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Case : AMY BURKE, et al. vs. TIMOTHY NICE, M.D.
Testimony Date : January 24, 2002
Expert Witness : EDWARD QUINN M.D.
Expert Type : Orthopedic Surgery
Court : State: Ohio County: Cuyahoga
Pages : 122

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

IN THE COURT OF COMMON PLEAS

AMY BURKE, et al.,)
Plaintiffs,)
vs.) Case No. 401962
TIMOTHY NICE, M.D.,) Judge Gaul
et al.,)
Defendants.)

THE DEPOSITION OF EDWARD QUINN, M.D.
THURSDAY, JANUARY 24, 2002

The video teleconference deposition of Edward Quinn, M.D. called by the Defendants for examination pursuant to the Ohio Rules of Civil Procedure, taken before me, the undersigned, Darlene Vance, a Registered Professional Reporter and Notary Public within and for the State of Ohio, taken at the offices of Cady Reporting Services, Inc., 1200 Illuminating Building, Cleveland, Ohio, commencing at 5:43 p.m. the day and date above set forth.

1 EDWARD QUINN, M.D.
2 of lawful age, called by the Defendants for
3 examination pursuant to the Ohio Rules of Civil
4 Procedure, having been first duly sworn, as
5 hereinafter certified, was examined and
6 testified as follows:
7 EXAMINATION OF EDWARD QUINN, M.D.
8 BY MS. REID:
9 Q Dr. Quinn, my name is Christine Reid. As you
10 may know, I represent Meridia Hillcrest in this
11 case. I'm going to be asking you some questions
12 regarding your opinions.
13 Could you first state your name for the
14 record?
15 A Yes. Edward Francis Quinn, III.
16 Q All right. Since we're doing this by video
17 conferencing, I'll try my hardest not to cut you
18 off. We need to be cognizant to wait until one
19 another finishes our questions and answers
20 before moving on. All right?
21 A I'll try to do that.
22 Q Okay. I also assume you've had your deposition
23 taken before?
24 A Yes, I have.
25 Q All right. So you know the basic ground rules?

APPEARANCES:

On behalf of the Plaintiffs:

Robert Traci, Esq.
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On behalf of Defendant Meridia Hillcrest Hospital:

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On behalf of Defendant Timothy Nice, M.D.:

Marilena DiSilvio, Esq.
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Cleveland, Ohio 44114

1 A I believe I do.
2 Q Okay. Just one ground rule to make sure that
3 you and I have, if you don't understand a
4 question I've asked, let me know, I'll repeat it
5 or rephrase it for you.
6 A If I realize I don't understand your question,
7 I'll let you know.
8 Q It's my job to make sure you don't realize that.
9 Can you state your professional address
10 for me, please?
11 A Yes. It's the Dickinson Medical Building, 800
12 North DuPont Highway, Milford, Delaware, 11963.
13 Q You're with Bone & Joint Specialists, is that
14 the name of your group?
15 A It's the Delaware Bone & Joint Specialists, LLC.
16 Q And how long have you been with that group?
17 A That group was formed approximately two to two
18 and a half years ago.
19 Q How many physicians are in that group?
20 A Ten.
21 Q You were with a different group prior to that,
22 or the same physicians, just different name?
23 A It was not a merger, but it was like a merger.
24 The two groups that were separate were
25 discontinued, that was the Dickinson Medical

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1 Group and then Anticode Orthopedics, both of
 2 those groups became inactive and all of the
 3 physicians in both of those groups became
 4 partners in Delaware Bone & Joint Specialists.
 5 Q Okay. You're practicing medicine full-time?
 6 A Yes.
 7 Q About how many surgeries do you perform a week?
 8 A About eight. It runs about 350, 400 operations
 9 per year.
 10 Q Do you have any particular subspecialty within
 11 orthopedics?
 12 A Like I do more back surgery and joint
 13 replacement. My back surgery is about 60
 14 percent of my office practice and 40 percent of
 15 my surgical practice. I do total joints for
 16 knee and hip primarily, which consumes about
 17 fifteen percent of my practice. And the rest
 18 is general orthopedics.
 19 Q Do you perform disability evaluations?
 20 A Yes, I do.
 21 Q About what percentage of your time is involved
 22 in doing disability evaluations?
 23 A Less than one percent.
 24 Q Well, I note that you're certified by the
 25 American Board of Disability Evaluating

1 Q Who do you do those evaluations for?
 2 A Usually managed care companies or insurance
 3 companies.
 4 Q You're also a member of the American Academy of
 5 Forensic Medicine, correct?
 6 A That's correct.
 7 Q And what is that?
 8 A That's an organization of physicians interested
 9 in both the legal profession and the medical
 10 profession.
 11 Q And why did you get involved in that
 12 organization?
 13 A Well, as an orthopedic surgeon, we always have
 14 relationships with the legal system in that we
 15 treat loads of people with Workers' Compensation
 16 injuries, we treat people with auto accidents
 17 and slips and falls and other types of injuries.
 18 So we have a pretty strong nexus with the legal
 19 profession, and I felt it would be better to get
 20 a better understanding of forensic medicine.
 21 Q Does that Academy provide any guidelines or
 22 standards regarding expert testimony?
 23 A I believe it does. In getting into the
 24 organization, which was quite a while ago, I
 25 recall that there was a very detailed

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1 Physicians; is that correct?
 2 A. Yes.
 3 Q And you were certified back in 1987?
 4 A Correct.
 5 Q What was the reason you got certified by that
 6 board?
 7 A I was interested in disability evaluations,
 8 specifically to have better knowledge in how to
 9 do them, and so I went through the program,
 10 which was five courses of education, and then
 11 took the test, became certified and actually I
 12 was a charter -- I was a charter member of that
 13 organization. And then I go to about a meeting
 14 every year or every other year that the academy
 15 gives, go to the annual meeting about every two
 16 to three years.
 17 Q Back in 1987 or around that time, were you doing
 18 more disability evaluations than you are now?
 19 It sounds like a lot of work for one percent of
 20 your time.
 21 A Well, I do, generally, two disability
 22 evaluations per week and -- but it's helpful not
 23 only in the disability evaluations that I do on
 24 a formal basis, but it's also useful for every
 25 day orthopedic practice.

1 description of the ethical concepts involved in
 2 forensic medicine.
 3 Q Do you have a copy of those, I want to call
 4 them, guidelines, for lack of a better word?
 5 A I may. I don't know for sure, but I may.
 6 Q If I wanted to get a copy of those, I could get
 7 them from the American Academy of Forensic
 8 Medicine?
 9 A I suspect you could.
 10 Q Where are they located? Where is their national
 11 headquarters, do you know?
 12 A No, I don't.
 13 Q Do you remember what any of those guidelines
 14 about the ethical requirements stated, offhand?
 15 A They were pretty much what you would think, that
 16 you have to have a relationship in which you're
 17 acting as an expert witness, that you don't take
 18 one side or another side, that you try to give
 19 your fair and balanced opinion regarding the
 20 facts that are presented to you.
 21 Q About how many lumbar laminectomy procedures do
 22 you perform a year?
 23 A A little over a hundred.
 24 Q When was the last time you performed a lumbar
 25 laminectomy?