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Case : AMY BURKE vs. TIMOTHY NICE
Testimony Date : February 04, 2002
Expert Witness : HENRY BOHLMAN M.D.
Expert Type : Surgery - General
Court : State: Ohio County: Cuyahoga
Pages : 102

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 VIDEOTAPED DEPOSITION OF HENRY BOHLMAN, M.D.
MONDAY, FEBRUARY 4, 2002

The deposition of HENRY BOHLMAN, M.D., called by the Plaintiffs 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 University Hospitals, 11100 Euclid Avenue Building, Cleveland, Ohio, commencing at 11:12 a.m., the day and date above set forth.

1 HENRY BOHLMAN, M.D.
2 of lawful age, called by the Plaintiffs 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:

EXAMINATION OF HENRY BOHLMAN, M.D.

BY MR. TRACI:

9 Q Dr. Bohlman, I represent, as you know, Amy Burke
10 in this case that was filed against Dr. Nice and
11 Meridia Hillcrest Hospital. And I understand
12 you've been identified as an expert on behalf of
13 Dr. Nice. Is that correct?

A That's correct.

15 Q Would you tell us your full name and
16 professional address, please?

17 A Henry H. Bohlman. My address is University
18 Hospital here, which is 11100 Euclid Avenue,
19 Cleveland, Ohio 44106.

20 Q And, Doctor, is that in front of you a copy of
21 your CV?

A Yes, it is.

23 Q Can we, instead of walking through all of that,
24 just at the conclusion of the deposition, mark
25 it as Exhibit 1?

APPEARANCES:

On behalf of the Plaintiffs:

Robert Traci, Esq.
Traci & Marx
1370 West 6th Street, Suite 350
Cleveland, Ohio 44113

On behalf of Defendant Meridia Hillcrest Hospital:

Christine Reid, Esq.
Reminger & Reminger
The 113 St. Clair Building
Cleveland, Ohio 44114

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

Stephen Walters, Esq.
Reminger & Reminger
The 113 St. Clair Building
Cleveland, Ohio 44114

1 A Sure.
2 Q And have you had a chance to look at that today?
3 A The CV?
4 Q Yes. The reason I ask that, is there anything
5 you need to add to it? Is it a current copy?
6 A It was done in May of last year, but I think
7 it's current as far as this case is concerned.
8 Q Okay. Do you have any publications that are
9 contained -- I assume that there is quite a
10 number of publications contained in there; is
11 that correct?
12 A Yes.
13 Q Do you have any publications in there that are
14 directly relevant to any of the opinions that
15 you intend to express in this case?
16 A I don't think directly relevant. We have an
17 unpublished paper, "Cauda Equina Syndrome
18 Following Laminectomies, Secondary to Hematoma,"
19 which is not published, so I can't really use
20 that. But I don't think there's anything here
21 that directly relates to the case.
22 Q Okay. Any of your publications in there have
23 any relationship at all to Lupus and its
24 relationship to any orthopedic or neurological
25 issues?

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1 A No.
 2 Q Would you, for us, list in detail the materials
 3 that you have been provided in advance of
 4 preparing your medical report?
 5 A I think originally I received the records from
 6 Hillcrest Hospital, the admission -- and
 7 admission, her records from May of 1997 --
 8 Q May of '97 or '98?
 9 A '97. I think these were other records at
 10 Hillcrest of Mrs. Burke --
 11 Q Okay.
 12 A -- not related to the current case, but previous
 13 past history of problems.
 14 October of '97 emergency room visit.
 15 Some steroid injections beginning in March of
 16 1998, that were related to her herniated disk.
 17 Radiology reports, which I haven't seen for
 18 quite a while. Hillcrest Hospital admission,
 19 September of '98. Huron Road Hospital
 20 chemotherapy treatments. Huron Road -- excuse
 21 me, that was May of 1999 through February 2000.
 22 Huron Road Pap test results, '95 and '96. And
 23 then there were X-rays from Meridia Hillcrest,
 24 and one open MRI of Cleveland, which again I
 25 haven't seen for quite a while.

1 material that you reviewed?
 2 A No.
 3 Q Do you feel you need to review any additional
 4 material in order to express your opinion what
 5 occurred with this surgery and what, if any,
 6 injury was caused to Mrs. Burke?
 7 A Basically, no, but I would like to review the
 8 other depositions at some point.
 9 Q For what purpose?
 10 A Just for my own edification, but I don't think
 11 it's going to change my opinion based on what I
 12 reviewed here.
 13 Q Okay. Did you review any of the -- when you say
 14 you got the hospital records, you got the actual
 15 records for the surgery that Dr. Nice performed?
 16 A Surgery and that hospitalization, yes.
 17 Q So you read the operative note and nursing notes
 18 and all of those things?
 19 A Yes.
 20 Q Prior to this case, have you ever testified on
 21 behalf of the Reminger & Reminger law firm or
 22 any of its lawyers?
 23 MR. WALTERS: Do you mean have
 24 we asked him to be an expert?
 25 MR. TRACI: Have you asked

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8

1 Q Anything else?
 2 A And I have Dr. Westbrook's office notes
 3 beginning about October of 1998, I believe. I
 4 have a written report of Dr. Conomy. I have a
 5 deposition of Mr. And Mrs. Burke. And I think
 6 that's it.
 7 Q No other --
 8 MR. WALTERS: He has
 9 Dr. Nice's deposition as well.
 10 Q You have Dr. Nice's deposition?
 11 A Dr. Nice's deposition, correct.
 12 Q Did you receive the deposition or report of
 13 Dr. Quinn?
 14 A No.
 15 Q How about Dr. Davis from Metro General Hospital,
 16 the expert on behalf of the hospital?
 17 A No.
 18 Q You did not. Did you actually look at the
 19 X-ray films?
 20 A I did, but it's been quite a while. I can't
 21 remember how long.
 22 Q Okay. So you not only got radiology reports,
 23 but you actually got films that you looked at?
 24 A Yes.
 25 Q Did you review all of this -- is there any other

1 him to be an expert on any case.
 2 A I'm sure I have, but I can't remember any of the
 3 cases.
 4 Q Okay. And how many times?
 5 A I don't recall.
 6 Q Can you tell me the names of any of the lawyers
 7 at that law firm for whom you have been retained
 8 as an expert?
 9 A I don't recall.
 10 Q Mr. Walters previously?
 11 A I think one case, but I don't really recall.
 12 Q How about Christine Reid?
 13 A I don't think so.
 14 Q How about Gary Goldwasser?
 15 A That has a familiar ring to it.
 16 Q Okay.
 17 A I don't remember the case, but I remember the
 18 name. I remember interfacing him.
 19 Q How about Mario Chiano?
 20 A Chiano?
 21 Q Chiano, C-H-I-A-N-O?
 22 A I don't recall that name.
 23 Q But you have -- you don't recollect on how many
 24 occasions you have been retained as an expert on
 25 behalf of Reminger & Reminger law firm?