

Beverly Hills Eye Medical Group, Inc.

12561 Promontory Road

Los Angeles, Ca. 90049

Phone 323 653-3800 Fax 310 472-4244

September 16, 2002

Steven A. Friedman, M. D.
Physician and Attorney at Law
850 West Chester Pike, 1st Floor
Havertown, PA 19083

RE: Reply to defense expert reports

Dear Dr. Friedman:

I have reviewed the additional documents you forwarded to me. These documents include: deposition testimony of Drs. Herbert Nevyas, Anita Nevyas, Joan Nevyas, John Dugan, Sheldon Morris, Ira Wallace, Edward Deglin, Richard Sterling, MRI reports, IME report of Dr. Stephen Orlin, his patient information guide, web page document as well as some FDA documents and appointment documents for Herbert and Anita Nevyas to the Pennsylvania Eye Surgery Institute. The review of these additional records does not change any of the opinions previously expressed in my original report.

I have also reviewed the expert report of Dr. Stephen Orlin and Dr. Amos Willis about your client Dominic Morgan. Dr. Orlin focused on 4 aspects of Mr. Morgan's condition.

1. Progressive cataract formation. I agree with Dr. Orlin that Mr. Morgan's "nuclear sclerotic" cataracts are minimal, not responsible for his visual loss, non-progressive, and not related to his Lasik surgery.
2. Retinal damage. I agree with Dr. Orlin that Mr. Morgan's past ophthalmic history was complicated and significant for Retinopathy of Prematurity (ROP). I would agree that there was no medical reason to evaluate his retina for his retinopathy of pre-maturity (ROP) if surgery was not being contemplated. The term retinopathy in his diagnosis of ROP means the retina is abnormal. Lasik is customarily performed on patients with normal retinas and so there would be no deviation of the standard of care to not perform visual field testing and ERG's on patients with normal retinas undergoing Lasik. This was not the case with Mr. Morgan, however. Since his retina was abnormal, with a pulled macula and decrease in his best corrected visual acuity non invasive testing like visual fields and ERG would have been a valuable way to assess the extent of his damage. Dr. Orlin's patient information guide about laser vision correction states in response to the question How do I know if I am a good candidate for laser vision correction? "Patients who are 21 years of age or older, and have healthy eyes which are free of retinal problems, corneal scars, and any eye disease are suitable."