early-onset Seizures and Elevated Nucleated Red Blood Cell Counts. Ame ican Journal Obstetrics and Gynecology, 2001; 184:782.
  - 40. Hermansen MC: Keeping Kernicterus in Check. AAP News, 2001:19:22.
  - 41. Hermansen MC: The Acidosis Paradox: Asphyxial Brain Injury without Coinc dent Acidemia. Developmental Medicine and Child Neurology, 2003; 45:353-6.
  - 42. Hermansen MC: Umbilical Cord Blood Gases. Journal of Perinatology, 2004; 24:563-4.
  - 43. Hermansen MC: Asphyxial Brain Injury without Acidemia: Reply. Developmental Medicine and Child Neurology, 2004:46:431.
  - 44. Hermansen MC: Risk Management in Neonatal-Perinatal Medicine. Clinics in Perinatology, 2005; 32: xiii-xiv.
  - 45. Hermansen MC and Hermansen MG: Pitfalls in: Neonatal Resuscitation. Clim 2s in Perinatology, 2005; 32:77-95.
  - 46. Hermansen MC and Hermansen MG: Intravenous Gatheter Complications in the Neonatal Intensive Care Unit. Clinics in Perinatology, 2005; 32:141-56.

- Hermansen MC: The Southern New Hampshire Medical Center Neonatal-Ped atric Hospitalist Program. <a href="http://media.wiley.com/assets/1032/02/072005.pdf">http://media.wiley.com/assets/1032/02/072005.pdf</a> The Hospitalist, 2005; 9(4):55-56
- 48. Hermansen MC and Vitterito JA: Medical Malpractice in Perinatal Medicine. eNeonatal Review by Johns Hopkins University School of Medicine. Vol. 3, No 5 Jan. 2006. http://www.hopkinscme.org/ofp/eneonatalreview/Newsletters/0106.html
- 49. Hermansen MC: Perinatal Causes of Cerebral Palsy. Clinics in Perinatology, 2006; 33: xv-xvi.
- 50. Hermansen MC and Hermansen MG: Perinatal Infections and Cerebral I alsy. Clinics in Perinatology, 2006; 33:315-333
- 51. Hermansen MC: Primum non nocere. Clinics in Perinatology. 2008;35:xv-xvi.

#### Abstracts:

- 1. Hermansen MC and Blodgett FM: Routine Hospital Admission Urinalysis. Ped atric Research 1979; 13:413.
- Hermansen MC, Kordus BJ, Bahr JP, Grausz JP and Hanus MJ: Compute ized Medical Records in a Neonatal Intensive Care Unit. Pediatric Research 1980; 14 515.
- 3. Hermansen MC and Ellison PH: Cerebrospinal Fluid Acid-Base Regulation in Newborns. *Pediatric Research* 1981; 15:709.
- 4. Hermansen MC, Perlstein PH and Edwards NH: Incubator Humidity with Diff rent Humidity Reservoir Baffle Systems. *Pediatric Research* 1981; 15:633.
- 5. Hermansen MC, Atherton H, Edwards N, Phillips D and Perlstein P: The Effect of a Computer Generated Blood Gas Display on the Outcome of RDS. *Pediatric Research* 1982; 16:185A.
- 6. Hermansen M, Kotagal U and Kleinman L: Effect of Metabolic Acidosis pon Autoregulation of Cerebral Blood Flow in Puppies. Clinical Research 1982; 30:7)1A.
- Hermansen MC, Kotagal U and Kleinman L: Effect of Metabolic Acidosis pon Autoregulation of Cerebral Blood Flow in Puppies. *Pediatric Research* 1983; 17:364A.

#### Abstracts (continued):

- 8. Hermansen MC and Sullivan LS: Feeding Intolerance and Necrotizing Enterocolitis Following the Ophthalmologic Examination of Neonates. *Clinical Research* 983; 31:910A.
- 9. Hermansen MC and Sullivan LS: Feeding Intolerance Following Ophthalmologic Examination of Neonates. *Pediatric Research* 1984; 18:153A.
- 10. **Hermansen MC**: A Computer-Generated Blood-Gas Display in a Newborn Intensive . . . Care Unit. *Update: Computers in Medicine* 1984; 2:33-34.
- 11. Hermansen MC and Hasan S: Evaluation of a Computerized Model of Hyaline Membrane Disease. Clinical Research 1984; 32:888A.
- 12. Hermansen M, Kahler R and Kahler B: Computerized Nutritional Support in a Newborn Intensive Care Unit. Clinical Research 1984; 32:888A.
- Carr WA, Baumann RJ, Walsh JW, Hermansen MC and Lee C: NMR Imagi ig in Infants and Children with Neurological Disorders. Annals of Neurology 984; 16:408.
- 14. Gilmore RL, Hermansen MC, Brock J and Baumann RJ: Effect of Sleep on Cc tical SSEP: Age Dependency during Growth and Development. Electroencephalogiaphy and Clinical Neurophysiology 1985; 61:18P.
- 15. Gilmore RL, Brock J, Hermansen MC and Baumann RJ: Assessment of Lu nbar Spinal Cord and Early Cortical Evoked Potentials after Tibial Nerve Stimulation during the Neonatal Period: Effects of Conceptional Age and Body Le 19th. Electroencephalography and Clinical Neurophysiology 1985; 61:18P.
- Hermansen MC and Hasan S: The Outcome of Pregnancies with Prenatal Diag 10sis' of Ventral Abdominal Wall Defects. Clinical Research 1986; 34:257A.
- 17. Hermansen MC, Hasan S and Cunningham MD: Validation of a Scoring System to Evaluate the Condition of Transported Preterm Neonates. *Clinical Research* 986; 34:244A.
- 18. McKay JG, Hermansen MC and Maley BE: Documentation of Hyposplenis m in Asphyxiated Term Infants. Clinical Research 1986; 34:258A.
- Hermansen MC, Hasan S and Cunningham MD: Validation of a Scoring System to. Evaluate the Condition of Transported Preterm Neonates. *Pediatric Research* 986; 20:379A.

#### Abstracts (continued):

- 20. McKay JG, Hermansen MC and Maley BE: Documentation of Diminished Sp enic Function in Asphyxiated Term Infants. *Pediatric Research* 1986; 20:392A.
- 21. Hermansen MC and Hasan S: The Evaluation of a New Gestational Age Examination for Infants Less than 30 Weeks Gestation. *Pediatric Research* 1987; 21:396A.
- 22. McKay JG, Cunningham MD, Hermansen MC, Dickey KM and Dickson LG: The Effect of Leukocyte Transfusion on Pulmonary Compliance and Resistance in Term Pups with Pneumonia. *Pediatric Research* 1987; 21:418A.
- 23. Hermansen M, Karamchandani N and Groose C: Pneumograms in Infant; of Maternal Methadone Users. Clinical Research 1987; 35:910A.
- 24. Hermansen M, Moore W, Waller A and Hodges S: Neonova Nutrit onal Optimizer™: Software to Provide Computerized Nutritional Support for Infan s in Neonatal Intensive Care Units. American Academy of Pediatrics Annual Me ting Program, pages 7-8.
- 25. Hermansen MC and Goetz M: Point-of-care Blood Gas Testing in a Neo atal Intensive Care Unit. Journal of Investigative Medicine (Supplement) 1995; 43:493A.

# Scientific Presentations, Invited Lectures and Visiting Professorships:

- 1. Routine Hospital Admission Urinalyses. American Pediatric Society/Society for Pediatric Research, Atlanta, May, 1979
- Good Samaritan Hospital, Cincinnati, Perinatology Grand Rounds, "Neutropenia and Neonatal Sepsis", March, 1981
- 3. Evaluation of a Computerized Blood Gas Display. Second Annual Meeting on Perinatal Data Systems, Milwaukee, September, 1981
- 4. University of Kentucky Medical Center, Lexington, "Neonatal Sepsis and Granulocyte Transfusions", November, 1981
- The Evaluation of a Computer Generated Blood Gas Display in a Newborn Inter sive Care Unit, Second Cleveland Symposium on Computers in Perinatal Medicine. Cleveland, May, 1982
- 6. The Effect of Metabolic Acidosis upon Autoregulation of Cerebral Blood Flov in Puppies. Midwest Society for Pediatric Research, Chicago, November, 1982

- 7. A Computer Generated Blood Gas Display. Computers in Pediatrics, Derver, November, 1982
- Feeding Intolerance and Necrotizing Enterocolitis Ophthalmologic Examinatio 1 of Neonates. Southern Society for Pediatric Research, New Orleans, January, 1994
- Ross Laboratories, Columbus, Ohio, "Computerized Nutritional Support", April, 1984
- Nuclear Magnetic Resonance Imaging of Infants. Lake Barkley Conference on Perinatal Research, Cadiz, Kentucky, May, 1984
- 11. An Evaluation of a Computerized Model for Hyaline Membrane Disease. American Association for Medical Systems and Informatics, Washington, November, 1984
- 12. Computerized Nutritional Support in a Newborn Intensive Care Unit. Sout tern Society for Pediatric Research, New Orleans, January, 1985
- 13. Evaluation of a Computerized Model of Hyaline Membrane Disease. Sout term Society for Pediatric Research, New Orleans, January, 1985
- 14. Clinical Applications of a Computerized Database. American Academy of Pediat ics, Atlanta, March, 1985
- The Medical College of Ohio, Toledo, "Hyperbilirubinemia A 1985 Update".
   December, 1985
- Metropolitan General Hospital, Cleveland, "Research Evaluations of Computer Applications in Perinatal Medicine", December, 1985
- 17. Validation of a Scoring System to Evaluate the Condition of Transported Preterm Neonates. Southern Society for Pediatric Research, New Orleans, February, 1986
- 18. Mary Breckenridge Hospital, Hyden, Kentucky, "Polycythemia", February, 1986
- University of Kentucky Medical Center, Lexington, Division of Neurosurgery, Department of Surgery, "An Introduction to Bio-Statistics", Spring, 1986
- University of Kentucky Medical Center, Lexington, Department of Radia ion Medicine, "An Introduction to Bio-Statistics", Spring, 1986
- 21. Validation and Application of a Scoring System to Evaluate the Condition of Transported Preterm Neonates. Midwest Regional Conference on Neonatal Transport, Columbus, October, 1986

- 22. Perinatology-Neonatology 1986: Compromised Fetus, Perinatal Problems, and Figh-Tech Neonatology sponsored by the University of Michigan Medical School, Ann Arbor, "Magnetic Resonance Imaging", October, 1986
- 23. Children's Hospital of Pittsburgh, Pittsburgh, "Gestational Age Evaluation of the Fetus and Neonate", December, 1986
- 24. Children's Hospital of Pittsburgh, Pittsburgh, "An Introduction to Bio-Statistics", March, 1987
- 25. Children's Hospital of Pittsburgh, Pittsburgh, "Apgar Scores: A Predictor?", Lune, 1987

- 26. West Virginia University Medical Center, Morgantown, Pediatric Grand Rounds, "Gestational Age Determinations", August, 1987
  - 27. Magee Women's Hospital, Pittsburgh, "Drug Withdrawal in Newborns", Septen ber, 1987
  - 28. Children's Hospital of Pittsburgh, Pittsburgh, "An Introduction to Bio-Statist cs" Fall, 1988
  - 29. NeoNova Nutritional Optimizer. American Academy of Pediatrics, San Franc sco, October, 1988
  - 30. Twelfth Annual Lake Barkley Conference on Perinatal Research, Lake Barlley, Kentucky, May, 1988
  - 31. Mead-Johnson Nutritional Division, Evansville, "A Pediatric Educational Progra a in Bio-Statistics", February, 1989
  - 32. Michigan Conference on Maternal and Perinatal Health, Dearborn, "Magnetic Resonance Imaging in Neonatal/Perinatal Medicine" and "Are Apgar Scores Still Worthwhile" March, 1989
  - 33. University of Kentucky Medical Center, Lexington, "Does Birth Asphyxia Cause Brain Damage?", May, 1990
  - 34. The Medical College of Pennsylvania, Philadelphia, "Birth Asphyxia and B ain Damage", June, 1990
  - 35. Perinatal Biostatistics, Denver, "Pitfalls in Information Collection, Recording, and Interpretation for the Neonatal Database", November, 1991

- University of Pittsburgh Graduate School of Public Health, Pittsburgh, "Infant Mortality and the Neonatal Intensive Care Unit", January, 1992
- 37. West Virginia University Medical Center, Morgantown, "Selecting the Correct Statistical Test" and "Common Mistakes in the Use of Bio-Statistics", July, 1993
- 38. University of Pittsburgh Graduate School of Public Health, Pittsburgh, "I ıfant Mortality and the Neonatal Intensive Care Unit", January, 1994
- 39. InPhyNet Medical Director's Winter Workshop, Ft. Lauderdale, "Nec natal Resuscitation", March, 1995
- 40. Dartmouth-Hitchcock Medical Center, Lebanon, NH, "Periventricular Leukomalacia", October, 1997
- 41. New England Fall Nursing Conference, Salem, NH, "Anemia of Prematurity' and "Neuro-Developmental Outcomes", October, 1998
- 42. Vermont/New Hampshire Regional Perinatal Program, Lebanon, NH, "Nec natal Intracranial and Extracranial Bleeding: A Case Study", May, 1999
- 43. Dartmouth-Hitchcock Medical Center, Lebanon, NH, "Fifty Years of Apgar Scores", October, 1999
- 44. 14<sup>th</sup> Annual Neonatal Critical Care Conference. Dartmouth-Hitchcock Medical Center, Lebanon, NH, "Birth Asphyxia: Manifestations, Treatment and Outcomes", October, 2000
- 45. Concord Hospital, Concord, New Hampshire. "Neonatal Abstinence Syndrome", October, 2001
- 46. 15<sup>th</sup> Annual Neonatal Critical Care Conference. Dartmouth-Hitchcock Medical Center, Lebanon, NH, "Birth Asphyxia: Manifestations, Treatment and Outcomes", November, 2001
- 47. Wentworth-Douglas Hospital, Dover, New Hampshire. "Neonatal Abstirence Syndrome", December, 2001
- 48. Dartmouth-Hitchcock Medical Center, Lebanon, NH, "Re-emergence of Kernicterus", January, 2002
- 49. Dartmouth-Hitchcock Medical Center, Lebanon, NH, "The Acidemia Para lox", January, 2003

- Elliot Hospital Conference on "Supporting Neurological Development", Manch ster, NH, "Birth Asphyxia: Clinical Manifestations, Treatments, and Outcor ies", November, 2003
- 51. Neonatal Critical Care: The Basics and Beyond. Dartmouth-Hitchcock Me lical Center, Lebanon, NH, "Common Resuscitation Errors: Strategies for Improving Your Likelihood of Success", November, 2004
- 52. Northern New England Perinatal Quality Improvement Network and the American College of Obstetricians and Gynecologists Conference: Preventing Injury during Delivery: A Response to the JCAHO Sentinel Alert. Fairlee, Vermont, "Managing and Simulating OB Emergencies: Non-Reassuring Fetal Status", May, 2005

- 53. Workshop on Perinatal-Neonatal Arterial Stroke. National Institutes of Health (NIH), National Institute of Child Health and Human Development (NICHD), and National Institute of Neurological Disorders and Stroke (NINDS). Bethesda, August, 2006 (PEDIATRICS Vol. 120 No. 3 September 2007, pp. 609-616)
- 54. St. Joseph Hospital, Nashua, New Hampshire. "Neonatal Abstinence Syndrome", November, 2006
- 55. New England Fall Nursing Conference, Tyngsboro, MA. "Birth Injury: The Ear iest Signs", November, 2006
- 56. Dartmouth-Hitchcock Medical Center, Lebanon, NH, "Interpretation of Umbi ical Cord Blood Gases", June, 2007

# EXHIBIT C

E. Robert Spear, Esq. (8672) E. ROBERT SPEAR, PC 818 Gass Avenue Las Vegas, Nevada 89101 Telephone: (702) 750-0571 Facsimile: (702) 750-0572 Attorneys for Plaintiff DISTRICT COURT CLARK COUNTY, STATE OF NEVADA T. DANIELLE HURST and BRIAN ABBINGTON individually and on behalf of ) their minor child, MAYROSE LILI-ABBINGTON HURST, AFFIDAVIT OF KATHLEEN SAKAMOTO, M.D. Plaintiffs, VS. SUNRISE HOSPITAL AND MEDICAL CENTER, LLC, MARTIN BLAHNICK, M.D., ALI PIROOZI, M.D., RALPH CONTI, M.D. and FOOTHILL PEDIATRICS LLC, Defendants. County of ) State of California

Being first duly sworn upon her oath, Kathleen Sakamoto, M.D. hereby deposes and states

as follows:

APP48

- 1. I was asked to review this case and provide opinions pertaining to the medical care that was provided to MayRose Lili-Abbington Hurst ("MayRose") following her birth in May, 2008, as it relates to the cause of her subsequent crash and brain injury in late October/early No vember 2008. I have personal knowledge regarding the information contained herein and could and would be willing to testify regarding the same if called upon to do so.
- I received my medical degree from the University of Cincinnati, College of Me dicine in
   1985 and subsequently completed an Internship and Residency in Pediatrics at the Child en's
   Hospital of Los Angeles.
- 3. Thereafter, I completed a Fellowship in Hematology/Oncology at the Children's Hospital of Los Angeles in 1989. I am Board-Certified in General Pediatrics and Pediatric Hematology-Oncology and my certifications are current.
- 4. From 1991-1993, I was a Clinical Instructor in the Division of Hematology-C ncology, Department of Pediatrics, UCLA School of Medicine. Thereafter, I was a visiting Assis ant and Assistant Professor of Pediatrics in the Division of Hematology-Oncology, Department of Pediatrics, UCLA School of Medicine.
- 5. Beginning in 2005 to the present, I have been Chief of the Division of Hematology-Oncology, Mattel Children's Hospital UCLA, David Geffen School of Medicine. From 2006 to the present, I have been the Vice-Chair of Research, Mattel Children's Hospital, David Cleffen School of Medicine at UCLA and Co-Associate Director of Signal Transduction Program Area, Jonsson Comprehensive Cancer Center.
- From 2008 to the present, I have been a Professor, Chief and Director of the l'ediatric
   Hematology/Oncology Fellowship Program, Mattel Children's Hospital- UCLA.

- 7. I am also a member of the Scientific Advisory Board to the Diamond Blackfa i Anemia Foundation. I have specific expertise regarding this particular blood disorder. My quali ications to give opinions in this case are extensive and more fully set forth in my Curriculum Vitae which is attached as Exhibit A to this Affidavit.
- 8. In addition to my education, training, and experience, my opinions are also be sed upon my familiarity with the medical literature and standards of care governing this area of me licine, as well as a review of the medical records in this case, including the following:
  - a. Records from Sunrise Hospital;
  - b. Records from Foothill Pediatrics (MayRose's pediatrician);
  - c. Records from Summerlin Hospital where MayRose was treated following her crash;
- d. Records from Denver Children's Hospital where MayRose was ultimately diagnosed with Diamond Blackfan Anemia:
  - e. Select prenatal records; and
  - f. September 2008 follow-up MRI
  - 9. My opinions in this case are given to a reasonable degree of medical probability.
- 10. Based upon my experience, education, training, medical expertise, knowledge of Diamond Blackfan Anemia, the medical literature, applicable standards of care and my review of the medical records in this case, I have formed the following opinions:
- a. MayRose Hurst should have been provided with a hematology consult prior to her discharge from Sunrise Hospital;
- b. At the very least, MayRose Hurst should have been referred to a hematologis for follow-up care or earlier and more frequent visits to the Pediatrician for blood counts at the time of

her discharge from Sunrise Hospital;

- c. Based upon MayRose's condition and presentation in the NICU at Sunrise ho spital, including her need for repeated transfusions, her significant anemia, her low and falling reticulocyte count, and her apparent lack of response to traditional therapies, a hematologist would have conducted appropriate diagnostic studies (including bone marrow tests) that more likely than not would have diagnosed MayRose's blood disorder and treatment for that condition, to include close monitoring of Hg level and regular red cell transfusions, would have been immediately implemented.
- d. At a minimum, serial blood work would have been conducted on this child following discharge on a weekly basis initially to monitor her hemoglobin and reticulocyte count and ensure that her hemoglobin did not fall below 6 grams/dl.
- e. The care and treatment that would have been provided to this child by a hemata logist if one had been consulted would have resulted in the timely and proper diagnosis, monitoring and treatment of MayRose Hurst's blood disorder.
- f. The failure to properly diagnose, monitor and treat MayRose Hurst's blood disorder resulted in significant anemia with Hg of 2 grams/dl, which was, more likely than not, contributory to and one of the proximate causes of the acute and life-threatening illness she developed as well as her ensuing complications.

DATED this 11 day of March, 20	Keut		Sakamoto M.D., Ph.D.
Subscribed and sworn to before me this	11	day o	f March, 2010.

My commission expires:	NOTARY PUBLIC

# **JURAT**

State of California
County of LOS ANGELES
Subscribed and sworn to (or affirmed) before me on this//
day of <u>MARCH</u> , 20 <u>10</u> , by
KATHLEEN SALAMOTO,
proved to me on the basis of satisfactory evidence to be the person s)
who appeared before me.
BETTE Y. TANG COMM, #1650159  Notary Public-Celifornia LOS ANGELES COUNTY My Comm. Exp. April 6, 2010
(Seal) Signature Bittle y - Tany

#### **CURRICULUM VITAE**

# KATHLEEN MIHO SAKAMOTO, M.D., Ph.D.

#### PERSONAL HISTORY

**WORK ADDRESS** 

Mattel Children's Hospital UCLA

Division of Hematology-Oncology

10833 Le Conte Avenue

Factor 11-234

David Geffen School of Medicine Los Angeles, CA 90095-1752

PHONE NUMBERS

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EMAIL ADDRESSES

kms@ucla.edu or ksakamoto@mednet.ucla.edu

CITIZENSHIP

United States

<b>EDUCATIO</b>	Ν

1975-1979	Williams College, Williamstown, MA; B.A. Cum Laude; Biology
1981-1985	University of Cincinnati, College of Medicine, Cincinnati, OH; M.1).
1985-1986	Internship, Pediatrics, Children's Hospital of Los Angeles
1986-1988	Residency, Pediatrics, Children's Hospital of Los Angeles
1988-1989	Fellowship, Hematology/Oncology, Children's Hospital of Los Angeles
2000-2003	California Institute of Technology, Pasadena, CA; Ph.D. Biology
	Howard Hughes Medical Institute, Laboratory of Raymond J. Desl aies

#### **LICENSURE**

1986 California License, G58328
 1994 DEA license, BS1361992

#### **BOARD CERTIFICATION**

1986 Diplomate, National Board of Medical Examiners

1989 Diplomate, American Board of Pediatrics (recertified 1999, 2005)

Diplomate, American Board of Pediatrics, Hematology-Oncology (recertified 1 199, 2006)

#### RESEARCH INTERESTS

Mechanisms of Leukemogenesis Mechanisms of Bone Marrow Failure Novel therapeutic approaches to treat cancer

#### PROFESSIONAL EXPERIENCE

1991-1993

Clinical Instructor, Division of Hematology-Oncology, Department of Pediatrics, UCLA School of Medicine

1993-1994	Visiting Assistant Professor of Pediatrics, Division of Hematology Oncology, Department of Pediatrics, UCLA School of Medicine
1994-1998	Assistant Professor of Pediatrics, Division of Hematology-Oncology, Department of Pediatrics, UCLA School of Medicine
1995-present 1998-2003	Joint appointment, Department of Pathology and Laboratory Medicine Associate Professor of Pediatrics and Pathology, Mattel Children's Hospital at UCLA, UCLA School of Medicine
2003-present	Professor of Pediatrics and Pathology & Laboratory Medicine
2004-2009	Visiting Associate, Division of Biology, California Institute of Tec mology
2005-present	Professor of Pediatrics and Pathology & Laboratory Medicine, David Geffen School of Medicine at UCLA
2005-present	Chief of Division of Hematology-Oncology, Mattel Children's Ho pital, David Geffen School of Medicine at UCLA
2006-present	Vice-Chair of Research, Mattel Children's Hospital, David Geffen School of Medicine at UCLA
2006-present	Co-Associate Director of Signal Transduction Program Area, Jons on Comprehensive Cancer Center
2008-present	Pediatric Hematology/Oncology Fellowship Program Director, Ma tel Children's Hospital UCLA

#### RESEARCH EXPERIENCE

TANDELLA DA DE	AR EIGENICE
1978-1979	Senior Honors Thesis, Department of Biology, Williams College. 'Effects
	of Centrifugation Time on Separation of Plant Organelles".
1979-1980	Research Assistant, Department of Biochemical Genetics, City of lope
	Medical Center
1993-1996	Research Assistant, Department of Physiology, USC School of Me licine,
1980, 1991	Postdoctoral Fellow, Division of Hematology-Oncology, in the lab ratory
•	of Judith C. Gasson, Ph.D., UCLA School of Medicine
1999	Visiting Associate, laboratory of Raymond Deshaies, Ph.D.,
•	Department of Biology, California Institute of Technology, Pasade 1a, CA.
2000-2004	STAR program/Graduate Studies, Division of Biology, Laboratory of
	Raymond Deshaies, PhD, Howard Hughes Medical Institute, California
	Institute of Technology, Pasadena, CA.

### PROFESSIONAL SOCIETY MEMBERSHIPS

Candidate Fellow, American Academy of Pediatrics

Member, American Society of Hematology

Member, American Society of Pediatric Hematology-Oncology

Member, American Association for Cancer Research

Member, New York Academy of Science

Member, Western Society for Pediatric Research

Member, Society for Pediatric Research

Member, International Society for Experimental Hematology

Children's Oncology Group, AML Strategy Group

American Society for Biochemistry and Molecular Biology (ASBMB)

Member, Los Angeles County Medical Association

COMMITTEES ON CAMPUS

1996-1998 Admissions Committee, UCLA ACCESS program for graduate st idents 1996-1999 Admissions Committee, Medical Student Training Program, UCL 4

1994-present UCLA Cancer Committee

1998-1999 Chair of Tumor Cell Biology ACCESS Affinity Group for Gradue te

Students

1996-2002 Western Society for Pediatric Research (WSPR) Council member

2002-present Search Committee for Pediatric Pulmonary
2002-present Search Committee for Pediatric Nephrology

2002-present Search Committee for Pediatric Hematology-Oncology

2006 Search Committee for Pediatric Cardiology 2006 Search Committee for Infectious Disease

2006 Committee for Loan Repayment, Department of Pediatrics 2006 Search Committee for Biostatistician, Department of Pediatrics

2006 Chair, Search Committee for Neonatology

2006-present Pediatric Credentials Committee

2007 Member, Coordinating Committee for CNSI-CNBI Symposium or

NanoBiotechnology

2008 Executive committee, California Nanosystems Institute (CNSI) UCLA

2008-present Membership committee, CNSI-CNBI, UCLA

2008-present Search Committee, Pediatric Surgery

2008-present
2008-2011
2008-present
Quality Assurance committee, David Geffen School of Medicine
Admissions Policy Subcommittee, David Geffen School of Medicine
AMWA Mentorship Program, David Geffen School of Medicine

2009-present Keyser Endowed Chair Search Committee

2009-present Pathology Search Committee for Faculty Position in B-ALL

#### **CAMPUS ACTIVITIES**

1994-present Faculty Mentor on the Medical Student Training Program
1994-present Principal Investigator on the Tumor Cell Biology Training Grant

1995 Faculty Advisor Program for first year medical students

1995-present Principal Investigator on the UCLA ACCESS program for graduat :

Students

2007-present Organize the Pediatric Fellows Core Curriculum noon seminars, Science

Day

2007-present Organize the Basic Science Journal Clubs for Residents

2007-present Organize the Pediatric Translational Research Program (seed grant; grant

mentors, core equipment, symposium, seminar series)

2006-present Organize seminars, lunch/business meetings, and roundtable discussions

for the Jonsson Comprehensive Cancer Center

2007-present Organizer for Hematopoiesis Journal Club for Jonsson Cancer Cen er with

Program areas in Signal Transduction, Hematologic Malignancies, and

Gene Regulation

#### EDITORIAL BOARD/REVIEWER

Editorial board: Stem Cells, Blood

Medical Editor, emedicine online textbook for Pediatrics (Hematology-Oncology section)

### Current Drugs, panel of evaluators

Ad hoc reviewer for journals: Ad hoc reviewer for journals: Oncogene, Proceedings of the National Academy of Sciences, Molecular and Cellular Biology, Journal of Cellular Biochemistry, Leukemia, Biotechniques, Cytometry, Pediatric Research, Cancer Research, Molecular Cancer Therapeutics, American Journal of Hematology, Molecular Genetics and Metabolism, American Journal of Human Genetics, New England Journal of Medicine, I ediatric Blood and Cancer, Cancer Research, Clinical Cancer Research, British Journal of Hematology, Clinical Prostate Cancer, Pediatrics, Cancer Letters, Journal of Pediatric Hematology-On cology.

<u>Teaching</u>	
1993-present	Pediatric Hematology-Oncology elective
1993-present	Advanced Clinical Clerkship in Pediatric Hematology-Oncology
1993-present	Laboratory course in Biochemistry for first year medical students
1993-present	Pediatric Clerkship
1993-present	Advanced Clinical Clerkship in Pediatrics
1995	Ethics and Accountability in Biomedical Research
1995-1997	Major Concepts in Oncology
1995	Molecular and Cellular Foundations of Disease
1993-1997	Organization of Pediatric Hematology-Oncology weekly clinic
•	conferences
1995-1999	Organization of the Pediatric Departmental Monthly Research Sem nars
1999-2004	M229 Course on Cell Biology and Pathogenesis for ACCESS Graduate
	Students on "Cell Cycle" (organized by Patricia Johnson)
1996-2003	Pathophysiology Course in Hematopathology (session on
	Lymphoma)
2005	MBI 298 seminar course on Ubiquitination
2005-present	Co-organizer, M294 Pathology course on Molecular Basis of Oncol you
2009-present	Director of M270 course on Developmental Hematology
Clinical Activities	<del>-</del>
1993-present	Medical Staff, Pediatric Hematology-Oncology, UCLA School of Medicine and Santa Monica Hospital

#### **COMMUNITY SERVICE**

2007-2008 Leukemia and Lymphoma Society of America, Los Angeles Chapter, Board of Trustees and Executive Board

#### PATENTS

"Proteolysis Targeting Chimeric Pharmaceutical" (Raymond Deshaies, Craig Crews, and Kathleen Sakamoto), Ref. No. CIT3284.

HONORS AND	SPECIAL AWARDS
1988	Victor E. Stork Award, Children's Hospital of Los Angeles
1990-1993	Leukemia Society of America Fellowship Award
1991	Leukemia Society of America award as First Designated Researcher
	supported by the Leukemia Society staff
1992-1995	Jonsson Comprehensive Cancer Center/STOP CANCER Career
	Development Award
1996-2002	Leukemia Society of America Special Fellow Award
1994	Young Investigator Award in Oncology, American Society for Ped atric
	Hematology-Oncology
1995	UCLA Frontiers of Science Award
1996	
1330 ,	Ross Award in Research By Young Investigators (Western Society for
1000 2002	Pediatric Research)
1998-2003	Leukemia Society of America Scholar Award
1998	Elected Council Member, Western Society for Pediatric Research
1998	Participant, AAMC Workshop for Senior Women in Academic Me licine
1999	Invited Participant, American Cancer Society Professors Meeting,
1000	October, New York
1997.	"Meet-the-Expert", Signal Transduction and Cell Cycle Control in
	Myeloid Cells, American Society of Hematology, New Orleans, L/
1998	Katherine E. Rogers Scholar for Excellence in Cancer Research, Junsson
	Comprehensive Cancer Center, UCLA
1999	Member of Scientific Review Committee, CONCERN Foundation
2000	AACR-Novartis Scholar in Training Award, Oncogenomics meetirg,
	Tucson, AZ
2001	Keystone Symposium on "Cell Cycle" - Travel Award, Keystone, CO.
2002	AACR-AFLAC Scholar-in-Training Award, meeting on Ubiquiting tion
	and Cancer meeting, Vancouver, Canada.
2002	Full member, Molecular Biology Institute, UCLA
2003-present	Children's Oncology Group, Myeloid Biology Subcommittee
2003-2007	Member, Grant Review Subcommittee on Leukemia, Immunology, and
2007	Blood Cell Development for American Cancer Society
2004	NIH Study Sections on Drug Discovery and Molecular Pharmacology and
2001	Basic Mechanisms of Cancer Therapy, and Special Emphrsis
	Panel on Diamond-Blackfan Anemia and Bone Marrow F: ilure
	syndromes
2004	
2004	Grant Reviewer, UC Discovery Biotechnology Program
2004	Moderator, Leukemia Session at American Society for Pediatric
2004	Hematology-Oncology Annual Meeting
2004	Abstract Reviewer and Moderator for "Hematopoiesis: Regulation of Gene
	Transcription," ASH Meeting
2005-2009	Member, NIH Hematopoiesis Study Section
2004	Grant Reviewer, Susan G. Komen Breast Cancer Foundation
2005	"Ask the Experts" in Pediatric Cancer, AACR Public Forum, Anah im,
	CA.
2005	Chair of Minisymposium, Modulation of Protein Stability. AACR,
	Anaheim, CA.
	•

2005-present	Member, Translation Research Program Review Subcommittee for the
	Leukemia and Lymphoma Society of America
2005	Moderator, Pediatric Hematology-Oncology session, PAS/ASPHO
	meeting, Washington DC, May 2005
2005-2009	Grant Reviewer, California Research Cancer Committee (CRCC)
2005-2009	Member, ASH Scientific Committee on Myeloid Biology
2006	Reviewer, NIH Oncology Postdoctoral Fellowship Committee
2006-present	CDMRP (DOD) CML Grant Review Committee
2006	ASH abstract reviewer on "Hematopoiesis: Regulation of Gene
	Transcription" for annual meeting
2006	UCLA Finalist, Margaret Early Trust Award
2006	Benjamin Franklin High School Wall of Fame Award
2006	Member, American Pediatric Society
2007	Abstract Coordinating Reviewer, ASH meeting 2007
2007	Stem Cells journal Lead Reviewer Award
2007	Nominated for Who's Who in America
2007	Best Doctors in America
2008-present	Member, ASH Myeloid Biology Subcommittee
2008 <sup>.</sup>	"Meet the Expert" Transcription Factors in Myelopoiesis, ASH meet ng
2008-present	Maryland Stem Cell Exploratory Grant Peer Review Committee
2009	NY Stem Cell Grant Peer Review Committee
2008	NIH Special Emphasis Panel/CRG Loan Repayment Program Review
	Committee
2008	Chair of Cancer Committee, America's Best Children's Hospital, U.S.
	News & World Report
2008	Pediatric Cancer Research Foundation "Gift of Hope" Award
2008	Who's Who and Super Doctors of Southern California
2009	America's Top Doctors in Cancer
2009	Fernbach Distinguished Visiting Professor Lectureship, Texas Child en's
•	Hospital, Baylor College of Medicine
2010	Board of Trustees, American Society of Pediatric Hematology/Oncology
2010-2011	Vice Chair and Chair of the Myeloid Subcomittee, American Society of
	Hematology

# RESEARCH GRANTS AND FELLOWSHIPS

1989-1990	American Cancer Society Clinical Oncology Fellowship
1990-1993	5 F32 CA08974-04 Individual National Research Service Award Molecular Analysis of Target Cell Response to Human GM-CSF (\$102,100); National Cancer Institute (Judith Gasson, Ph.D., P.I.)
1996-2002 .	Fellowship Award, Molecular Characterization of GM-CSF Action (\$70,000) Leukemia Society of America (Judith C. Gasson, Ph.D., P.I.)
1993-1998	K08 CA59463, Clinical Investigator Award, Molecular Characterization of GM-CSF Action (\$383,400), National Cancer Institute (Judith Gasson, Pl.D.

P.I.)

1993-1996	3017-93, Special Fellow Award, Molecular Analysis of GM-CSF Action (\$100,400), Leukemia Society of America (K. Sakamoto, M.D., P.I.)
1992-1995	Career Development Award, Molecular Characterization of GM-CSF Act on (\$150,000), STOP CANCER (K. Sakamoto, M.D., P.I.)
1992-1993	Seed Grant, Mutation Analysis of Structure-Function Relationships of Human GM-CSF Receptor Beta Subunit (\$30,000), Jonsson Comprehensive Can :er Center (K. Sakamoto, M.D., P.I.)
1992-1993 Service	Mutation Analysis of Structure-Function Relationships of the Human GN -CSF Receptor Beta Subunit (\$25,000), Southern California Children's Cancel and Couples Against Leukemia (declined) (K. Sakamoto, M.D., P.I.)
1993-1995	Molecular Regulation of egr-1 by IL-3 and PIXY321 in Myeloid Leukem as (\$100,000), Concern II (K. Sakamoto, M.D., P.I.)
1994	The Role of Cyclins in Myeloid Leukemias (\$25,000), Southern Californ a Children's Cancer Service and Couples Against Leukemia (K. Sakamott, P.I.)
1995	UCLA Academic Senate Award (\$1,500), "Stem Cell Factor Activation of Signal Transduction in Myeloid Leukemic Cells" (K. Sakamoto, M.D., P.I.)
1995	UCLA Frontiers of Science Award, The Regulation and Functional Role of p55CDC in Myeloid Leukemias (\$28,000) (K. Sakamoto, M.D., P.I.)
1995	UCLA Prime Faculty Research Award, Molecular Regulation of Myeloi l Cell Differentiation (\$25,000) (K. Sakamoto, M.D., P.I.)
1995	Seed Grant, The Role of SRE-Binding Proteins During Signal Transduction in Myeloid Leukemias (\$27,000), Jonsson Comprehensive Cancer Center ( 5. Sakamoto, M.D., P.I.)
1995	New Assistant Professor Grant, Transcriptional Regulation of egr-1 by Stem Cell Factor in Myeloid Leukemias (\$35,000), Cancer Research Coordinating Committee (K. Sakamoto, M.D., P.I.)
1995-1997	Shannon Award, NIH (NCI) 1R55CA68221, Molecular Regulation of M yeloid Cell Differentiation, (\$80,000) (K. Sakamoto, M.D., P.I.)
1996	Concern II Foundation; Molecular Analysis of IL-3 and PIXY321 Signa ing Pathways in Myeloid Leukemias (\$50,000) (K. Sakamoto, M.D., P.I.)
1996-2002	First Award R29CA68221, Molecular Regulation of Myeloid Cell Differentiation, (\$350,000), NIH/NCI (K. Sakamoto, M.D., P.I.)

7/97-6/99	UC Biotechnology STAR Project, S97-03 "p55Cdc and Cell Cycle Regulation" (\$40,000); Amgen, Inc. and University of California (K. Sakamoto, M.D. P.I.)
7/98-6/99	Contract with Eli Lilly, Inc. "Multiple Resistance Genes in Leukemias" (532, 000), Co-PI with Leonard Rome, Ph.D. (K. Sakamoto, M.D., P.I.)
7/98-6/99	Jonsson Comprehensive Cancer Center Seed Grant, "Use of Low Molecu ar Weight Heparin in Cancer Patients Receiving Stem Cell Transplants," (\$10,000), Co-P.I. with Dr. Sinisa Dovat, M.D. (fellow)
7/98-6/2003	Leukemia Society of America Scholar Award, 1497-99 "The Role of p55 2dc during Myelopoiesis" (\$350,000), Leukemia Society of America (K. Saka moto, P.I.)
. 1/99-12/2001	Investigator initiated grant, California Cancer Research Program, "Cell C /cle Control and Cancer" (\$400,000), California Department of Health Servic s (K. Sakamoto, P.I.)
7/99- 6/2000	Jonsson Comprehensive Cancer Center Seed Grant, "Development of a Novel Class of Protein-inhibiting Anti-cancer Therapeutics" (\$15,000), K. Sakarnoto (P.I.) and Raymond Deshaies (Co-P.I., Caltech)
1/2000	CaPCURE research award, "Development of a Novel Class of Protein-Inhibiting Therapeutics for Prostate Cancer" (\$100,000). Raymond Deshaies (P.I., Caltech), K. Sakamoto, and Craig Crews (Co-P.I., Yale University).
1/99-12/02	Research Project Grant, "Molecular Analysis of Myeloid Cell Proliferatio 1" (\$300,000); American Cancer Society (K. Sakamoto, P.I.)
8/01-7/03	UC Biostar, "Targeting the estrogen receptor for Proteolysis", with Celgene, Inc. (\$40,000), K Sakamoto, P.I.
1/02-12/02	CaPCURE research award, "Targeting the Androgen Receptor for Degrat ation in Prostate Cancer" (\$75,000) K.Sakamoto (P.I.), Raymond Deshaies (Co-P.I., Caltech) and Craig Crews (Co-P.I., Yale University).
6/02-7/03	National Cancer Coalition, "Signal Transduction and Cell Cycle Analysis in Leukemia" (\$5,000), K. Sakamoto (P.I.).
1/03-12/06	American Cancer Society, Research Scholar Award. "The role of CREB n Leukemogenesis," (\$625,000). K. Sakamoto (P.I.).
1/03-6/04	Department of Defense, "Targeting the estrogen receptor for ubiquitination and proteolysis in breast cancer," (\$222,819). K. Sakamoto (P.I.)
1/03-12/03	Diamond-Blackfan Anemia Foundation, "AML in Diamond-Blackfan Anemia: Molecular Basis and Therapeutic Strategies," (\$25,000). K. Sakamoto (I.I.)

1/1/03-12/31/04 SPORE grant in Prostate Cancer Research, Seed Grant Award, "Targeting the Androgen Receptor for proteolysis in Prostate Cancer," \$ 5,000. K. Sakamoto (P.I.) 4/1/03-3/31/04 Stein-Oppenheimer Award, "Targeting the Estrogen Receptor in Breast Cancer," \$20,000. K. Sakamoto (P.I.) 6/1/03-5/30/04 Genomic Exploration Seed Grant, Jonsson Comprehensive Cancer Center, "CREB and Human Leukemias," \$5,000, K. Sakamoto (P.L.) 7/1/03-6/30/04 · Susan G. Komen Breast Cancer Thesis Dissertation Award," \$20,000. K Sakamoto, R. J. Deshaies (P.I.) 1/04-12/08 NIH/NHLBI R01 (HL 75826), "The Role of CREB in Leukemogenesis," (\$200,000/year). K. Sakamoto (P.I.) 9/04-8/08 R21, "Ubiquitination and Degradation in Cancer Therapy," (\$135,000/year). K. Sakamoto (P.I.) Department of Defense, "Identification of small non-peptidic ligands that bind 7/04-7/05 the SCF beta-TRCP ubiquitin ligase to target the ER for ubiquitination and degradation (\$75,000). K. Sakamoto (P.I.) Fulbright Fellowship/MEC (Spain) postdoctoral fellowship, "Targeting the 7/05-5/07 Androgen Receptor for Ubiquitination and Degradation: A new strategy or Therapy in Prostate Cancer" (\$60,000), K. Sakamoto and R. Deshaies (Co-P.L). 5/05 Boyer/Parvin Postdoctoral Fellow Award (\$5,000), awarded to Deepa Shankar, Ph.D., K. Sakamoto (P.I.) 7/05 Stone Research Award (\$1,000) award to undergraduate student Winston Wu, K. Sakamoto (P.I.) Department of Defense postdoctoral fellowship, "Targeting the Androger 7/05-6/07 Receptor for Ubiquitination and Degradation: A New Strategy for Theragy in Prostate Cancer," (\$80,000), K. Sakamoto (P.I.) 10/06-9/07 Diamond Blackfan Anemia Foundation, "Developing a zebrafish model of Diamond Blackfan Anemia." \$25,000 (K. Sakamoto and S. Lin, P.I.) NIH/NHLBI R01 (HL083077), "Molecular and Cellular Characterization of 10/05-9/09 MPD." \$225,000/ year (K. Sakamoto, P.I.). 7/06-6/08 Department of Defense, "The Role of CREB in CML," \$45,800/year (K. Sakamoto, P.I.).

7/06-6/08	F32 HL085013 NRSA (NHLBI), "CREB and Hematopoietic Stem Cells" awarded to postdoctoral fellow Jerry Cheng, M.D. (K. Sakamoto, P.I.).
7/06-6/08	NCI T32 CA09056 Tumor Cell Biology Training Grant, "Studies in the Mechanisms of Targeted Therapy for Acute Myeloid Leukemia," for Al II K. Ikeda, M.D. (K. Sakamoto, P.I.).
10/06-9/09	Leukemia and Lymphoma Society Translational Research Grant, "Targe ing Signaling Pathways in Pediatric AML." \$200,000/year (K. Sakamoto, P I. and Ted Moore, co-P.I.).
1/07-12/12	T32 NIH/NHLBI Training Grant, "Training in Developmental Hematolo zy." \$262,489/year (K. Sakamoto, P.I.).
1//08-1:2//08	Abbott Laboratories and Genentech, Inc. "RTKIs in AML." \$50,000 (K.Sakamoto, P.I.)
10/08-9/09	Jonsson Comprehensive Cancer Center Fellowship award, "Targeting the Aggresome Pathway in ALL." \$30,000 (K. Sakamoto, P.I., Agustin Roc riguez-Gonzalez, fellow).
11/08-10/09	William Lawrence Foundation (\$40,000). Targeting the Aggresome pathway in Pediatric ALL. (K. Sakamoto, P.I.).
7/09-6/2010	St. Baldrick's Foundation (\$50,000). The Role of p53/deltaNp63 in Oncogenesis in Bone Marrow Failure Syndromes (K. Sakamoto and S. L n, P.I.).
2009	NanoPediatrics Core Seed Grant (\$20,000). Identification of Molecular I argets of the CREB inhibitor XX-650-23 in Leukemia Cells. (K. Sakamoto, P.I.)
2010	Parents Against Leukemia (\$20,000). Genome sequence of pediatric AL. cells. (K.Sakamoto, P.I., Stan Nelson co-PI).

# TRAINING FACULTY ON THE FOLLOWING TRAINING GRANTS (NIH T32 a 1d K12 Programs)

Tumor Cell Biology
Tumor Immunology
Hematology
Vascular Biology
CHRCD
Medical Scientist Training Program (MSTP)
Gene Medicine
Stem Cell Research Institute
Training in Developmental Hematology (P.I.)

#### **FACULTY MENTORSHIP**

Faculty Mentor	Ved Longhe, Assistant Professor In-Residence
Faculty Mentor	Kek-Khee Loo, Assistant Professor In-Residence
Faculty Mentor	Tumaini Coker, Assistant Clinical Professor
Faculty Mentor	Valencia Walker, Assistant Clinical Professor
•	
TRAINEES	
1991-1993	Hu-Jung Julie Lee, undergraduate student
1992-1993	Elana Lehman, medical student
1993-present	Kathy Hwain Shin, undergraduate student, Work/study and Lab As sistant
1994-1995	Robert C. Mignacca, M.D., postdoctoral fellow
1994-1995	Stephen Phillips, undergraduate student, Student Research Project
1995	Allison Wong, medical student; Short Term Training Program; Resipient
of	Howard Hughes NIH Research Scholar Award, 1996-1997
1995	Ramona Rodriguez, medical student; Short Term Training Program,
•	Centers of Excellence
1995-2000	Evelyn Kwon, graduate student
1996	Michael Mendoza, medical student, Short Term Training Program
Centers	of Excellence and FIRST/STAR Award recipient
1996-2002	Patricia Mora-Garcia (awarded Minority Supplement Award from
	NIH/NCI), Dept. Pathology and Laboratory Medicine
1996-2002	Michael Lin, graduate students (recipient of NIH/NCI Tumor Cell Hiology
•	Training Grant), Dept. Pathology and Laboratory Medicine
1997	Raymond Wang, medical student, Short Term Training Program
1995-1999	Wayne Chu, M.D., Pediatric Resident, Mattel Children's Hospital at
•	UCLA, research elective (recipient of 1999 Merle Carson Lectures lip, 1st
	Prize Southwestern Pediatric Society, The Tenth Joseph St. Geme, Ir.
	Research Award for UCLA Pediatric Trainees)
1999-2000	Kristin Baird, M.D. Pediatric Resident, Mattel Children's Hospital at
	UCLA, research elective
2000-2007	Deepa Shankar, Ph.D., Postdoctoral fellow (NIH Tumor Cell Biology
2014 2022	Postdoctoral fellowship, JCCC fellowship).
2001-2002 .	Heather Crans, graduate student (recipient of NIH Tumor Immuno ogy
2001 2002	Training Grant), Dept. Pathology and Laboratory Medicine
2001-2003	Athena Countouriotis, M.D., Pediatric Resident, Mattel Children's
	Hospital at UCLA, research elective (recipient of Resident Researc 1
	Award, American Academy of Pediatrics)
2002-2007	Jerry Cheng, M.D., Pediatric Resident, Mattel Children's Hospital at
	UCLA (won SPR House Officer Award 2003, ASPHO/SPR meeting,
0000 0000	Seattle, WA).
2002-2003	Tamara Greene, Medical Student, UCLA School of Medicine
2002-2003	Johnny Chang, M.D., Medical Oncology Fellow, Division of Hematology-
	Oncology, Department of Medicine, UCLA School of Medicine (recipient
2002 2005	Of NIH Hematology Training Grant)
2003-2005	Noah Federman, M.D., Pediatric Resident, Mattel Children's Hospital,
2002	research elective
2003	Andy Liu, undergraduate student (Recipient of Undergraduate scholarship
วกกว	award for research performed in my laboratory)
2003	Ryan Stevenson, undergraduate student (now in medical school)

2004	Maricela Rodriguez, medical student
2005	Jenny Hernandez, Saul Priceman, Jose Cordero, Gloria Gonzales, Salemiz
	Sandoval
2005	Cid Sumolong, STTP, UCLA medical student
2005-2006	Winston Wu, undergraduate (recipient of John Stone Award for research
	performed in my laboratory)
2005-present	Salemiz Sandoval, graduate student (MBI)
2005-2007	Samuel Esparza, M.D., Pediatric Hematology-Oncology fellow,
• •	STAR/PhD graduate program
2005-2007	Jerry Cheng, M.D., Pediatric Hematology-Oncology fellow
2005-present	Tiffany Simms-Waldrip, M.D., postdoctoral fellow
2005	Katrin Rhodes, rotating ACCESS graduate student
2006	Sam Kaneko, first year UCLA medical student (STTP)
2006-2007	Kellie Lim, 4th year medical student mentor, UCLA Medical Special ties
	College Program
2006-present	Jenny Hernandez, graduate student (Pathology)
2006-present	Alan Ikeda, M.D., Pediatric Hematology-Oncology fellow
2006-2008	Tara Lin, M.D., Adult Oncology, Postdoctoral fellow
2006	Andrew Goldsmith, ACCESS rotation student
2006-present	James Ch'ng, undergraduate student
2007-present	Chuck Gawad, Pediatric Resident, Mattel Children's Hospital
2007-present	Tiffany Chang, Pediatric Resident Mattel Children's Hospital
2007-present	AMA faculty mentoring program for medical students (Amanda Cl suson
	and Supriya Bavisetty)
2007	Jo Chang, Pediatric Resident, Harbor-UCLA Medical Center
2007-present	Jessica Bushong, undergraduate student (recipient of CARE progra n
	award)
2008	Joan Zape, undergraduate student (Amgen Scholar Award), UC Riverside
2008	Derek Orejel (STTP), medical student, UC Riverside/UCLA
2008	Burcu Biterge, undergraduate student, Turkey
2008-present	Grace Masangkay, graduate student in Biochemistry
2008-present	Tiffany Simms-Waldrip, M.D., postdoctoral fellow
2008-2009	Kazunari Yamada, M.D., Ph.D., visiting professor
2008	Renee Butterworth, ACCESS graduate student (rotation)
2009	Diana Moughon, ACCESS graduate student (rotation)
2008-2009	Miranda Savani, UCLA undergraduate student
2009	Kazuo Okemoto, Ph.D., postdoctoral fellow
2010	Maya Budzinskaya, ACCESS graduate student (rotation)
2010	Eric Gschweng, ACCESS graduate student (rotation)

# Ph.D. Thesis Committee for Graduate Students

Jason Christianson (P.I. A. Rajasekkaran, Pathology) 9/10/01 Robert Clipsham (P.I. Ed McCabe, M.D., Ph.D., Genetics) 7/01 Jared Goldstine (P.I. Harry Vinters, Pathology) 3/31/04. Jennifer Woo Tufts (P.I. Arnold Berk, Molecular Biology Institute) 3/07/06

Jin Xu (P.I. Charles Sawyers, Molecular Biology Institute) 3/04

Robert Signer (P.I. Ken Dorshkind, Pathology) 3/17/06

Alexandria Young (P.I. Debora Farber, Ph.D., Ophthalmology) 4/26/06

Katrin Rhodes (P.I. Hanna Mikkola, Ph.D., MCDB) Gustavo Gomez (P.I. Shuo Lin, Ph.D., MCDB) Jeanette Grant (Steve Dubinett, M.D.)

#### LECTURES AND PRESENTATIONS

- 1." Cytokine Signals and Cell Cycle Control During Myelopoiesis" Childhood Leukemia, Biological and Therapeutic Advances. April 17, 1998, Los Angeles, California.
- 2. Serine/Threonine Phosphorylation in Cytokine Signaling Workshop sponsored by the Mational Cancer Institute. March 30, 1999, Washington, D.C.
- 3. "Signal Transduction Pathways Activated by GM-CSF." October 29-30, 1999. ACS Professors Meeting, New York.
- 4. "Signal Transduction and Cell Cycle Control in Myeloid Cells" for Meet-the-Experts Breakfast, American Society of Hematology, December 5, 1999, New Orleans, LA.
- 5. CapCURE meeting, September 2000, Lake Tahoe. "Novel Approach to treat Prostate Cancer"
- 6. What SCF Ubiquitin Ligases Are and how they can be used to regulate cancer progress on, JCCC, UCLA seminar, 4/01.
- 7. Bone marrow cells regenerate infracted myocardium, Journal Club, 4/01
- 8. Acute Leukemia for Pediatric Residents at UCLA School of Medicine, 7/01
- 9. ITP, Olive View Grand Rounds, 8/01
- 10. Childhood Leukemia: causes and treatment. American Cancer Society, Los Angeles Chapter, 10/01
- 11. "The Role of SCF Ubiquitin Ligase in Human Disease: Implications for Therapy." Caltech Biolunch, March 6, 2002.
- 12. "Targeting Cancer-Promoting Proteins for Ubiquitination and Degradation" Signal Transduction Program Area Seminar, Jonsson Comprehensive Cancer Center, UCLA. Au just 1, 2003.
- 13. "Development of Approaches to Target Proteins for Ubiquitination and Degradation in Human Disease." Thesis Defense, Caltech. December 18, 2003.
- 14. "Role of CREB in Human Leukemias." Gene Medicine Seminar Series. Jan 26, 2004.
- 15. "Childhood Neutropenias." Pediatric Resident Noon conference. February 4, 2004.
- 16. "The Role of CREB in human leukemias", Gene Medicine Research Seminar, Januar 26<sup>th</sup> 2004.

- 17. "CREB and Acute Myeloid Leukemia," Leukemia Research Group Meeting, March 4, 2004.
- 18. "The Role of CREB in Leukemogenesis," Pediatric Research Seminar, May 20, 200.
- 19. Meet the Professors lunch for UCLA ACCESS graduate students. October 6, 2004.
- 20. UCLA Training Program in Tumor Biology. Retreat for UCLA ACCESS graduate stu lents. October 31, 2004.
- 21. "Hematology Jeopardy" Pediatric Noon Seminar, December 13, 2004.
- 21. "Transcriptional Regulators in Normal and Malignant Hematopoiesis," MBI Noon Se ninar, November 30, 2004.
- 22. "Targeting Proteins for Ubiquitination and Degradation in Prostate Cancer" GU SPOI E seminar, December 21, 2004.
- 23. "Writing your first NIH grant: an overview," Pediatric Research Seminar, April 7, 20(5.
- 24.. "Targeting the Ubiquitin-Proteasome System for Cancer Therapy." Minisymposium on Modulation of Protein Stability, AACR, Anaheim, CA, April 20, 2005.
- 25. "The Role of CREB in Myelopoiesis." Myeloid Workshop, Annapolis, MD, 2005
- 26. "The Use of RNA Interference to Study and Treat Human Disease." Organizer, Cell I iology Methods workshop, PAS/SPR meeting, Washington, D.C., 2005.
- 27. Young Investigators Workshop. American Society of Pediatric Hematology-Oncolog meeting. Washington D.C. 2005.
  - 29. "Update on Acute Leukemia: Where we've been and where we are today." Pediatric (hand Rounds, Children's Hospital of Los Angeles. August 19, 2005.
  - 30. "Acute Myeloid Leukemia," Pediatric Resident Rounds, September 21, 2005.
  - 30. "Grants Writing Workshop," ACCESS graduate students, September 26, 2005.
  - 31. "COG Spring Meeting Report on Acute Leukemia." Tuesday 3pm Division Conference, March 28, 2006.
  - 32. "Successes and Challenges of Childhood Cancer: Leukemia as a Model." Life after Childhood Cancer, March 29, UCLA symposium sponsored by the Leukemia and Lymph ma Society of America.
  - 33. "The Cancer Problem." M294 Basic Concepts in Oncology Course, April 3, 2006.
  - 34. "Update on Childhood Leukemia." Pediatric Grand Rounds, Charles R. Drew Univer ity of Medicine and Science, April 4, 2006.

- 35. "Choosing a Career in Basic Science Research." Young Investigator Workshop (organizer). ASPHO/SPR meeting. April 30, 2006.
- 36. "RNA interference and Stem Cells," New Approaches in Stem Cell Technologies Wc kshop, SPR meeting, San Francisco, California. April 29, 2006.
- 37. "Leukemia." M294 Basic Concepts in Oncology Course, May 10, 2006.
- 38. "Update on Childhood Leukemias." Olive View Grand Rounds, May 17, 2006.
- 39. "Leukemia" Pediatric Resident Noon Lecture, June 5, 2006.
- 40. "State of Art lecture on AML/Myelodysplastic Syndromes" for fellows, Division Con erence, Tuesday July 18, 2006.
  - 41. "Preparation of the RRC Site Visit." Division Conference, August 29, 2006.
  - 42. "Molecular and Cellular Characterization of MPD: The Role of CREB in Myelopoie is." NIH/NHLBI grantees meeting on MPD and MDS, November 9, 2006.
  - 43. "How to write your first NIH grant: an overview." Pediatric Fellows Noon Seminar, February 29, 2007.
  - 44. "Promotions: Rising up the Academic Ladder." Young Investigator's Workshop, ASI HO meeting, May 2007.
  - 45. "Childhood Leukemia." Harbor-UCLA Pediatric Grand Rounds, May 24, 2007.
  - 46. "Introduction to Cancer." Pathology M294 Basic Concepts in Oncology, April 2, 2007.
  - 47. "Acute and Chronic Leukemia." Pathology M294 Basic Concepts in Oncology, June ., 2007.
  - 48. "Update on Childhood Leukemia." Cedars-Sinai Hematology-Oncology Grand Rounds, August 14, 2007.
  - 48. "Role of CREB in normal and neoplastic myelopoiesis." Hematopoiesis Group semir ar series/Journal Club, October 19, 2007.
  - 49. "New therapies for acute leukemia." Leukemia and Lymphoma Society of America fi nd raiser, Parents Against Leukemia, Woodland Hills, October 27, 2007.
  - 50. "Molecular Characterization of CREB in MPD." NHLBI Grantees meeting, November 6, 2007.
  - 51. "Molecular pathogenesis and Targeted therapies in leukemia," Pediatric Hematology-Oncology, NCI, November 8, 2007.

- 52. "CREB downregulation in normal and neoplastic hematopoietic cells." Invited speak r, Gene Therapy Symposium, Nappa Valley, November 15, 2007.
- 53. ASH meeting 2000 report. Tuesday 3pm conference. December 18, 2007.
- 54. PCRF symposium: 25 years of Cancer Research, "Molecular Mechanisms of AML an I targeted therapies." Invited speaker, Anaheim, California. January 11, 2008.
- 55. University of Wisconsin Frontiers in Pharmacology, "Molecular Mechanisms of Leukemogenesis and Targeted Therapies." Invited speaker, March 25, 2008. Madison, Wisconsin.
- 56. AACR Roundtable Session on "Careers in Clinical and Translational Cancer Researcl." San Diego, April 12, 2008.
- 57. AACR Session Chair for Minisymposium on "Gene Regulation in Cancer," AACR m teting. San Diego, April 14, 2008.
- 58. "Acute Leukemia and Targeted Therapies." Pathology M294 Basic Concepts in Oncc logy, May 5, 2008.
- 59. "Molecular Mechanisms of Leukemogenesis and Targeted Therapies.' Cincinnati Ch ldren's Hospital, May 12, 2008.
- 60. "How to write your first NIH grant." Young Investigator's Workshop, American Society of Pediatric Hematology-Oncology annual meeting, Cincinnati Ohio. May 15, 2008.
- 61. Sakamoto KM and Joanne Hilden. "Ethics and Writing." Young Investigator's Work shop, American Society of Pediatric Hematology-Oncology annual meeting, Cincinnati Ohio. Nay 15, 2008.
- 62. Sakamoto KM and Jeff Lipton. "Translational Research: how not to fall between the bench and the bedside". American Society of Pediatric Hematology-Oncology annual meeting, Cincinnati Ohio. May 17, 2008.
- 63. "Childhood Leukemia." Pediatric Resident noon conference. UCLA, June 25, 2008.
- 64. First year Fellow Orientation, Mattel Children's Hospital UCLA, July 2, 2008.
- 64. "Introduction to Professionalism," Professionalism Workshop for Pediatric Hematology/Oncology fellows. July 30, 2008.
- 65. "Neutropenia". Division of Pediatric Hematology-Oncology Lecture, August 5, 2008.
  - 66. "Mechanisms of Leukemogenesis and Targeted Therapies". City of Hope seminar, September 17, 2008.

- 67. "Protacs: Targeting Proteins for Ubiquitination and Degradation." UCLA Nanopedia rics symposium, October 17, 2008.
- 69. "Targeting Proteins for ubiquitination and degradation for cancer therapy." AACR-N ZI-EORTC meeting, Geneva, Switzerland, October 22, 2008.
- 70. "Protacs: Targeting proteins for ubiquitination and degradation to treat cancer." CNS new members seminar, October 30, 2008.
- 72. "Molecular Regulation of MPD." NIH MPD grantees meeting, Bethesda, Maryland. November 14, 2008.
- 73. "The Role of GM-CSF and CREB in myeloid proliferation and survival" Speaker and Chair of Myeloid Biology Subcommittee Session. American Society of Hematology Meeting, 5 an Francisco, CA. December 2008
- 74. "Myelodysplastic disease in children" Simi Valley Hospital, January 22, 2009.
- 75. "Signaling pathways downstream of RPS19 and RPL11 deficiency in zebrafish and he matopoietic cells." DBA ICC Meeting, New York City, NY. March 14, 2009.
- 76. "Mechanisms of leukemogenesis and targeted therapies." Fernbach Distinguished Lectureship. Texas Children's Hospital, Houston Texas. April 2, 2009.
- 77. "Alternative models of DBA." Session Chair, Ribosome-based diseases. American Society of Pediatric Hematology/Oncology. San Diego, California. April 26, 2009.
- 78. "CREB regulates normal hematopoiesis and contributes to development of AML." NIH Myeloid Stem Cell meeting, Annapolis, Maryland. Mary 10, 2009.
- 79. "Ubiquitin and Ubiquitin-like Modifiers for Cancer Therapy." American Society of Clinical Oncology. Orlando, Florida. June 2, 2009.
- "Childhood Leukemia." Pediatric Resident's noon lecture. Mattel Children's Hospit Il UCLA. June 10, 2009.
- 81. "PNH." Faculty didactic lecture, Division Conference. September 29, Mattel Childr in's Hospital UCLA.
- 82. "Pediatric Hematology/Oncology." UCLA Pre-Med Peer Association, November 12, 1009.

# **PUBLICATION/BIBLIOGRAPHY**

### PEER-REVIEWED

1. Nagahashi, G and Hiraike (Sakamoto) KM. Effect of centrifugation time on sedimentation of plant organelles. <u>Plant Physiol</u> 69:546-548, 1982.

- 2. Yamamoto J, Yap J, Hatakeyama J, Hatanaka H, Hiraike (Sakamoto) K, Wong L: Treating Asian Americans in Los Angeles. <u>Psychiatry</u> 8:411-416, 1985.
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