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Case : Alvira Mientus, Steven Mientus, and Steven Mientus, II v. Rodrigue Roy  
Testimony Date : May 02, 2005  
Expert Witness : James Forbes M.D.  
Expert Type : Orthopedic Surgery  
Court : State: New Hampshire County: Hillsborough Northern District  
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STATE OF NEW HAMPSHIRE  
Hillsborough, ss Superior Court  
Northern District

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ALVIRA MIENTUS, STEVEN MIENTUS,  
AND STEVEN MIENTUS, II

vs. No. 04-C-220

RODRIGUE ROY

\* \* \* \* \*

DEPOSITION of H. JAMES FORBES, M.D.,  
Deposition taken at 246 Pleasant Street,  
Concord, New Hampshire, on Monday, May 2, 2005,  
commencing at 3:26 p.m.

Court Reporter:  
Pamela Carle, CCR, RPR  
New Hampshire CCR No. 98

APPEARANCES

For the Plaintiff:
Jeanne M. Trott, Esq.
155 Myrtle Street
Manchester, New Hampshire 03104

For the Defendant:
WIGGIN & NOURIE
670 N. Commercial Street
Manchester, New Hampshire 03105
By: Dennis T. Ducharme, Esq.

STIPULATIONS

It is agreed that the deposition shall be taken in the first instance in stenotype and when transcribed may be used for all purposes for which depositions are competent under New Hampshire practice.

Notice, filing, caption and all other formalities are waived. All objections except as to form are reserved and may be taken in court at time of trial.

It is further agreed that if the deposition is not signed within thirty (30) days after submission to counsel, the signature of the deponent is waived.

H. JAMES FORBES, M.D.,
having been duly sworn,
was deposed and testified
as follows:

EXAMINATION

BY MS. TROTT:

Q. Doctor Forbes, would you state your full name for the record, please?

A. My name is Doctor H. James Forbes.

Q. And you're a physician?

A. Yes.

Q. And where do you practice?

A. In Concord, New Hampshire.

Q. Do you have any other offices?

A. One in Wolfeboro, New Hampshire.

Q. How do you split your time?

A. I'm here all except for occasionally one Tuesday a month, when I'm in Wolfeboro.

Q. And you're a surgeon?

A. I'm an orthopedic surgeon.

Q. Do you have any specialty areas?

A. I do a lot of joint replacements and hand surgery, but I do basically all other

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WITNESS: H. JAMES FORBES, M.D.

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EXHIBITS FOR IDENTIFICATION:

FORBES DESCRIPTION PAGE

Table with 3 columns: Line number, Description, Page. Includes Fee schedule (22), Website information (22), Directory (25), Supplemental report (35), Discogram report (37), Cover letter (58), 2/15/05 report (66), Photographs (74), Pain questionnaire (85), Discogram film (106).

1 orthopedics.

2 Q. What type of joint replacement surgery
3 do you perform?

4 A. Primarily hip replacement and knee
5 replacements.

6 Q. And what percentage of your orthopedic
7 practice would be comprised of doing these types of
8 procedures?

9 A. I'm sorry?

10 Q. What percentage of your practice would
11 be comprised of doing hip and knee replacement
12 surgeries?

13 A. Oh, 15 to 20 percent, maybe.

14 Q. And what percentage of your practice is
15 comprised of performing hand surgery?

16 A. Maybe 10 percent.

17 Q. And what other types of orthopedic
18 surgeries do you perform?

19 A. Almost anything there is in
20 orthopedics, except currently I'm not doing spine
21 surgery.

22 Q. Well, you've given me numbers that
23 account for 35 percent of your practice, and what