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Case : ETHEL RISNER vs. MERCY HOSPITAL OF WILLARD  
Testimony Date : January 28, 2003  
Expert Witness : GARY GIBSON M.D.  
Expert Type : Internal Medicine  
Court : State: Ohio County: Huron  
Pages : 151

State Of Ohio, )  
 County of Huron. ) SS:

GARY R. GIBSON, M.D., DEPOSITION INDEX

IN THE COURT OF COMMON PLEAS

ETHEL RISNER, Executor )  
 of the Estate of )  
 VERNON RISNER, )  
 )  
 Plaintiff, )  
 )  
 vs. ) Case No. CVA 2001-856  
 ) Judge Earl R. McGimpsey  
 MERCY HOSPITAL OF )  
 WILLARD, et al., )  
 )  
 Defendants. )

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 THE VIDEOTAPED DEPOSITION OF  
 GARY R. GIBSON, M.D.  
 TUESDAY, JANUARY 28, 2003  
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The videotaped deposition of GARY R. GIBSON, M.D., called by the Defendants for examination pursuant to the Ohio Rules of Civil Procedure, taken before me, the undersigned, Elaine S. Newlin, a Registered Professional Reporter and Notary Public within and for the State of Ohio, taken at Warren Physicians Group, 1651 East Market Street, Warren, Ohio, commencing at 4:18 p.m. the day and date above set forth.

APPEARANCES:

On behalf of the Plaintiff:

James A. Marx, Esq.  
 Traci & Marx, L.P.A.  
 1370 West Sixth Street, Suite 350  
 Cleveland, Ohio 44113

On behalf of the Defendant Mercy Hospital of Willard:

Timothy D. Krugh, Esq.  
 Law Offices of Robison, Curphey & O'Connell  
 Ninth Floor, Four Seagate  
 Toledo, Ohio 43604

On behalf of the Defendant Jeff Romig, D.O.:

Beverly A. Harris, Esq.  
 Weston, Hurd, Fallon, Paisley & Howley, L.L.P.  
 2500 Terminal Tower  
 50 Public Square  
 Cleveland, Ohio 44113-2241

On behalf of the Defendant Dr. Secor:

John J. Chambers, Esq.  
 Reminger & Reminger Co., L.P.A.  
 237 W. Washington Row, Second Floor  
 Sandusky, Ohio 44870

ALSO PRESENT:

Shay Pickelsimer, Videographer

1 -----  
 2 (Defendants' Exhibit No. 1 was marked.)  
 3 -----  
 4 MR. PICKELSIMER: We're on the  
 5 record.  
 6 GARY R. GIBSON, M.D.,  
 7 of lawful age, called by the Defendants for  
 8 examination pursuant to the Ohio Rules of Civil  
 9 Procedure, having been first duly sworn, as  
 10 hereinafter certified, was examined and  
 11 testified as follows:  
 12 EXAMINATION OF GARY R. GIBSON, M.D.  
 13 (Discussion held off the record.)  
 14 BY MS. HARRIS:  
 15 Q Would you state your full name for the record,  
 16 please.  
 17 A Gary Gibson.  
 18 MR. KRUGH: May I interrupt you?  
 19 I'd like to reflect for the record, as  
 20 pursuant to the written notice and agreement,  
 21 this is being videotaped as a discovery only  
 22 deposition. It's not intended to be used at  
 23 trial in terms of substantive evidence.  
 24 In the event that for some reason counsel  
 25 for the Plaintiff would not choose to call you

1 as a live witness at trial, we reserve the  
2 right, defense counsel reserves the right to  
3 come back and conduct a trial cross-examination,  
4 which this is not. We would have to do it at  
5 our time and expense, but we certainly reserve  
6 that right because we don't intend this video to  
7 be used as evidence, but for discovery and  
8 perhaps for impeachment at trial only.

9 Okay. Go ahead.

10 BY MS. HARRIS:

11 Q Doctor, as you know, I am Beverly Harris. I am  
12 here on behalf of Dr. Romig.

13 I'm going to be asking you a number of  
14 questions today. If you do not understand me or  
15 hear me or my accent gets in the way, please  
16 stop me. I will rephrase my questions.

17 If you answer a question, I will assume  
18 you understood the question. Okay?

19 A Yes, ma'am.

20 Q And I will be relying upon it.

21 A Thank you.

22 Q Now, Doctor, before we got started, I introduced  
23 myself and then you went out and you got your  
24 coat. Are you feeling more comfortable now?

25 A Yes, ma'am.

1 and treatment. For example, I think that he had  
2 a hospitalization or an emergency room visit in  
3 1999. That's in there somewhere. So I did  
4 review a couple other things.

5 Q Did you review the records of Dr. Secor?

6 A The office notes?

7 Q Yes, sir.

8 A Well, at the time that this was first sent to  
9 me, about ten months ago, I looked at them, yes,  
10 but I'll have a difficult time remembering much  
11 about those notes.

12 Q Did you read the deposition of Dr. Secor?

13 A I believe I did, but again, in preparation for  
14 this deposition, I didn't review it, and so I  
15 haven't looked at it for some time.

16 And I'm not -- as a matter of fact, I went  
17 over the depositions of the two nurses and Dr.  
18 Romig because initially, after looking at the  
19 information given to me, there were some  
20 entities that I felt a problem with the standard  
21 of care and some that I didn't. I honestly  
22 don't remember seeing Dr. Secor's deposition, so  
23 if I saw it, it was probably some time ago.

24 Q Well, who is it that you had no problem with the  
25 standard of care?

1 Q You also went out and got the records that you  
2 reviewed for the testimony you will be giving  
3 today; is that correct?

4 A That's correct.

5 Q Are all of those records in front of you now?

6 A These are the records pertaining to this case.

7 Q Have you reviewed anything else that is not  
8 right there in front of you?

9 A No, not that I recall. I rounded up everything  
10 that I had.

11 Q Can you just briefly outline which records you  
12 did review?

13 A Yes. I received records on the care and  
14 treatment of Mr. Vernon Risner that included his  
15 emergency department visits on April 14th of  
16 2000, there were two of them; on his hospital  
17 care at St. Vincent's Hospital in Toledo; and  
18 then there were depositions by Dr. Romig and by  
19 two different nurses, a Mrs. Willoughy and a  
20 Mrs. Konditch (sic) I think the name was.

21 MR. MARX: Kilgore I believe.

22 A Oh, I'm sorry. Mrs. Kilgore.

23 Q And is that the total of what you have reviewed  
24 in this case?

25 A There were some other notes from earlier care

1 A Well, as I recall, St. Vincent's Hospital, for  
2 example, in Toledo, I think they did a  
3 reasonable job in managing this patient's  
4 condition, and Dr. Secor wasn't really part of  
5 the care and treatment on April 14th that I  
6 could see. He wasn't on duty.

7 MR. MARX: I think you're mixing  
8 up Dr. Secor and Dr. Rosso who is Dr. Secor's  
9 partner.

10 THE WITNESS: Oh, I'm sorry.  
11 You're right, yes.

12 A Dr. Rosso is the primary care doctor who was  
13 looking after Mr. Risner, so Dr. Rosso wasn't  
14 really involved. Dr. Secor was covering that  
15 night I think, and Dr. Romig called him and  
16 talked to Dr. Secor. I don't recall the  
17 deposition of Dr. Secor in detail.

18 Q So you have no problem with a violation of the  
19 standard of care with St. Vincent's?

20 A And or with Dr. Rosso.

21 Q Or Dr. Rosso?

22 A Right, right.

23 Q Did you prepare any reports in this case?

24 A None.

25 Q Did you make any notes?