

# EXPERT EXCLUSION REPORT

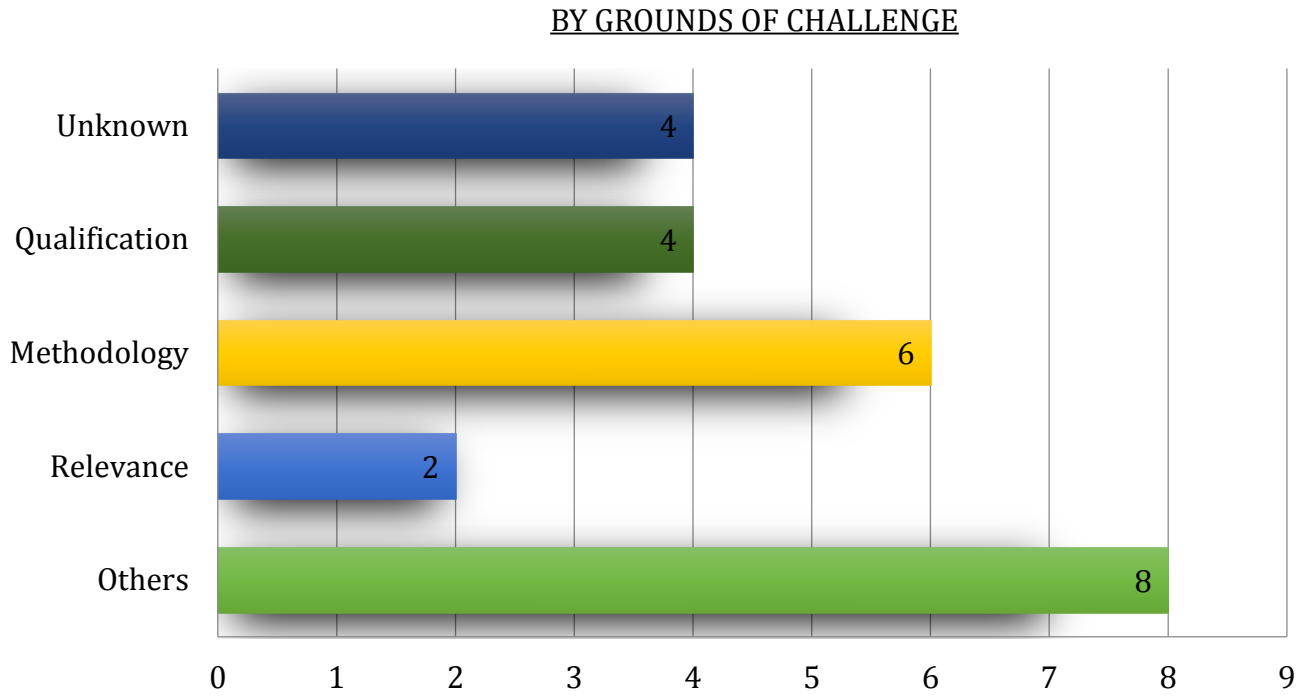


**DR. JOHN DOE, M.D.**

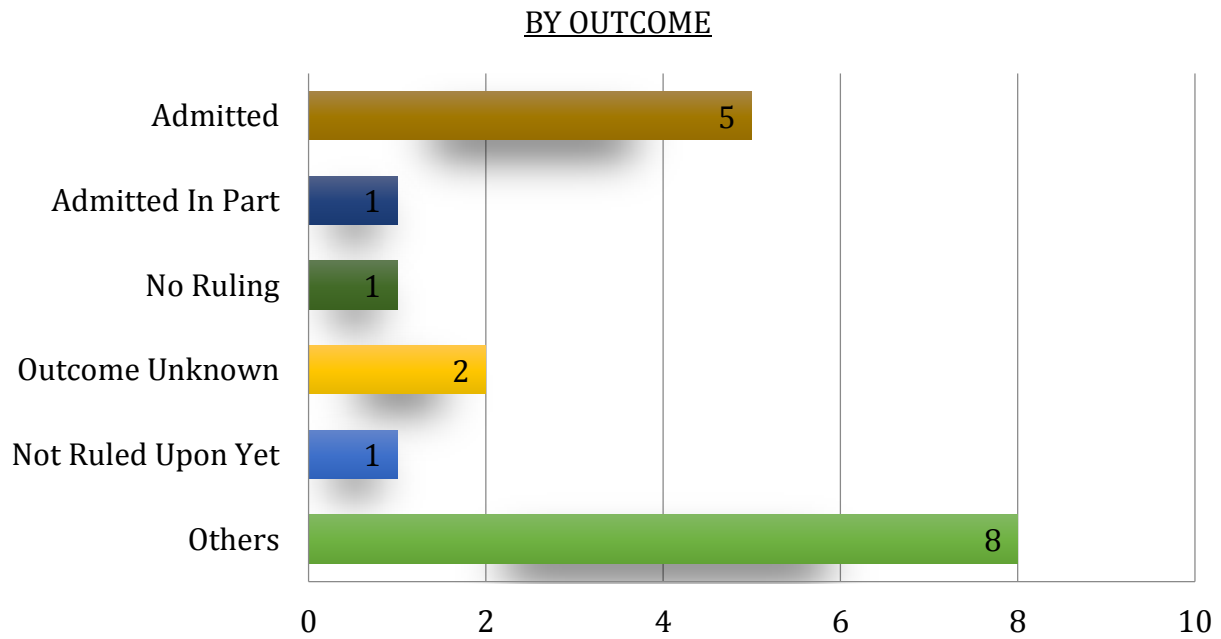
**OBSTETRICS AND GYNECOLOGY EXPERT WITNESS**

PREPARED ON MARCH 3, 2018

## GROUNDS OF CHALLENGE



## CHALLENGE DISPOSITION



## EXPERT CHALLENGES

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This section provides references to an expert who has been cited or mentioned in case opinions (reported and unreported), briefs (where available), jury verdicts, dockets, and expert challenges for both state and federal courts. It is again noted that not every jurisdiction and every court makes their case law available, and this profile is limited as such.

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**The following search strings were run to ensure that all available cases and briefs are captured.**

((John or Jon) w/2 Doe) or (Doe w/50 Expert and (Obstetr! or Gynecolog! or Gynaecolog! or "OB/GYN" or "OB-GYN" or Teratolog! or Reproduct! or Toxicolog!))

**The following legal databases were looked at during the preparation of this report:**

1. Federal and State Cases Combined, Jury Verdicts and Settlements, Federal Agency Decisions, State Agency Decisions
2. Court Documents – Trial Filings, Appellate Briefs, Trial Orders, Dockets
3. PACER was searched to retrieve original documents, if available.
4. Google Scholar – Legal Opinion Search

### **Availability of Supporting Documents**

In the course of research, many relevant documents such as opinions, briefs, pleadings, deposition transcripts, motions to exclude, rulings, expert reports, expert CVs etc. are retrieved from various sources. These documents are divided into three categories:

1. Available for Download for no additional cost (These are mainly opinions for which no cost is incurred on the part of AMFS.)
2. Available for Instant Delivery (These are documents which can be delivered within one business day after payment.) To know the cost of these documents and to order, click on **(Request Document)** next to the document to send an email with the relevant document title and the Case Caption.
3. These are documents which cannot be procured electronically and can be obtained only from the court. These documents do not have **(Request Document)** mentioned against them. To know how these documents can be procured, please send a mail to [info@amfs.com](mailto:info@amfs.com) with the relevant document title and the Case Caption.



## DIRECT CHALLENGES

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This section includes reported, and numerous unreported cases from both state and federal jurisdictions where a “gatekeeping authority” has been cited or mentioned in a decision and the testifying expert’s methodology or qualifications have been challenged. Gatekeeping authority is defined as a seminal decision or rule of evidence that defines or interprets the standards for admissibility or expert witness testimony for the corresponding jurisdiction. This section includes results from over 165 gatekeeping authorities, including but not limited to *Daubert v. Merrell Dow, Frye v. United States*, and their progeny. Sources for unreported decisions include docket sheets, litigation reports, jury verdicts, and other online resources. Although care has been followed to gather this information, not all cases involving expert challenges are reported.

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### **Motion in limine to exclude denied; affirmed.**

**Case Source:** Opinion, Brief Bank

**Case Caption:** **Kerns V. Hobart Bros. Co.**

**Docket Number:** 2007 CA 32

**Case Cite(s):** 2008-Ohio-2242; 2008 Ohio App. LEXIS 1928; 2008 OH App. Ct. Briefs 371479; 2008 OH App. Ct. Briefs LEXIS 2209; 2007 OH App. Ct. Briefs 695212; 2007 OH App. Ct. Briefs LEXIS 2963

**Grounds of Challenge:** Methodology, Qualification

**Area of Law:** Personal Injury

**Jurisdiction:** State

**State:** Ohio

**Court Name:** Court Of Appeals Of Ohio, Second Appellate District, Miami County

**Retained By:** Defendant

**Plaintiff’s Attorney(s):** John R. Climaco And Terri A. Lightner, Cleveland, Ohio

**Defendant’s Attorney(s):** Carl D. Smallwood And Joseph D. Lonardo, And Bethany R. Spain, Columbus, Ohio

**Judge(s):** Donovan, J. Fain, Brogan

**Date(s):** 05/09/2008

**Summary of Involvement:** Doe was retained by the Defendant as an expert in the instant case. The Appellate Court found that “*The Trial Court Committed Reversible Error By Denying Appellants’ Motions In Limine To Exclude The Expert Medical Opinion Testimony Of Drs. Graham,*

*Aase And Doe.*" The judgment was affirmed.

- Supporting Document(s):**
1. Opinion dated May 9, 2008 ([Request Document](#))
  2. Appellants' Brief
  3. Brief Of Appellee Hobart Brothers Company

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**Motion to exclude filed; not ruled upon yet.**

**Case Source:** Opinion, Trial Pleading

**Case Caption:** [K.E. V. Glaxosmithkline Llc](#)

**Docket Number:** 3:14-cv-1294

**Case Cite(s):** 2017 U.S. Dist. LEXIS 13705

**Grounds of Challenge:** Methodology

**Area of Law:** Negligence

**Jurisdiction:** Federal

**State:** Connecticut

**Court Name:** United States District Court For The District Of Connecticut

**Retained By:** Defendant

**Plaintiff's Attorney(s):** Andrew J. Cross, Jeffrey J. Lowe, Sarah Shoemake Doles, , PRO HAC VICE, Carey Danis & Lowe, St. Louis, MO, John J Carey, Carey Danis & Lowe, St. Louis, MO, Kathleen M. Greenbaum, Greenbaum & Pinto, Maple Glen, PA, Neal Lewis Moskow, Ury & Moskow, Fairfield, CT

**Defendant's Attorney(s):** Carolyn L. McCormack, Lavin, O'Neil, Cedrone & DiSipio, Philadelphia, PA; Eva Canaan, Tamar P. Halpern, , PRO HAC VICE, Phillips Lytle LLP - NY Times Bldng, New York, NY; Halli D. Cohn, Heather M. Howard, Meredith Bunn Redwine, Robert K. Woo, Jr., Pro Hac Vice, King & Spalding - GA, Atlanta, GA; Lisa L. Smith, PRO HAC VICE, Buffalo, NY; Martha M. Harris, Pro Hac Vice, Buffalo, NY; Spencer L. Durland, Pro Hac Vice, Buffalo, NY; Paul D. Williams, Day Pitney Llp-Htfd-CT, Hartford, CT

**Judge(s):** Victor A. Bolden

**Date(s):** 01/02/2017

**Summary of Involvement:** Doe was retained by the Defendant as an expert in the instant case. The Court found that *"In any event, GSK's own proposed expert, Dr. John Doe, plans to testify in detail about the Sloot Paper. Dr. Doe opines that studies involving WECs, like Sloot's, are inappropriate for assessing what is a teratogen in human risk assessment. See Doe Report, 16-17. He addressed the errors in the Sloot Paper in a subsequent publication as well as in his report. Id. As a result of the article, the authors of the Sloot Paper clarified that their definition of teratogenicity was "made for the purposes of Whole Embryo Culture tests" and might not speak to the effect of paroxetine on human embryos. Id.; see also Frischhertz v. SmithKline Beecham Corp., No. 10-2125, 2012 U.S. Dist. LEXIS 181507 (E.D. La. Dec. 21, 2012) (commenting on Dr. Doe's testimony as to the Sloot study in that case). If the jury heard Dr. Ravekes' testimony, it would be able to draw on Dr. Doe's opinions to form its own assessment of Dr. Ravekes' reliability, to the extent that his testimony is admissible and necessary."* The Court further found that *"Pending before the Court is a separate motion regarding the admissibility of Dr. Doe's expert testimony. Pl.'s Mot. to Exclude Testimony of John Doe, ECF No. 92. Because this Court ultimately determines that Dr. Ravekes' expert testimony is inadmissible and therefore, excludes it and grants summary judgment for GSK, the Court does not reach the question of whether Dr. Doe's expert testimony is admissible. In a subsequent ruling, the Court will declare Plaintiffs' motion to be moot."*

**Supporting Document(s):**

1. Opinion dated February 1, 2017 ([Request Document](#))
2. Order Granting Motion For Summary Judgment; Granting Motion To Preclude. Signed By Judge Victor A. Bolden On 2/1/2017 ([Request Document](#))

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**Motion to exclude denied.**

**Case Source:** Trial Pleading, Trial Order

**Case Caption:** [Topamax V. Janssen Pharmaceuticals, Inc.](#)

**Docket Number:** 1105002251



**Case Cite(s):** 2013 WL 6856556; 2011 WL 11546462; 2013 WL 6856547; 2013 WL 6910876

**Grounds of Challenge:** Methodology, Qualification, Relevance

**Area of Law:** Civil Law

**Jurisdiction:** State

**State:** Pennsylvania

**Court Name:** Court Of Common Pleas Of Pennsylvania, Trial Division

**Retained By:** Defendant

**Plaintiff's Attorney(s):** Scott A. Love

**Defendant's Attorney(s):** Kenneth A. Murphy

**Judge(s):** Arnold L. New

**Date(s):** 09/25/2013

**Summary of Involvement:** Doe was retained by the Defendant as an expert in the instant case. Plaintiff filed a motion to exclude his testimony arguing that his testimony was speculative, irrelevant and unqualified. The Court denied Plaintiff's motion to exclude his testimony.

**Supporting Document(s):**

1. Plaintiffs' Motion To Exclude The Testimony Of Defendant's Generic And Powell Case Specific Expert, John R. Doe, M.D. And Memorandum Of Law In Support Thereof
2. Defendant Janssen Pharmaceuticals, Inc.'S Response In Opposition To Plaintiffs' Motion To Exclude Testimony Of Dr. John R. Doe, M.D.
3. Proposed Order, Agreement and Settlement
4. Trial Order



**Motion to exclude filed; taken under advisement.**

**Case Source:** Trial Pleading, Docket

**Case Caption:** **K.G V. Smithkline Beecham Corporation**

**Docket Number:** 0:13-CV-02508

**Case Cite(s):** 2014 WL 10101796; 2014 WL 10101759; 2014 WL 10123550; 2014 WL 10101767; 2014 WL 10123511; 2014 WL 10101758; 2014 WL 10101793; 2014 WL 10101802; 2014 WL 10123567; 2014 WL 10101791; 2015 WL 10682767; 2014 WL 10101766

**Grounds of Challenge:** Methodology, Qualification

**Area of Law:** Civil Law

**Jurisdiction:** Federal

**State:** Minnesota

**Court Name:** United States District Court, D. Minnesota

**Retained By:** Defendant

**Plaintiff's Attorney(s):** Aaron Heckaman

**Defendant's Attorney(s):** Jerry W. Blackwell

**Judge(s):** Michael J. Davis

**Date(s):** 01/15/2015

**Summary of Involvement:** Doe was retained by the Defendant as an expert in the instant case. Plaintiff filed a motion to exclude his testimony arguing that his testimony unreliable and unqualified. Plaintiff's motion to exclude his testimony was taken under advisement by the Court.

**Supporting Document(s):**

1. Defendant Glaxosmithkline LLC's Memorandum Of Law In Opposition To Plaintiffs' Motion To Exclude The Regulatory And Labeling Testimony Of John Doe, M.D. ([Request Document](#))
2. Defendant Glaxosmithkline LLC's Memorandum Of Law In Support Of Its Daubert Motion To Exclude The Testimony Of





- Arthur Mandel, M.D. ([Request Document](#))
3. Defendant Glaxosmithkline LLC's Response To Plaintiffs' Motion To Compel ([Request Document](#))
  4. Defendant Glaxosmithkline LLC's Opposition To Plaintiffs' Motion For Summary Judgment As To Certain Of Defendant's Affirmative Defenses ([Request Document](#))
  5. Defendant Glaxosmithkline LLC, Formerly Smithkline Beecham Corporation D/B/A Glaxosmithkline's Rule 26 Expert Disclosures ([Request Document](#))
  6. Plaintiffs' Memorandum Of Law In Opposition To Defendant's Motion For Summary Judgment ([Request Document](#))
  7. Plaintiffs' Memorandum Of Law In Support Of Their Motion To Exclude The Regulatory And Labeling Testimony Of John Doe, M.D. ([Request Document](#))
  8. Plaintiffs' Reply In Support Of Motion To Exclude The Regulatory And Labeling Testimony Of John Doe, M.D. ([Request Document](#))
  9. Plaintiffs' Memorandum Of Law In Support Of Their Motion To Compel ([Request Document](#))
  10. Plaintiffs' Memorandum Of Law In Support Of Motion For Summary Judgment As To Certain Of Defendant's Affirmative Defenses ([Request Document](#))
  11. Letter To District Judge By Smithkline Beecham Corporation Objecting To Plaintiffs' Untimely Proposed Orders Regarding Daubert Motion On Dr. Doe ([Request Document](#))
  12. Motion To Exclude Expert Testimony Of Arthur Mandel, M.D. Filed By Smithkline Beecham Corporation, Motion To Exclude Expert Testimony Of John Doe ([Request Document](#))
  13. Exhibit Re Reply, In Support Of Motion To Exclude The Regulatory And Labeling Testimony Of John Doe, M.D. By Julie Guddeck, Kaylea Guddeck Filed By Julie Guddeck, Kaylea Guddeck ([Request Document](#))
  14. Reply Re Motion To Exclude Expert Testimony Of John Doe, M.D. Regarding Regulatory And Labeling Testimony, Memorandum In Opposition To Motion, Filed By Julie



Guddeck, Kaylea Guddeck ([Request Document](#))

15. Memorandum In Opposition Re Motion To Exclude Expert Testimony Of John Doe, M.D. Regarding Regulatory And Labeling Testimony Filed By Smithkline Beecham Corporation ([Request Document](#))
16. Notice Of Hearing On Motion Motion To Exclude Expert Testimony Of John Doe, M.D. Regarding Regulatory And Labeling Testimony : Motion Hearing Set For 1/15/2015 09:00 Am In Courtroom 3 Before Chief Judge Michael J. Davis ([Request Document](#))
17. Exhibit Index Re Memorandum In Support Of Motion To Exclude Expert Testimony Of John Doe, M.D. Regarding Regulatory And Labeling Testimony By Julie Guddeck, Kaylea Guddeck Filed By Julie Guddeck, Kaylea Guddeck ([Request Document](#))
18. Memorandum In Support Re Motion To Exclude Expert Testimony Of John Doe, M.D. Regarding Regulatory And Labeling Testimony Filed By Julie Guddeck, Kaylea Guddeck ([Request Document](#))
19. Document Filed In Error: Re-File With Correct Hearing Date. Notice Of Hearing On Motion To Exclude Expert Testimony Of John Doe, M.D. Regarding Regulatory And Labeling Testimony ([Request Document](#))
20. Motion To Exclude Expert Testimony Of John Doe, M.D. Regarding Regulatory And Labeling Testimony By Julie Guddeck, Kaylea Guddeck ([Request Document](#))
21. Trial Filing ([Request Document](#))
22. Plaintiffs' Reply In Support Of Motion For Summary Judgment As To Certain Of Defendant's Affirmative Defenses ([Request Document](#))
23. Minute Entry For Proceedings Held Before Chief Judge Michael J. Davis: Motion Hearing Held On 1/15/2015 Re Motion To Exclude Expert Testimony Of Harvey Sarnat, M.D. Regarding Causation Testimony Filed By Kaylea Guddeck, Julie Guddeck, Motion For Summary Judgment Filed By Smithkline Beecham Corporation, Motion To Exclude Expert Testimony Of Arthur Mandel, M.D. Filed By Smithkline Beecham Corporation, Motion To Exclude Expert Testimony Of John Doe, M.D. Regarding Regulatory And Labeling Testimony Filed By Kaylea



Guddeck, Julie Guddeck, Motion For Summary Judgment As To Certain Of Defendant's Affirmative Defenses Filed By Kaylea Guddeck, Julie Guddeck, Motion To Remand To State Court And For Reconsideration Under Rule 60(B) Filed By Kaylea Guddeck, Julie Guddeck. Motions Moved, Argued And Taken Under Advisement. Order To Follow ([Request Document](#))

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**Motion to exclude filed; outcome unknown.**

**Case Source:** Docket

**Case Caption:** [Aranibar, Julie B V. Vallery, Deanna, Et Al](#)

**Docket Number:** 2000CA005132

**Case Cite(s):** Not Applicable

**Grounds of Challenge:** Unknown

**Area of Law:** Medical Malpractice

**Jurisdiction:** State

**State:** Florida

**Court Name:** Twelfth Judicial Circuit, Manatee County, Florida

**Retained By:** Defendant

**Plaintiff's Attorney(s):** Theodore C. Eastmoore

**Defendant's Attorney(s):** Burwell John Jones

**Judge(s):** Not Mentioned

**Date(s):** 12/03/2001

**Summary of Involvement:** Doe was retained by the Defendant as an expert in the instant case. Plaintiff filed a motion to exclude his testimony. The outcome of the Plaintiff's motion to exclude his testimony is unknown.

**Supporting Document(s):**

1. Deposition Of John R. Doe, M.D.
2. Memorandum In Opposition To Plaintiffs Motion To Exclude



Testimony Of John R. Doe, M.D

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**Motion to exclude granted in part and denied in part.**

<b>Case Source:</b>	Docket, Opinion, Trial Pleading
<b>Case Caption:</b>	<b>Rheinfrank Et Al V. Abbott Laboratories Inc. Et Al</b>
<b>Docket Number:</b>	1:13-CV-00144
<b>Case Cite(s):</b>	2015 U.S. Dist. LEXIS 104564; 2015 WL 10522202; 2015 WL 10522196; 2015 WL 10522223; 2015 WL 10522226; 2015 WL 8664095; 2015 WL 10858480; 2015 WL 8664105; 2015 WL 10522234
<b>Grounds of Challenge:</b>	Methodology, Relevance
<b>Area of Law:</b>	Products Liability
<b>Jurisdiction:</b>	Federal
<b>State:</b>	Ohio
<b>Court Name:</b>	U.S. District Court, Southern District Of Ohio
<b>Retained By:</b>	Defendant
<b>Plaintiff's Attorney(s):</b>	Barry David Jacobson Levy
<b>Defendant's Attorney(s):</b>	Kathleen F. Sullivan Hardway
<b>Judge(s):</b>	Susan J. Dlott
<b>Date(s):</b>	10/02/2015
<b>Summary of Involvement:</b>	Doe was retained by the Defendant as an expert in the instant case. Plaintiff filed a motion to exclude his testimony arguing that his testimony was irrelevant and consisted improper methods. The Court granted in part and denied in part Plaintiff's motion to exclude his testimony.
<b>Supporting Document(s):</b>	1. Order By Judge Susan J. Dlott Granting In Part And Denying In Part Plaintiff's Motion To Exclude In Part Proffered Expert Opinions Of Dr. John Doe, Dr. Max Wiznitzer And Dr. Stephanie



Greene; Granting In Part And Denying In Part Motion To Exclude Expert Testimony Of Dr. C. Ralph Buncher; Granting In Part And Denying In Part Motion To Exclude The Expert Testimony Of Dr. David Madigan; Granting In Part And Denying In Part Motion To Exclude Expert Testimony Of Dr. Michael Privitera; Granting In Part And Denying In Part Motion To Exclude Expert Testimony Of Dr. Suzanne Parisian; Granting In Part And Denying In Part Motion To Exclude Expert Testimony Of Dr. Howard Saal ([Request Document](#))

2. Response In Opposition Re Motion To Exclude In Part Proffered Expert Opinions Of Dr. Kwame Anyane-Yebo, Dr. John Doe, Dr. Max Wiznitzer, And Dr. Stephanie Greene And Memorandum In Support Thereof Filed By Defendants Abbott Laboratories, Abbie Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9 (Filed Under Seal), # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14)
3. Reply To Response To Motion Re Motion To Exclude In Part Proffered Expert Opinions Of Dr. Kwame Anyane-Yebo, Dr. John Doe, Dr. Max Wiznitzer, And Dr. Stephanie Greene And Memorandum In Support Thereof Oral Argument Requested Filed By Plaintiff Pamela Rheinfrank. (Attachments: # 1 Exhibit A) ([Request Document](#))
4. Motion To Exclude In Part Proffered Expert Opinions Of Dr. Kwame Anyane-Yebo, Dr. John Doe, Dr. Max Wiznitzer, And Dr. Stephanie Greene And Memorandum In Support Thereof By Plaintiff Pamela Rheinfrank. (Attachments: # 1 Exhibit A) ([Request Document](#))
5. Opinion dated August 10, 2015 ([Request Document](#))
6. Plaintiffs Pamela Rheinfrank and M.B.D.'s Motion to Exclude in Part Proffered Expert Opinions of Dr. Kwame Anyane-Yebo, Dr. John Doe, Dr. Max Wiznitzer, and Dr. Stephanie Greene, and Memorandum in Support Thereof ([Request Document](#))
7. Defendants' Opposition to Plaintiffs' Motion to Exclude in Part Proffered Expert Opinions of Dr. Kwame Anyane-Yebo, Dr. John Doe, Dr. Max Wiznitzer, and Dr. Stephanie Greene ([Request Document](#))
8. Plaintiffs' Reply Brief in Further Support of Their Motion to Exclude in Part Proffered Expert Opinions of Dr. Kwame Anyane--Yebo, Dr. John Doe, Dr. Max Wiznitzer, and Dr.



Stephanie Greene ([Request Document](#))

9. Plaintiffs' Response to Defendants' Daubert Motion to Exclude Expert Witness Michael Privitera, M.D. ([Request Document](#))
10. Plaintiffs' Response to Defendants' Motion for Summary Judgment ([Request Document](#))
11. Plaintiffs' Reply Brief in Support of Their Motion for Summary Judgment ([Request Document](#))
12. Plaintiffs' Response to Defendants' Daubert Motion to Exclude Expert Witness Howard Saal, M.D. ([Request Document](#))

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**Motion to exclude denied.**

**Case Source:** Trial Order, Trial Pleading

**Case Caption:** [Rader V. Smithkline Beecham Corp.](#)

**Docket Number:** 1109003672

**Case Cite(s):** 2016 WL 1594077; 2015 WL 10735462; 2015 WL 10735460; 2015 WL 10735463; 2015 WL 10735465; 2015 WL 10735468; 2016 WL 1708407; 2015 WL 10714421; 2015 WL 10735457

**Grounds of Challenge:** Methodology, Qualification

**Area of Law:** Products Liability

**Jurisdiction:** State

**State:** Pennsylvania

**Court Name:** Court Of Common Pleas Of Pennsylvania, First Judicial District, Civil Trial Division, Philadelphia County

**Retained By:** Defendant

**Plaintiff's Attorney(s):** Bailey Peavy Bailey PLLC, Adam Peavy, Esq., T. Scott Allen, Esq., Justin Jenson, Esq., 440 Louisiana Street, Ste. 2100, Houston, TX 77002, (713) 425-7100 (Office), (713) 425-7101 (Facsimile), apeavy@bpblaw.com, sallen@bpblaw.com, sgrewal@bpblaw.com



- Defendant's Attorney(s):** Phillips Lytle LLP, Tamar P. Halpem, Esq. (Admitted Pro Hac Vice), Martha M. Harris, Esq. (Admitted Pro Hac Vice), Lisa L. Smith, Esq. (Admitted Pro Hac Vice), Cindy K. Bennes, Esq. (Admitted Pro Hac Vice), Eva Canaan, Esq. (Pro Hac Vice Pending), Spencer L. Durland, Esq. (Pro Hac Vice Pending), One Canalside, 125 Main Street, Buffalo, NY 14203-2887
- Judge(s):** Arnold L. New
- Date(s):** 02/12/2016
- Summary of Involvement:** Doe was retained by the Defendant as an expert in the instant case. Plaintiff filed a motion to exclude his testimony arguing that his testimony was unqualified, irrelevant and lacked foundation. The Court denied Plaintiff's motion to exclude his testimony.
- Supporting Document(s):**
1. Trial Order
  2. Defendant, Glaxosmithkline LLC's Response In Opposition To Plaintiffs' Motion To Exclude Or Limit The Regulatory And Labeling Testimony Of John Doe, M.D.
  3. Defendant Glaxosmithkline LLC's Motion Pursuant To Frye V. U.S. And PA R.C.P. 207.1, Or Motion In Limine, To Exclude The Proffered Opinions Of Plaintiffs' Expert Ra-Id Abdulla, M.D.
  4. Defendant, Glaxosmithkline LLC's Response In Opposition To Plaintiffs' Motion For Summary Judgment As To Defendant's Affirmative Defenses Nos. 5-8,10-13,15-16, 23, 25-28, 30, 31 And 33
  5. Plaintiffs' Motion To Exclude The Regulatory And Labeling Testimony Of John Doe, M.D.
  6. Plaintiffs' Response In Opposition To Defendant's Motion For Summary Judgment
  7. Plaintiffs' Opposition In Response To Defendant's Motion For Summary Judgment As To Punitive Damages
  8. Plaintiffs' Motion For Summary Judgment As To Defendant's Affirmative Defense Nos. 5-8, 10-13, 15-16, 23, 25-28, 30, 31 And 33
  9. Plaintiffs' Motion To Exclude The Regulatory And Labeling Testimony Of Janet Arrowsmith, M.D.



**Motion to exclude denied.**

**Case Source:** Trial Order

**Case Caption:** **Powell V. Janssen Pharmaceuticals, Inc.**

**Docket Number:** 1105002251

**Case Cite(s):** 2013 WL 6910876

**Grounds of Challenge:** Unknown

**Area of Law:** Personal Injury

**Jurisdiction:** State

**State:** Pennsylvania

**Court Name:** Court Of Common Pleas Of Pennsylvania, First Judicial District, Civil Trial Division, Philadelphia County

**Retained By:** Defendant

**Plaintiff's Attorney(s):** Scott A. Love, Esq., Pa. Bar No. 205329, slove@triallylawfirm.com, Clayton A. Clark, Esq., cclark@triallylawfirm.com, Clark, Burnett, Love & Lee, Gp 440 Louisiana, 16th Floor, Houston, TX 77002, (713) 757-1400 Telephone, (713) 759-1217 Facsimile

**Defendant's Attorney(s):** John D. Winter (Admitted Pro Hac Vice), jwinter@pbwt.com, Patterson Belknap Webb & Tyler LLP, 1133 Avenue of the Americas, New York, NY. 10036, Telephone: (212) 336-2000, Facsimile: (212) 336-2222

**Judge(s):** Arnold L. New

**Date(s):** 09/25/2013

**Summary of Involvement:** Doe was retained by the Defendant as an expert in the instant case. Plaintiff filed a motion to exclude his testimony. The Court denied Plaintiff's motion to exclude his testimony.

**Supporting Document(s):** 1. Trial Order





**Motion to exclude denied.**

**Case Source:** Docket, Trial Pleading

**Case Caption:** [Anderson, Aundre Michael Et Al V. Atmi, Inc. Et Al](#)

**Docket Number:** N10C-07-271

**Case Cite(s):** Not Applicable

**Grounds of Challenge:** Unknown

**Area of Law:** Personal Injury

**Jurisdiction:** State

**State:** Delaware

**Court Name:** DE Superior - New Castle

**Retained By:** Defendant

**Plaintiff's Attorney(s):** David W. deBruin

**Defendant's Attorney(s):** Robert J. Katzenstein

**Judge(s):** Jan R. Jurden

**Date(s):** 03/17/2014

**Summary of Involvement:** Doe was retained by the Defendant as an expert in the instant case. Plaintiff filed a motion to exclude his testimony. The Court denied Plaintiff's motion to exclude his testimony.

**Supporting Document(s):**

1. Signed Order Denying Motion To Exclude Dr Doe Filer Name: Swain, Marjorie Jrj Secretary Number Of Pages: 1 Doc Type: Order Filing Id: 55155845
2. Re-Notice Of Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D., To Be Heard On December 5, 2013 At 9:00 A.M. With Certificate Of Service Filer Name: Sullivan, Jillian; Aundre Michael Anderson; Cantana Anderson Number Of Pages: 2 Doc Type: Re-Notice Filing Id: 54544147
3. Plaintiffs' Reply Memorandum In Further Support Of Their Motion To Preclude The Testimony Of Dr. John Doe Filer



Name: Sullivan, Jillian; Aundre Michael Anderson; Cantana Anderson  
Number Of Pages: 15 Doc Type: Memorandum Of Law Filing Id: 54485752

4. Compendium Of Unreported Cases To Plaintiffs' Reply Memorandum In Further Support Of Their Motion To Preclude The Testimony Of Dr. John Doe Filer Name: Sullivan, Jillian; Aundre Michael Anderson; Cantana Anderson Number Of Pages: 52 Doc Type: Compendium Filing Id: 54485752
5. Certificate Of Service To Plaintiffs' Reply Memorandum In Further Support Of Their Motion To Preclude The Testimony Of Dr. John Doe Filer Name: Sullivan, Jillian; Aundre Michael Anderson; Cantana Anderson Number Of Pages: 1 Doc Type: Certificate Of Service Filing Id: 54485752 Exhibit A To Defendants' Memorandum Of Law In Opposition To Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John R. Doe, M.D. Filer Name: Brown, Jeannette C; International Rectifier Corp; Atmi, Inc.; Advanced Technology Materials, Inc.; Epitronics Corp; Ir Epi Services, Inc. Number Of Pages: 48 Doc Type: Exhibits Filing Id: 54120240
6. Defendants' Memorandum Of Law In Opposition To Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John R. Doe, M.D. Filer Name: Brown, Jeannette C; International Rectifier Corp; Atmi, Inc.; Advanced Technology Materials, Inc.; Epitronics Corp; Ir Epi Services, Inc. Number Of Pages: 28 Doc Type: Memorandum Of Law Filing Id: 54120240
7. Certificate Of Service Of Defendants' Memorandum Of Law In Opposition To Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John R. Doe, M.D. Filer Name: Brown, Jeannette C; International Rectifier Corp; Atmi, Inc.; Advanced Technology Materials, Inc.; Epitronics Corp; Ir Epi Services, Inc. Number Of Pages: 1 Doc Type: Certificate Of Service Filing Id: 54120240
8. Proposed Order To Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D. Filer Name: Randolph, Jennifer M; Aundre Michael Anderson; Cantana Anderson Number Of Pages: 1 Doc Type: Proposed Order Filing Id: 53802715
9. Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D. Filer Name: Randolph, Jennifer M; Aundre Michael Anderson; Cantana Anderson Number Of Pages: 2 Doc Type: Motion Filing Id: 53802715



10. Plaintiffs' Memorandum Of Law In Support Of Their Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D. Filer Name: Randolph, Jennifer M; Aundre Michael Anderson; Cantana Anderson Number Of Pages: 40 Doc Type: Memorandum Filing Id: 53802715
11. Notice Of Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D. To Be Heard At The Convenience Of The Court Filer Name: Randolph, Jennifer M; Aundre Michael Anderson; Cantana Anderson Number Of Pages: 1 Doc Type: Notice Filing Id: 53802715
12. Certificate Of Service To Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D. Filer Name: Randolph, Jennifer M; Aundre Michael Anderson; Cantana Anderson Number Of Pages: 1 Doc Type: Certificate Of Service Filing Id: 53802715
13. Compendium Of Unreported Cases To Plaintiffs' Memorandum Of Law In Support Of Their Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D.79462 Doc Type: Compendium Filing Id: 53802715
14. Certificate Of Service To The Plaintiffs' Memorandum Of Law In Support Of Their Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D.50586 Doc Type: Certificate Of Service Filing Id: 53802715
15. Certificate Of Service For Defendants' Objections To Plaintiffs' Notices Of Deposition Of John Doe, M.D. And Of Marion J. Fedoruk, M.D. Filer Name: Sebastiani, Ellen; International Rectifier Corp; Atmi, Inc.; Advanced Technology Materials, Inc.; Eptronics Corp; Ir Epi Services, Inc. Number Of Pages: 1 Doc Type: Certificate Of Service Filing Id: 53282402
16. Exhibits A-D To Defendants' Objections To Plaintiffs' Notices Of Deposition Of John Doe, M.D. And Of Marion J. Fedoruk, M.D. Filer Name: Sebastiani, Ellen; International Rectifier Corp; Atmi, Inc.; Advanced Technology Materials, Inc.; Eptronics Corp; Ir Epi Services, Inc. Number Of Pages: 22 Doc Type: Exhibits Filing Id: 53282402
17. Defendants' Objections To Plaintiffs' Notices Of Deposition Of John Doe, M.D. And Of Marion J. Fedoruk, M.D. Filer Name: Sebastiani, Ellen; International Rectifier Corp; Atmi, Inc.; Advanced Technology Materials, Inc.; Eptronics Corp; Ir Epi Services, Inc. Number Of Pages: 4 Doc Type: Response Filing



Id: 53282402

18. Notice Of Deposition Of John Doe, M.D. Scheduled For July 22, 2013 At 10:00am Filer Name: Randolph, Jennifer M; Aundre Michael Anderson; Cantana Anderson Number Of Pages: 6 Doc Type: Notice Of Deposition Filing Id: 53275858
19. Exhibit Bb To Exhibit 1 (Affidavit Of Steven J. Phillips)52
20. Exhibit C To Defendants' Memorandum Of Law In Support Of Defendants' Motion To Exclude The Testimony Of Plaintiffs' Experts Cynthia Bearer, Md, Ph.D. And Linda Frazier, Md, Mph52
21. Exhibit C To Defendants' Memorandum Of Law In Support Of Defendants' Motion To Exclude The Testimony Of Plaintiffs' Expert Sohail Khattak, M.D., Frcpc52
22. Defendants' Memorandum Of Law In Opposition To Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John R. Doe, M.D.
23. Exhibit A To Letter To The Honorable Jan R. Jurden From Ian Connor Bifferato Dated March 4, 2014 Regarding Exhibit List
24. Exhibit A To Defendants' Memorandum Of Law In Opposition To Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John R. Doe, M.D.
25. Exhibitee (Part 2 Of 2) To Exhibit 1 (Affidavit Of Steven J. Phillips)52
26. Exhibit Q To Exhibit 1 (Affidavit Of Steven J. Phillips)52
27. Plaintiffs' Memorandum In Opposition To Defendants' Motion To Exclude The Testimony Of Plaintiffs' Expert Sohail Khattak, M.D., Frcpc
28. Exhibit 1 To Pretrial Stipulation And Order - Plaintiffs' Exhibit List
29. Exhibit Ee (Part 1 Of 2) To Exhibit 1 (Affidavit Of Steven J. Phillips)52
30. Defendants' Memorandum Of Law In Support Of Defendants' Motion To Exclude The Testimony Of Plaintiffs' Expert Sohail



Khattak, M.D., Frcpc

31. 01-21-14, Daubert Motion, Honorable Jan R. Jurden
32. Exhibit A To Defendants' Memorandum Of Law In Support Of Defendants' Motion To Exclude The Testimony Of Plaintiffs' Experts Cynthia Bearer, Md, Ph.D. And Linda Frazier, Md, Mph52
33. Exhibit P To Exhibit 1 (Affidavit Of Steven J. Phillips)52
34. Exhibit A To Defendants' Memorandum Of Law In Support Of Defendants' Motion To Exclude The Testimony Of Plaintiffs' Expert Sohail Khattak, M.D., Frcpc52
35. Daubert Hearing, Testimony Of Sohail Khattak, M.D., Of March 14, 2014, Before The Honorable Jan R. Jurden
36. Exhibit E To Defendants' Memorandum Of Law In Support Of Defendants' Motion To Exclude The Testimony Of Plaintiffs' Experts Cynthia Bearer, Md, Ph.D. And Linda Frazier, Md, Mph52
37. Exhibit C To Exhibit 1 (Affidavit Of Steven J. Phillips)52
38. Exhibit 1 To Letter Dated March 5, 2014 To The Honorable Jan R. Jurden From J. Zachary Haupt Submitting Exhibit Lists
39. Exhibit A To Defendants' Reply Memorandum Of Law In Further Support Of Defendants' Motion To Exclude The Testimony Of Plaintiffs' Experts Cynthia Bearer, Md, Ph.D. And Linda Frazier, MD, Mph
40. Exhibit M To Defendants' Reply Memorandum In Further Support Of Motion To Exclude The Testimony Of Plaintiffs' Expert Robert Herrick, Scd, Cih
41. Exhibit A To Plaintiffs' Memorandum In Opposition To Defendants' Motion To Exclude The Testimony Of Plaintiffs' Expert Sohail Khattak, M.D., Frcpc
42. Pretrial Stipulation And Order
43. Re-Notice Of Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D., To Be Heard On December 5, 2013 At 9:00 A.M. With Certificate Of Service



44. Exhibit D To Defendants' Memorandum Of Law In Support Of Defendants' Motion To Exclude The Testimony Of Plaintiffs' Expert Sohail Khattak, M.D., Frcpc52
45. Certificate Of Service To The Plaintiffs' Memorandum Of Law In Support Of Their Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D.50586
46. Compendium Of Unreported Cases To Plaintiffs' Memorandum Of Law In Support Of Their Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D.79462
47. Certificate Of Service Of Defendants' Memorandum Of Law In Opposition To Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John R. Doe, M.D.
48. Exhibit Jj To Exhibit 1 (Affidavit Of Steven J. Phillips)52
49. Notice Of Deposition Of John Doe, M.D. Scheduled For July 22, 2013 At 10:00am]
50. Exhibit B To Affidavit Of John P. Hannigan In Support Of Affidavit Of John P. Hannigan In Support Of Defendants' Opposition To Plaintiffs' Motion For Fees And Costs Related To Discovery Sanctions52
51. Exhibit 5 To Defendants' Memorandum In Opposition To Plaintiffs' Motion To Exclude The Testimony Of Defense Expert Jeffrey B. Hicks, M.P.H., Cih, Qep
52. Certificate Of Service To Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D.
53. Plaintiffs' Memorandum Of Law In Support Of Their Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D.
54. Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D.
55. Notice Of Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D. To Be Heard At The Convenience Of The Court
56. Proposed Order To Plaintiffs' Motion To Exclude The Testimony Of Defendants' Expert John Doe M.D.
57. Exhibit C To Affidavit Of John P. Hannigan In Support Of



Affidavit Of John P. Hannigan In Support Of Defendants'  
Opposition To Plaintiffs' Motion For Fees And Costs Related  
To Discovery Sanctions52

58. Letter Order Motion To Exclude Dr Bearer And Dr Frazier  
Inadmissible Under Dre 702
59. Certificate Of Service For Defendants' Objections To Plaintiffs'  
Notices Of Deposition Of John Doe, M.D. And Of Marion J.  
Fedoruk, M.D.
60. Certificate Of Service To Plaintiffs' Reply Memorandum In  
Further Support Of Their Motion To Preclude The Testimony  
Of Dr. John Doe
61. Compendium Of Unreported Cases To Plaintiffs' Reply  
Memorandum In Further Support Of Their Motion To Preclude  
The Testimony Of Dr. John Doe
62. Exhibits A-D To Defendants' Objections To Plaintiffs' Notices  
Of Deposition Of John Doe, M.D. And Of Marion J. Fedoruk, M.D.
63. Plaintiffs' Reply Memorandum In Further Support Of Their  
Motion To Preclude The Testimony Of Dr. John Doe
64. Notice Of Deposition Of John Doe, M.D. Scheduled For July 22,  
2013 At 10:00am
65. Defendants' Objections To Plaintiffs' Notices Of Deposition Of  
John Doe, M.D. And Of Marion J. Fedoruk, M.D.

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**Motion to preclude filed; outcome unknown.**

**Case Source:** Docket

**Case Caption:** [Pallano, Anajai Calcano V. A E S Corp](#)

**Docket Number:** N09C-11-021

**Case Cite(s):** Not Applicable

**Grounds of Challenge:** Unknown

**Area of Law:** Personal Injury



**Jurisdiction:** State

**State:** Delaware

**Court Name:** DE Superior - New Castle

**Retained By:** Defendant

**Plaintiff's Attorney(s):** Ian Connor Bifferato

**Defendant's Attorney(s):** Jennifer M. Kinkus

**Judge(s):** Jan R. Jurden

**Date(s):** 01/07/2016

**Summary of Involvement:** Doe was retained by the Defendant as an expert in the instant case. Plaintiff filed a motion to preclude his testimony. The outcome of Plaintiff's motion to preclude his testimony is unknown.

**Supporting Document(s):**

1. Proposed Order Granting Plaintiffs' Motion To Preclude Or Limit The Testimony Of Defendants' Expert John Doe, M.D. And Compel Him To Disclose His Earning As A Consultant Number Of Pages: 1 Doc Type: Proposed Order Filing Id: 57346409
2. Notice Of Plaintiffs' Motion To Preclude Or Limit The Testimony Of Defendants' Expert John Doe, M.D. And Compel Him To Disclose His Earning As A Consultant Number Of Pages: 1 Doc Type: Notice Filing Id: 57346409
3. Plaintiffs' Opening Brief In Support Of Motion To Preclude Or Limit The Testimony Of Defendants' Expert John Doe, M.D. And Compel Him To Disclose His Earning As A Consultant [Filed Under Seal] Number Of Pages: 42 Doc Type: Memorandum Filing Id: 57346409
4. Plaintiffs' Motion To Preclude Or Limit The Testimony Of Defendants' Expert John Doe, M.D. And Compel Him To Disclose His Earning As A Consultant Number Of Pages: 2 Doc Type: Motion Filing Id: 57346409
5. Compendium Of Unreported Cases Cited In Aes's Answering Briefs To Plaintiffs' Daubert Motions With Certificate Of Service
6. Exhibit A Through I To Aes's Opposition To Plaintiff's Motion





To Exclude The Testimony Of Dr. John Doe

7. Compendium Of Unreported Cases Cited In Defendants' Reply Briefs In Support Of Their Daubert Motions Nos. 1 Through 11
8. Exhibits A Through K To Aes's Omnibus Reply In Support Of Daubert Motions No. 1, 2, 3 And 4 To Exclude Drs. Bearer, Mattison, Khattak And Finnell
9. Pretrial Stipulation And Order, Signed By Ian Conner Bifferato, Attorney For Plaintiffs And William E. Gamgort, Attorney For The Aes Corporation, Aes Atlantis, Inc., Aes Puerto Rico, Lp, Aes Puerto Rico, Inc., And Aes Puerto Rico Services, Inc.
10. Exhibits T-Aa To Aes's Daubert Motion No. 1 - Causation - To Exclude The Testimony Of Dr. Cynthia Bearer
11. Exhibits B Through K To Aes's Opposition To Plaintiffs' Motion To Preclude Or Limit The Testimony Of Defendants' Experts Barbara Beck, Ph.D., Dabt, Fats And Phillip T. Goad, Ph.D.
12. Exhibits A-E To Aes's Daubert Motion No. 4 - Causation - To Exclude The Testimony Of Dr. Richard H. Finnell
13. Compendium Of Unreported Decisions Cited In Plaintiffs' Responses To Defendants' Daubert Motions
14. Exhibits A-B To Aes's Daubert Motion No. 2 - Causation - To Exclude The Testimony Of Dr. Donald Mattison
15. Exhibits D-E To Aes's Daubert Motion No. 2 - Causation - To Exclude The Testimony Of Dr. Donald Mattison
16. Tabs 21 Through 30 Of Compendium Of Unreported Cases Cited In Defendants' Daubert Motions Nos. 1 Through 11
17. Tabs 1 Through 10 Of Compendium Of Unreported Cases Cited In Defendants' Daubert Motions Nos. 1 Through 1
18. Proposed Order Granting Plaintiffs' Motion To Preclude Or Limit The Testimony Of Defendants' Expert John Doe, M.D. And Compel Him To Disclose His Earning As A Consultant
19. Proposed Order Granting Plaintiffs' Motion To Preclude Or Limit The Testimony Of Defendants' Expert John Doe, M.D. And Compel Him To Disclose His Earning As A Consultant



20. Notice Of Plaintiffs' Motion To Preclude Or Limit The Testimony Of Defendants' Expert John Doe, M.D. And Compel Him To Disclose His Earning As A Consultant
21. Exhibit Qq - Yy To Defendants' Motion For Remedial Relief And Sanctions And Memorandum In Support Thereof (Transaction Id 58385310)
22. Exhibits K-S To Aes's Daubert Motion No. 1 - Causation - To Exclude The Testimony Of Dr. Cynthia Bearer
23. Exhibit A To Aes's Reply Brief In Support Of Daubert Motion No. 8 - Exposure - To Exclude The Testimony Of Mr. David A. Sullivan
24. Exhibit A
25. Interim Status Report
26. Exhibits A Through J To Defendants' Opposition To Motion To Compel
27. 1-13-16, Teleconference, Before The Honorable President Judge Jan R. Jurden
28. Certificate Service To Aes's Opposition To Plaintiff's Motion To Exclude The Testimony Of Dr. John Doe



## INDIRECT CHALLENGES

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This section includes reported, and numerous unreported cases from both state and federal jurisdictions where the expert's testimony has been cited or mentioned in a decision and the testifying expert's testimony has been offered in support of, in response to, or in opposition to motion for summary judgment, class certification, preliminary injunction, motion for a new trial or judgment notwithstanding the verdict. Sources for unreported decisions include docket sheets, litigation reports, jury verdicts, and other online resources. Although care has been followed to gather this information, not all cases involving such indirect expert challenges are reported.

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### Testimony not relied upon; affirmed.

**Case Source:** Opinion, Brief Bank, Trial Order

**Case Caption:** **Czimmer V. Janssen Pharms., Inc.**

**Docket Number:** 03459, 459 EDA 2014

**Case Cite(s):** 2014 Phila. Ct. Com. Pl. LEXIS 90; 2014 WL 5910883; 2014 WL 1335511; 122 A.3d 1043

**Grounds of Challenge:** Others

**Area of Law:** Negligence

**Jurisdiction:** State

**State:** Pennsylvania

**Court Name:** Common Pleas Court Of Philadelphia County, Pennsylvania, Civil Trial Division, Superior Court Of Pennsylvania

**Retained By:** Defendant

**Plaintiff's Attorney(s):** Howard J. Bashman, 2300 Computer Avenue, Suite G-22, Willow Grove, PA 19090, (215) 830-1458

**Defendant's Attorney(s):** Alfred W. Putnam, Jr., PA. I.D. No. 28261, D. Alicia Hickok, PA. I.D. No. 87604, Kathryn E. Deal, PA. I.D. No. 93891, Drinker Biddle & Reath LLP, One Logan Square, Suite 2000, Philadelphia, PA 19103-6996, Telephone: (215) 988-2700, Facsimile: (215) 988-2757, alfred.putnam@dbr.com, alicia.hickok@dbr.com, kathryn.deal@dbr.com

**Judge(s):** Victor J. DiNubile, Jr.

**Date(s):** 08/20/2015

**Summary of Involvement:** Doe was retained by the Defendant as an expert in the instant case. The Court noted that *“The Defendant also makes the argument that the Plaintiff failed to prove the causal connection between the ingestion of Topamax while Mrs. Czimmer was pregnant and her son’s cleft lip/cleft palate. This Court disagrees. Dr. Lin, Blake’s treating plastic surgeon, testified that Topamax was the cause of the cleft lip/cleft palate. Defense Counsel argue that Dr. Lin’s testimony should be disregarded due to inconsistencies. The issue of his credibility was a matter for the jury. His testimony was supported by Richard Finnel, Ph.D., Director of Genomic Medicine at Children’s Hospital in Austin, Texas and an expert in teratology (the study of the mechanism of adverse results causing birth defects). He opined that Topamax was definitely a teratogenic agent, the cause of Blake’s cleft lip and cleft palate. He explained that the ingestion of Topamax in the early part of pregnancy can slow down the blood supply to the fetus causing the limiting of the number of required cells in the cranial area resulting in Blake’s defect. Philip J. Lupo, Ph.D. an epidemiologist analyzed the data from the various studies concluding that women taking Topamax during pregnancy had a 6.36 or over six times the risk of having a child born with a birth defect such as cleft lip/cleft palate. He further reasoned that when a woman consumed Topamax during pregnancy there existed an 84% chance that if a child was born with a cleft lip or a cleft palate it was brought about by the drug rather than other factors such as smoking or obesity. Janssen argues that their testimony should be disregarded because their opinions were unreliable, flawed, and did not meet the Frye Standard. On the contrary, there was no evidence to show that the methodologies Plaintiff’s experts used were done so in a conventionally unsound manner. Cassell v. Lancaster Mennonite Conference, 2003 PA Super 387, 834 A.2d 1185, 1190 (Pa. Super. 2003). Notwithstanding the Frye assertion, the arguments presented in their Brief on these points, that the testimony of Plaintiff’s experts were flawed, were essentially ones that were made to the jury during closing. In fact, the Defense countered these assertions with John Doe, M.D., OBGYN a toxicologist who asserted that the cause of Blake’s defect probably was due to genetics. Steven Silberstein, M.D. a neurologist maintained that Topamax was not harmful. The jury, however, chose to accept the Plaintiff’s experts on the subject of causation. Therefore, the Court will not disturb the verdict.”* The testimony was not at issue in the Appellate Court. The judgment was affirmed on other grounds.

- Supporting Document(s):**
1. Opinion dated January 2, 2014 ([Request Document](#))
  2. Brief For Plaintiffs/Appellees
  3. Trial Order



4. Opinion dated August 20, 2015

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**Testimony relied upon.**

**Case Source:** Opinion, Trial Order

**Case Caption:** [Reeps V. BMW Of N. America, LLC](#)

**Docket Number:** 100725/08

**Case Cite(s):** 2012 N.Y. Misc. LEXIS 5788; 2012 NY Slip Op 33030(U); 39 Misc.3d 1234(A); 2012 WL 6729899

**Grounds of Challenge:** Others

**Area of Law:** Medical Malpractice

**Jurisdiction:** State

**State:** New York

**Court Name:** Supreme Court Of New York, New York County

**Retained By:** Defendant

**Plaintiff's Attorney(s):** Not Mentioned

**Defendant's Attorney(s):** Not Mentioned

**Judge(s):** Louis B. York

**Date(s):** 12/16/2012

**Summary of Involvement:** Doe was retained by the Defendant as an expert in the instant case. According to the Court's judgment dated December 16, 2012, it was noted that *"As to the first issue, Dr. Doe concluded that no scientific publication establishes a causal relationship between inhalation of gasoline during pregnancy and the birth defects and developmental abnormalities diagnosed in Sean Reeps. Moreover, he argued there is no study on human subjects (neither a cohort or case control study) showing any association between exposure to gasoline vapor during pregnancy and birth outcomes found in Sean Reeps' case (Doe Aff, Def. Exh. A). Finally, the published animal studies evaluating the effects of gasoline vapor exposure during pregnancy demonstrated the absence of any adverse developmental outcomes,*

*even with exposure to high levels of gasoline vapor.” It was further noted that “Dr. Doe next evaluated the methodology by which plaintiff’s experts arrived at their conclusions. He stated that the generally accepted methods in developmental toxicology for establishing the causal relationship between exposure to chemicals and birth defects are based on standards known as Bradford Hill criteria.” It was found that “Finally, Dr. Doe asserts that plaintiffs’ experts failed to follow generally accepted practices for determining causation by ignoring causes other than gasoline vapor inhalation that could have produced the features and developmental delays diagnosed in Sean Reeps. Intrauterine infection is among the most common causes of cerebral palsy, and Mrs. Reeps had a history of herpes simplex infection, and a rash during her pregnancy.” It was further found that “Dr. Kramer stated that she would apply Bradford Hill criteria. Courts are familiar with these generally accepted scientific principles. See, for example, description of an expert testimony that follows the nine-step process proposed by Sir Austin Bradford Hill. *Nonnon v City of New York*. In the case at bar neither Dr. Kramer, nor Dr. Fraser, who also referred to Bradford Hill criteria, actually applied the nine-step process in arriving at conclusions about causality. Dr. Kramer wrote: “Compelling bases for causation in this case include: consistency of findings across the epidemiological/medical reports and toxicological studies, biological plausibility, and temporality.” These are indeed among Bradford Hill criteria. However, defendants’ expert, Dr. Doe, raised strong reservations concerning plaintiffs’ experts’ inadequate attention to consistency, gradient, coherence and plausibility. In the court’s opinion, the lack of epidemiological studies of the association between in utero exposure to gasoline and birth defects raises the question of whether the Bradford Hill criteria are even applicable to this case.”*

- Supporting Document(s):**
1. Opinion dated December 16, 2012 ([Request Document](#))
  2. Opinion dated May 10, 2013 ([Request Document](#))
  3. Trial Order



**Testimony relied upon.**

**Case Source:** Opinion, Trial Pleading, Docket

**Case Caption:** **Davis V. United States**

**Docket Number:** 1:11-CV-1211

**Case Cite(s):** 2015 U.S. Dist. LEXIS 179690; 2013 WL 11092407; 2014 WL 10754008; 2013 WL 11092439; 2014 WL 10754017; 2013 WL 11092410; 2013 WL 11092408

**Grounds of Challenge:** Others

**Area of Law:** Tort Law

**Jurisdiction:** Federal

**State:** Georgia

**Court Name:** United States District Court For The Northern District Of Georgia, Atlanta Division

**Retained By:** Defendant

**Plaintiff's Attorney(s):** Brandon R. Taylor, Jordan Maurice Jewkes, Webb & Taylor, LLC, Peachtree City, GA

**Defendant's Attorney(s):** Lori M. Beranek, Melaine A. Williams, Office Of United States Attorney, Northern District Of Georgia, Atlanta, GA

**Judge(s):** Orinda D. Evans

**Date(s):** 03/31/2015

**Summary of Involvement:** Doe was retained by the Defendant as an expert in the instant case. The Court found that *"The Court accepts opinions (1) and (2) as undisputed. With respect to (3), transmission of methotrexate in semen has been the subject of a number of articles identified by either Dr. Doe or Dr. Nalick, and the general idea that methotrexate could cause birth defects when ingested by the father is not novel. Obviously, the FDA has given consideration to this issue as well. However, it does appear undisputed that no published scientific literature has determined that a child's birth defects were actually caused by methotrexate consumed by the father. Also, no published scientific literature has determined that the type of birth defects*



*M.D. has were caused by methotrexate. With respect to (4), the Court notes that Dr. Doe does appear to agree elsewhere in his Expert Report that if methotrexate is present in semen it is possible (though it has not been proven) it could be transmitted to the mother and the fetus.” The Court further found that “The overall point of Dr. Doe’s report and testimony is that there is no existing scientific basis to support a conclusion that M.D.’s birth defects were caused by her father’s use of methotrexate. He implicitly acknowledges the FDA’s stance that a woman’s sexual partner should not use methotrexate prior to or during her pregnancy [Doe Expert Report], but he states this is a prophylactic measure, within the FDA’s regulatory power. Dr. Doe’s report and testimony show that he is personally familiar with the FDA’s handling of this issue, and his testimony in this regard is accepted.”*

**Supporting Document(s):**

1. Opinion dated March 31, 2015 ([Request Document](#))
2. Plaintiff’s Response In Opposition To Defendant’s Motion For Summary Judgment ([Request Document](#))
3. Plaintiff’s Objection To Defendant’s Motion For Reconsideration Of The Court’s July 29, 2014 Order ([Request Document](#))
4. Plaintiff’s Sur-Reply To Defendant’s Reply Brief ([Request Document](#))
5. United States’ Reply Memorandum In Further Support Of Motion For Reconsideration Of The Court’s Order ([Request Document](#))
6. Reply Brief In Further Support Of Defendant’s Motion For Summary Judgment ([Request Document](#))
7. Memorandum In Support Of Defendant’s Motion For Summary Judgment ([Request Document](#))
8. Notice To Take Deposition Of John R. Doe, M.D. Filed By Jacquelyn Davis ([Request Document](#))
9. Response In Support Re Motion For Summary Judgment And In Response To Supplemental Affidavit Of Dr. Richard Nalick Filed By The United States Of America. (Attachments: # 1 Exhibit A (Deposition Of Dr. Richard Nalick), # 2 Exhibit B (Deposition Of Dr. Mary Ampola), # 3 Exhibit C (Affidavit Of Dr. John R.Doe)) ([Request Document](#))





10. Order Granting Motion For Extension Of Time To Depose Dr. Nalick. The Time By Which Defendant Shall Have To Depose Plaintiff's Expert, Dr. Nalick, Shall Be Enlarged Through And Including January 19, 2015. Defendants May Also File A Response And Supplemental Report Of Their Expert, Dr. John Doe, If They So Choose, During The Aforementioned Period. All Other Portions Of This Court's October 3, 2014 Order Remain Unchanged. Signed By Judge Orinda D. Evans On 11/13/14 ([Request Document](#))
11. Notice Of Filing By Jacquelyn Davis (Attachments: # 1 Exhibit A - Dr. Ampola Expert Report Part 1 Of 4, # 2 Exhibit A - Dr. Ampola Expert Report Part 2 Of 4, # 3 Exhibit A - Dr. Ampola Expert Report Part 3 Of 4, # 4 Exhibit A - Dr. Ampola Expert Report Part 4 Of 4, # 5 Exhibit B - Dr. Doe Deposition, # 6 Exhibit B1 - Dr. Doe Cv (Exhibit 1 To Deposition)) ([Request Document](#))
12. Expert Report Of Dr. John R. Doe By The United States Of America ([Request Document](#))

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**Testimony provided sufficient basis for the findings of the Court; affirmed.**

<b>Case Source:</b>	Opinion
<b>Case Caption:</b>	<a href="#">Newmann V. United States</a>
<b>Docket Number:</b>	90-8625
<b>Case Cite(s):</b>	938 F.2d 1258; 1991 U.S. App. LEXIS 18414
<b>Grounds of Challenge:</b>	Others
<b>Area of Law:</b>	Negligence
<b>Jurisdiction:</b>	Federal
<b>State:</b>	Georgia
<b>Court Name:</b>	United States Court Of Appeals For The Eleventh Circuit
<b>Retained By:</b>	Plaintiff
<b>Plaintiff's Attorney(s):</b>	Don C. Kennan, David S. Bills, Atlanta, Georgia, Charles R. Ashman,



Jeffrey W. Lasky, Savannah, Georgia

**Defendant's Attorney(s):** Lawrence B. Lee, AUSA, Savannah, Georgia

**Judge(s):** Kravitch, Cox, Roney

**Date(s):** 08/14/1991

**Summary of Involvement:** Doe was retained by the Plaintiff as an expert in the instant case. The Appellate Court found that *"We cannot overturn a district court's findings of fact unless clearly erroneous. Fed.R.Civ.P. 52(a). A finding is clearly erroneous "when although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed." Anderson v. City of Bessemer City, N.C., 470 U.S. 564, 573, 105 S. Ct. 1504, 1511, 84 L. Ed. 2d 518 (1985) (citation and internal quotation marks omitted). If Dr. Doe's testimony were the only evidence in the record supporting the court's finding, we might decide, in light of the substantial expert evidence presented by the government, that the trial court had clearly erred. That question is not before us, however, because other evidence in the record amply supports the trial court's finding."* The Appellate Court further found that *"Even though Dr. Lawrence's dose of 80 mg. is closer to the manufacturer's recommended dose for a life-threatening infection than it is to the recommended dose for a serious infection, Dr. Lawrence did not ever reduce the dose, nor did he order serum-level monitoring. Dr. Doe specifically charged that these failures were violations of the standard of care. Finally, at the very beginning of the gentamicin product information is a boxed section titled "Warnings," which includes both the following statements: "Patients treated with aminoglycosides [including gentamicin] should be under close clinical observation because of the potential toxicity associated with their use"; and "Serum concentrations of aminoglycosides should be monitored when feasible to assure adequate levels and to avoid potentially toxic levels." When all this evidence is taken into account, we must conclude that the trial court's findings that Dr. Lawrence breached the standard of care were not clearly erroneous."* The judgment was affirmed.

**Supporting Document(s):** 1. Opinion dated August 14, 1991 ([Request Document](#))



**Testimony sufficient to win grant of summary judgment motion.**

**Case Source:** Trial Pleading, Trial Order

**Case Caption:** **Brown V. Contemporary Ob/Gyn Associates Et Al**

**Docket Number:** 180019

**Case Cite(s):** 1999 WL 33945520; 1999 WL 33945547; 1998 WL 34335877; 1999 WL 34793421

**Grounds of Challenge:** Others

**Area of Law:** Medical Malpractice

**Jurisdiction:** State

**State:** Maryland

**Court Name:** Circuit Court Of Maryland, Montgomery County

**Retained By:** Defendant

**Plaintiff's Attorney(s):** Agbaje & Associates, P.A. And Taiwo Agbaje, Esquire

**Defendant's Attorney(s):** Armstrong, Donohue & Ceppos, Chartered, And Pamela Kincheloe, Esquire

**Judge(s):** Not Mentioned

**Date(s):** 04/16/1999

**Summary of Involvement:** Doe was retained by the Defendant as an expert in the instant case. Defendant filed his testimony in support of its motion for summary judgment. The Court granted Defendant's motion for summary judgment.

**Supporting Document(s):**

1. Plaintiffs' Opposition To Defendants' Motion In Limine To Preclude Introduction Of Expert Economic Testimony And Psychiatric Testimony
2. Reply To Opposition To Motion For Summary Judgment As To Wrongful Death And Survival Claims
3. Motion For Summary Judgment As To Wrongful Death And Survival Claims



4. Trial Order

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**Testimony cited in support of motion for summary judgment; motion granted.**

<b>Case Source:</b>	Trial Pleading, Trial Order
<b>Case Caption:</b>	<a href="#">Webster V. Desai</a>
<b>Docket Number:</b>	07A79806
<b>Case Cite(s):</b>	2009 WL 9051757; 2009 WL 9051756; 2009 WL 9051044
<b>Grounds of Challenge:</b>	Others
<b>Area of Law:</b>	Medical Malpractice
<b>Jurisdiction:</b>	State
<b>State:</b>	Georgia
<b>Court Name:</b>	Georgia State Court, Dekalb County
<b>Retained By:</b>	Defendant
<b>Plaintiff's Attorney(s):</b>	John G. Mabrey, Georgia State Bar No. 462780
<b>Defendant's Attorney(s):</b>	R. Page Powell, Jr., Georgia Bar No. 586696, Erica S. Jansen, Georgia Bar No. 080501
<b>Judge(s):</b>	Not Mentioned
<b>Date(s):</b>	06/19/2009
<b>Summary of Involvement:</b>	Doe was retained by the Defendant as an expert in the instant case. Defendant cited his testimony in support of its motion for summary judgment. The Court granted Defendant's motion for summary judgment.
<b>Supporting Document(s):</b>	<ol style="list-style-type: none"><li>1. Plaintiff's Opposition To Defendants' Motion To Exclude Expert Testimony And Motion For Summary Judgment</li><li>2. Defendants' Brief In Support Of Motion To Exclude Expert Testimony And Motion For Summary Judgment</li></ol>



3. Trial Order

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**Testimony filed in support of motion for summary judgment; not ruled upon due to dismissal of the suit pursuant to settlement.**

**Case Source:** Docket

**Case Caption:** **Church & Dwight Co., Inc. V. Spd Swiss Precision Diagnostics GmbH**

**Docket Number:** 3:10-CV-00276

**Case Cite(s):** Not Applicable

**Grounds of Challenge:** Others

**Area of Law:** Other Statutory Actions

**Jurisdiction:** Federal

**State:** New Jersey

**Court Name:** U.S. District Court, District Of New Jersey

**Retained By:** Plaintiff

**Plaintiff's Attorney(s):** John P. Barry

**Defendant's Attorney(s):** Andrew Marc Grodin

**Judge(s):** Michael A. Shipp

**Date(s):** 03/28/2013

**Summary of Involvement:** Doe was retained by the Plaintiff as an expert in the instant case. Plaintiff filed his testimony in support of its motion for summary judgment. Plaintiff's motion for summary judgment was not ruled upon due to dismissal of the suit pursuant to settlement.

**Supporting Document(s):** 1. Brief In Support Filed By Church & Dwight Co., Inc. Re Motion For Summary Judgment (Attachments: # 1 Brief Church & Dwight Co., Inc.'s Memorandum in Support of Its Daubert Motion, # 2 Statement Church & Dwight Co., Inc.'s Statement of Facts Pursuant to Local Rule 56.1 in Support of its Motion for Summary Judgment, # 3 Declaration of Stacey Feldman

with Exhibit A through D in Support of the Summary Judgment and Daubert Motions of Church & Dwight Co., Inc., # 4 Exhibit E through G of the Declaration of Stacey Feldman in Support of the Summary Judgment and Daubert Motions of Church & Dwight Co., Inc., # 5 Declaration of Albert Nazareth, Ph.D. with Exhibit A in Support of the Summary Judgment and Daubert Motions of Church & Dwight, Co., Inc., # 6 Exhibit B of the Declaration of Albert Nazareth, Ph.D. in Support of the Summary Judgment and Daubert Motions of Church & Dwight, Co., Inc., # 7 Exhibit C through J of the Declaration of Albert Nazareth, Ph.D. in Support of the Summary Judgment and Daubert Motions of Church & Dwight, Co., Inc., # 8 Exhibit K and L of the Declaration of Albert Nazareth, Ph.D. in Support of the Summary Judgment and Daubert Motions of Church & Dwight, Co., Inc., # 9 Exhibit M of the Declaration of Albert Nazareth, Ph.D. in Support of the Summary Judgment and Daubert Motions of Church & Dwight, Co., Inc., # 10 Exhibit N and P Part 1 of the Declaration of Albert Nazareth, Ph.D. in Support of the Summary Judgment and Daubert Motions of Church & Dwight, Co., Inc., # 11 Exhibit P Part 2 of the Declaration of Albert Nazareth, Ph.D. in Support of the Summary Judgment and Daubert Motions of Church & Dwight, Co., Inc., # 12 Declaration of Ann M. Gronowski Ph.D., in Support of the Summary Judgment Motion of Church & Dwight Co., Inc., # 13 Declaration of Pasquale Patrizio, M.D., MBE, HDLD in Support of the Summary Judgment and Daubert Motions of Church & Dwight Co., Inc., # 14 Declaration of John R. Doe M.D. and Exhibit A Part 1 in Support of the Summary Judgment Motion of Church & Dwight, Co., Inc., # 15 Exhibit A Part 2 of the Declaration of John R. Doe M.D. in Support of the Summary Judgment Motion of Church & Dwight Co., Inc., # 16 Declaration and Exhibits 1 thorough 8 of Declaration of Baldassare Vinti in Support of the Summary Judgment and Daubert Motions of Church & Dwight Co., Inc., # 17 Exhibit 9 and 10 of Declaration of Baldassare Vinti in Support of the Summary Judgment and Daubert Motions of Church & Dwight Co., Inc., # 18 Exhibit 11 Part 1 of Declaration of Baldassare Vinti in Support of the Summary Judgment and Daubert Motions of Church & Dwight Co., Inc., # 19 Exhibit 11 Part 2 and 12 of Declaration of Baldassare Vinti in Support of the Summary Judgment and Daubert Motions of Church & Dwight Co., Inc., # 20 Exhibit 13 through 18 Part 1 of Declaration of Baldassare Vinti in Support of the Summary Judgment and Daubert Motions of Church & Dwight Co., Inc., # 21 Exhibit 18 Part 2 of Declaration of Baldassare Vinti in Support of the Summary Judgment and Daubert Motions of Church & Dwight Co., Inc., # 22 Exhibit 18 Part 3 of Declaration of Baldassare Vinti in Support of the Summary Judgment and Daubert Motions of Church & Dwight Co., Inc., # 23 Exhibit 18 Part 4 of



Declaration of Baldassare Vinti in Support of the Summary Judgment and Daubert Motions of Church & Dwight Co., Inc., # 24 Exhibit 18 Part 5 through 20 of Declaration of Baldassare Vinti in Support of the Summary Judgment and Daubert Motions of Church & Dwight Co., Inc., # 25 Exhibit 21 and 22 of Declaration of Baldassare Vinti in Support of the Summary Judgment and Daubert Motions of Church & Dwight Co., Inc., # 26 Exhibit 23 through 25 of Declaration of Baldassare Vinti in Support of the Summary Judgment and Daubert Motions of Church & Dwight Co., Inc., # 27 Exhibit 26 of Declaration of Baldassare Vinti in Support of the Summary Judgment and Daubert Motions of Church & Dwight Co., Inc.) ([Request Document](#))

2. Order Of Dismissal Without Prejudice As Settled; That The Parties Shall Submit An Executed Term Sheet Via Fax By 5:00 Pm On 4/3/2013. Signed By Judge Michael A. Shipp On 3/28/2013 ([Request Document](#))

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**Testimony filed in support of motion for summary judgment; not ruled upon due to dismissal of the suit pursuant to settlement.**

**Case Source:** Docket

**Case Caption:** [SPD Swiss Precision Diagnostics Gmbh V. Church & Dwight Co., Inc.](#)

**Docket Number:** 3:09-CV-01802

**Case Cite(s):** Not Applicable

**Grounds of Challenge:** Others

**Area of Law:** Other Statutory Actions

**Jurisdiction:** Federal

**State:** New Jersey

**Court Name:** U.S. District Court, District Of New Jersey

**Retained By:** Defendant

**Plaintiff's Attorney(s):** David E. Delorenzi



**Defendant's Attorney(s):** John P. Barry

**Judge(s):** Michael Andre Shipp

**Date(s):** 03/28/2013

**Summary of Involvement:** Doe was retained by the Defendant as an expert in the instant case. Defendant filed his testimony in support of its motion for summary judgment. Defendant's motion for summary judgment was not ruled upon due to dismissal of the suit pursuant to settlement.

**Supporting Document(s):**

1. Motion To Alter Judgment, Motion For Summary Judgment ( Responses Due By 9/4/2012) By Church & Dwight Co., Inc.. (Attachments: # 1 Brief Church And Dwight Co., Inc.'S Memorandum In Support Of Its Motion For Summary Judgment, # 2 Brief Church & Dwight Co., Inc. Memorandum In Support Of Its Daubert Motion, # 3 Declaration Declaration Of Stacey Feldman In Support Of Summary Judgment And Daubert Motions Part I, # 4 Declaration Declaration Of Stacey Feldman In Support Of Summary Judgment And Daubert Motions Part 2, # 5 Declaration Of Albert Nazareth, Ph.D. Part 1, # 6 Declaration Of Albert Nazareth, Ph.D. Part 2, # 7 Declaration Of Albert Nazareth, Ph.D. Part 3, # 8 Declaration Of Albert Nazareth, Ph.D. Part 4, # 9 Declaration Of Albert Nazareth, Ph.D. Part 5, # 10 Declaration Of Albert Nazareth, Ph.D. Part 7, # 11 Declaration Of Ann M. Gronowski, Ph.D., # 12 Declaration Of Pasquale M.D., Mbe, Hcld, # 13 Declaration Of John R. Doe, M.D. Part 1, # 14 Declaration Of John R. Doe, M.D. Part 2, # 15 Declaration Of Baldassare Vinti In Supporto F The Summary Judgment And Daubert Motions Part 1, # 16 Declaration Of Baldassare Vinti In Supporto F The Summary Judgment And Daubert Motions Part 2, # 17 Declaration Of Baldassare Vinti In Supporto F The Summary Judgment And Daubert Motions Part 3, # 18 Declaration Of Baldassare Vinti In Supporto F The Summary Judgment And Daubert Motions Part 4, # 19 Declaration Of Baldassare Vinti In Supporto F The Summary Judgment And Daubert Motions Part 5, # 20 Declaration Of Baldassare Vinti In Supporto F The Summary Judgment And Daubert Motions Part 6, # 21 Declaration Of Baldassare Vinti In Supporto F The Summary Judgment And Daubert Motions Part 7, # 22 Declaration Of Baldassare Vinti In Supporto F The Summary Judgment And Daubert Motions Part 8, # 23 Declaration Of Baldassare Vinti In Supporto F The Summary Judgment And Daubert Motions Part 9, # 24 Declaration Of Baldassare Vinti In Supporto F The Summary Judgment And Daubert Motions Part 10, # 25 Declaration Of Baldassare Vinti In Supporto F The Summary Judgment And





Daubert Motions Part 11, # 26 Declaration Of Baldassare Vinti  
In Supporto F The Summary Judgment And Daubert Motions  
Part 12, # 27 Text Of Proposed Order) ([Request Document](#))

2. Order Of Dismissal Without Prejudice As Settled; That The  
Parties Shall Submit An Executed Term Sheet Via Fax By 5:00  
Pm On 4/3/2013. Signed By Judge Michael A. Shipp On  
3/28/2013 ([Request Document](#))

