

, et al. * IN THE
 Plaintiffs * CIRCUIT COURT FOR
 v. * MONTGOMERY COUNTY
 , et al. *
 Defendants * Case No. .
 * * * * *

PRELIMINARY DESIGNATION OF EXPERT WITNESSES

Defendants _____ and _____ (“Defendants”), by
 their attorneys, _____ and _____
 hereby identify the following experts who may be called to testify at the time of trial:

1.

Dr. _____ is board-certified in the medical specialties of internal medicine and cardiovascular disease. He is expected to testify with regard to standard of care, causation and damages. He will testify based upon his education, experience and review of records, pleadings, discovery materials and deposition testimony in this case.

In general, and without limitation, Dr. _____ is expected to testify that Defendants complied with the standards of reasonable care applicable to them and that there was no breach in the standard of care by Defendants that caused or contributed to any injury alleged by Plaintiffs. More specifically, Dr. _____ may testify that Mr. _____ fall on _____ was not the result of a cardiac process; that Mr. _____ hospital course from the morning of _____ through the evening of _____ was not concerning in general, nor concerning for a cardiac process in particular; that Dr. _____ appropriately assessed and

evaluated Mr. [redacted] for a cardiac process on the evening of [redacted]; that the standard of care did not require Dr. [redacted] to order a blood transfusion or take any further actions with respect to Mr. [redacted]; that Mr. [redacted] was not suffering from myocardial ischemia, acute coronary syndrome, or any other cardiac process at the time of Dr. [redacted] consult; that Dr. [redacted] had no continuing obligation, nor any reason, to see Mr. [redacted] again after examining him on the evening of [redacted]; that Mr. [redacted] death later on [redacted] was unrelated to any cardiac process; that Mr. [redacted] death was not proximately caused by volume depletion or internal bleeding; that Mr. [redacted] death was proximately caused by Kayexelate aspiration; and that Mr. [redacted] death was wholly unrelated to anything that Dr. [redacted] did (or allegedly failed to do).

The foregoing is not intended to be an exhaustive summary of Dr. [redacted] opinions in this case. Discovery is ongoing, and Defendants anticipate that Dr. [redacted] may have additional opinions as discovery progresses. Defendants further anticipate that Dr. [redacted] may rebut opinions offered by any of any other party's expert witnesses. A copy of Dr. [redacted] curriculum vitae is attached, and he will be made available for deposition upon specific request.

2.

Dr. [redacted] is board-certified in the medical specialties of internal medicine and cardiovascular disease. He is expected to testify with regard to standard of care, causation and damages. He will testify based upon his education, experience and review of records, pleadings, discovery materials and deposition testimony in this case.

In general, and without limitation, Dr. _____ is expected to testify that Defendants complied with the standards of reasonable care applicable to them and that there was no breach in the standard of care by Defendants that caused or contributed to any injury alleged by Plaintiffs. More specifically, Dr. _____ may testify that Mr. _____ fall on _____ was not the result of a cardiac process; that Mr. _____ hospital course from the morning of _____ through the evening of _____ was not concerning in general, nor concerning for a cardiac process in particular; that Dr. _____ appropriately assessed and evaluated Mr. _____ for a cardiac process on the evening of _____, that the standard of care did not require Dr. _____ to order a blood transfusion or take any further actions with respect to Mr. _____; that Mr. _____ was not suffering from myocardial ischemia, acute coronary syndrome, or any other cardiac process at the time of Dr. _____ consult; that Dr. _____ had no continuing obligation, nor any reason, to see Mr. _____ again after examining him on the evening of _____; that Mr. _____ death later on _____ was unrelated to any cardiac process; that Mr. _____ death was not proximately caused by volume depletion or internal bleeding; that Mr. _____ death was proximately caused by Kayexelate aspiration; and that Mr. _____ death was wholly unrelated to anything that Dr. _____ did (or allegedly failed to do).

The foregoing is not intended to be an exhaustive summary of Dr. _____ opinions in this case. Discovery is ongoing, and Defendants anticipate that Dr. _____ may have additional opinions as discovery progresses. Defendants further anticipate that Dr. _____ may rebut opinions offered by any of any other party's expert witnesses. A copy of Dr. _____ curriculum vitae is attached, and he will be made available for deposition upon specific request.

3.

Dr. _____ is board-certified in the medical specialties of internal medicine, pulmonary diseases and critical care medicine. He is expected to testify with regard to causation and damages. He will testify based upon his education, experience and review of records, pleadings, discovery materials and deposition testimony in this case.

In general, and without limitation, Dr. _____ is expected to testify that Mr. _____ hospital course from the morning of _____ through the evening of _____ was not concerning in general, nor concerning for a cardiac process in particular; that Mr. _____ was not suffering from myocardial ischemia, acute coronary syndrome, or any other cardiac process at the time of Dr. _____ consult; that a blood transfusion was not indicated at the time that Dr. _____ examined Mr. _____; that Mr. _____ death later on _____ was unrelated to any cardiac process; that Mr. _____ death was not proximately caused by volume depletion or internal bleeding; that Mr. _____ death was proximately caused by Kayexelate aspiration; and that Mr. _____ death was wholly unrelated to anything that Dr. _____ did (or allegedly failed to do).

The foregoing is not intended to be an exhaustive summary of Dr. _____ opinions in this case. Discovery is ongoing, and Defendants anticipate that Dr. _____ may have additional opinions as discovery progresses. Defendants further anticipate that Dr. _____ may rebut opinions offered by any of any other party's expert witnesses. A copy of Dr. _____ curriculum vitae is attached, and he will be made available for deposition upon specific request.

4.

Dr. _____ is board-certified in the medical specialties of internal medicine and hematology/oncology. He is expected to testify with regard to causation and damages. He will testify based upon his education, experience and review of records, pleadings, discovery materials and deposition testimony in this case.

In general, and without limitation, Dr. _____ is expected to testify that a blood transfusion was not indicated at the time that Dr. _____ examined Mr. _____; that Mr. _____ death was not proximately caused by volume depletion or internal bleeding; that Mr. _____ death was proximately caused by Kayexelate aspiration; and that Mr. _____ death was wholly unrelated to anything that Dr. _____ did (or allegedly failed to do).

The foregoing is not intended to be an exhaustive summary of Dr. _____ opinions in this case. Discovery is ongoing, and Defendants anticipate that Dr. _____ may have additional opinions as discovery progresses. Defendants further anticipate that Dr. _____ may rebut opinions offered by any of any other party's expert witnesses. A copy of Dr. _____ curriculum vitae is attached, and he will be made available for deposition upon specific request.

5.

Dr. _____ is board-certified in the medical specialties of clinical and anatomic pathology. He is expected to testify with regard to causation and damages. He will testify based upon his education, experience and review of records, pleadings, discovery materials, pathology slides and deposition testimony in this case. In general, and without limitation, Dr.

is expected to testify that Mr. death was proximately caused by Kayexelate aspiration, and that the pathology does not support the proposition that Mr. had any preexisting cardiac processes, problems or injuries.

The foregoing is not intended to be an exhaustive summary of Dr. opinions in this case. Discovery is ongoing, and Defendants anticipate that Dr. may have additional opinions as discovery progresses. Defendants further anticipate that Dr. may rebut opinions offered by any of any other party's expert witnesses. A copy of Dr. curriculum vitae is attached, and he will be made available for deposition upon specific request.

6.

Mr. is an economist. He is expected to testify with regard to damages, and may rebut opinions offered by Plaintiffs' expert economist. A copy of Mr. curriculum vitae is attached, and he will be made available for deposition upon specific request.

7. Defendants reserve the right to call at trial as expert witnesses any and all of Mr. treating physicians and pathologists, therapists, daily care providers and other health care providers.

8. Defendants reserve the right to elicit expert testimony from any expert identified or called by Plaintiffs or any other party, or otherwise relied upon by Plaintiffs or any other party.

9. Dr. reserves the right to testify as an expert on his own behalf.

10. This designation is preliminary, as factual discovery has not been completed and

Defendants have not yet had the opportunity to depose Plaintiffs or any of the expert witnesses designated by the other parties in this case. Defendants therefore reserve the right to amend this Preliminary Designation of Expert Witnesses or identify additional expert witnesses as discovery continues.

Respectfully submitted:

Counsel for

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of February 2011, copies of the foregoing Preliminary Designation of Expert Witnesses were sent to the following via facsimile (without attachments) and first-class mail, postage prepaid (with attachments):

Rodney M. Gaston, Esquire
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7310 Governor Ritchey Highway
Glen Burnie, Maryland 21061
Counsel for Plaintiffs

Counsel for Defendants