BAIS

1. Doctor, you are hired to testify today by the defense counsel?
2. How many times were you hired by defense counsel, Mr. Hutchinson or his firm to testify or provide a record review?
3. How many times approximately did you testify in trial or arbitration (relating car crash) so far this year in a car crash cases like this (lawsuit)?
4. Is it true that in all of the cases (involving car crash cases) you testified you have never agreed with the treating doctor’s or providers recommendation or treatment plan?
	1. Probably 10 to 15 percent.
5. Would agree you’re in all of the cases (car crash) you were hired to testify by defense counsel?
6. Doctor, you testified today that you’re still practicing chiropractic or you’ve your own patients?
7. So, you have income from running your clinic and as well as income from providing expert opinion like what you’re doing today?
8. Would you agree that you make 90% of your total income from providing services as an expert witness or forensic work?
9. I subpoenaed your 1099 documents, according your 1099,
10. In 2014, you made about $442, 915.75 in 2014? Is it fair statement?
11. In 2015, you made $343,362.08. Is it fair statement
12. Last year (2016), you made $258,931.36 from your work as an expert witness or forensic work?
13. And today you’re being paid by a defense counsel for testimony? Yes. How much?
14. How much did you get paid for the examination and records review? All in all, how much did you get paid for this case so far?
15. You are not a medical doctor? You are not qualified to prescribe medication? It’s beyond scope of your practice to prescribe medication or provide a medical opinion?

Pre-existing Condition:

1. Let us now talk about some things we can agree on this case:
2. What is a record review report?
3. How often do you prepare a record review?
4. Did you prepare a records review in this case?
5. On February 27, 2017, you conducted a records review, you prepared a report.
	1. You signed the report under penalty of perjury.
6. And after reviewing the medical records, do you render an opinion based on your record review.
7. According to your review that you reviewed police report, Father Berhane’s medical records (including the 2011 and 2014 medical records), you reviewed his deposition, photos and vehicle repair estimates, vehicle photographs, and you produce a report.
8. And then you there were questions asked by the defense lawyer? What injuries did the plaintiff receive as a result of the crash?
	1. You said Neck pain & back pain by UW Valley Medical Center
	2. Cervical, thoracic, lumbar strain/sprain by Clark chiropractic?
	3. Cervical and lumbar strains by Dr. Edwards
9. Defense counsel asked you whether the treatment Plaintiff received since the car crash has been related to the car crash? Has any treatment been unrelated to the crash?
	1. You stated that treatment provided at Clark chiropractic Clinic after June 19, 2015 is related to the October 19, 2015? Correct?
	2. You said following the crash, treatment at UW Valley Medical Center and Pacific Medical Center is related by those clinics to the March 20, 2015, and you said it’s reasonable?
	3. It’s true that in your report, you didn’t attribute any of Mr. Berhane’s complaint to his pre-existing condition?
10. On the record review you prepared one page report (18) stating (summarizing) relevant diagnoses as noted in the records. Do you remember the relevant diagnoses you listed relating to neck, back, shoulder or hip starting from 2011 relevant diagnosis?
11. According to your report, is it true that the only time he complained about his neck pain was in 2011?
12. Doctor, you’re testified early today that Father Berhane was symptomatic because of his degenerative spinal changes, correct before the crash? Or You testified that the neck pain condition pre-existed or symptomatic?
13. Now, Doctor, in those medical records in the past five years how many times did he in the past five years prior to the car crash, how many times did he go to the doctor with neck pain?
	1. There are no records you can point to where he ever mentioned neck pain to his doctor; correct?
	2. Was he taking pain medication for his neck pain last five years?
	3. Was he seeing a doctor every month for his neck last five years
14. Doctor, in your record review, you noted that he was diagnosed with thoracic strain and sprain by Doctor clark? What is thoracic strain & sprain?
15. Now, Doctor, in those medical records in the past five years how many times did he in the past five years prior to the car crash, how many times did he go to the doctor with upper back (mid back) complaint?
	1. But my question is for last five years before the crash, there are no records you can point to where he ever mentioned upper (mid) back pain to his doctor; correct?
	2. It’s true that he was not taking pain medication for his Upper/middle back pain last five years?
	3. Was he seeing a doctor every month for his upper back?
16. You mentioned in your notes that plaintiff complained shoulder pain when he saw Dr. Clark? It’s correct?
	1. How many times did Mr. Berhane complained about his shoulder pain in the past five years before the collision?
	2. There are no records you can point to where he ever mentioned shoulder pain to his doctor; correct?
17. Doctor, Mr. Berhane testified yesterday stating that he had no neck or back pain.
18. Doctor, you testified today that Mr. Berhane did not complain about his neck pain or back when you examined him on May 31, 2017? Correct?
19. You also read his deposition, and you stated that he had no back and neck pain complaint at the time the deposition was taken?
20. Would you agree that his testimony regarding his neck and back pain was consistent?
21. If someone had prior neck or back pain before a crash, would you agree that a crash can make it worse.

Elders:

1. Doctor, is it true that hospitals have different protocol for treating the elderly? Why
2. Is it true that elderly people are different or it takes them longer to heal, they are more fragile etc.

INDEX DISABILITY

1. You noted that On April 03, 2017, he saw physical therapist, you stated he completed a neck disability index form, but you didn’t note that the physical therapist has put him at **35%** of neck disability index.
2. You also noted also On June 19, 2015, Mr. Berhane completes a Neck Disability Index form indicating he does not have any neck pain at the moment , but he is still limited in lifting heavy weights, and he cannot read as much as he wants because of neck pain.
3. It’s true that you have not mentioned that the physical therapist has put him at **15%** of neck disability.