

1 in 1997 that you were aware of for an upper limited
2 operation?

3 A. Many doctors were performing lasik to minus 22 or
4 24.

5 Q. Okay. My question was, was there any standard
6 within the medical community that you were aware of in
7 1997? Is it your testimony that the standard was to
8 negative 24 or is it your testimony that some doctors
9 were out there doing it?

10 A. Standard worldwide at that time was in the 20 to
11 22 diopter range.

12 MS. NEWMAN: Off the record.

13 (A discussion was held off the
14 record.)

15 BY MR. KAFRISSSEN:

16 Q. Did you consider plaintiff's corneal thickness
17 prior to surgery?

18 A. I'm not sure.

19 Q. Is there any reason why you would consider the
20 cornea thickness of a surgical candidate that you're
21 aware of?

22 MS. NEWMAN: For lasik.

23 BY MR. KAFRISSSEN:

24 Q. For lasik surgery?

1 because yours was very organized.

2 THE WITNESS: No.

3 BY MR. KAFRISSSEN:

4 Q. No, what?

5 A. No. I didn't measure cornea thickness.

6 Q. Okay.

7 A. Prior to that surgery.

8 Q. Prior to the lasik on 3/20?

9 A. Correct.

10 Q. Why not?

11 A. That was not standard of care in 1997.

12 Q. You just said that it wasn't standard of care to
13 measure cornea thickness in 1997, is it your testimony
14 that regardless of what the vision of the patient you
15 were dealing with was, you would have to measure
16 corneal thickness?

17 MS. NEWMAN: Objection. What she
18 said was, she's not sure if she considered
19 corneal thickness in this case, but there
20 would be times that she would consider it.

21 MR. KAFRISSSEN: Well, what she said
22 is that in this case, though, looking
23 through the records, she did not measure
24 corneal thickness.

1 A. Yes.

2 Q. Tell me what is the reason you would consider the
3 corneal thickness?

4 A. The corneal thickness determines how much tissue
5 is available to be removed.

6 Q. Now, you said you are not sure if you determined
7 Cheryl's corneal thickness prior to surgery, why are
8 you unsure?

9 A. I would have to go through the surgery center
10 records.

11 Q. Okay. Well, the surgery center record -- why
12 don't you do that. I think the surgery center records
13 are actually in date order. So when you say you have
14 to go through the record you're talking about just the
15 3/20 surgery record, correct?

16 MS. NEWMAN: Is that correct?

17 THE WITNESS: Yes, if I -- yours may
18 be in date order, I'm not sure what I have
19 here is in date order. So why don't I look
20 at yours.

21 MS. POST: The one that I have, I
22 have it in reverse order.

23 MR. KAFRISSSEN: You do.

24 MR. KAFRISSSEN: I'm using yours

1 MS. NEWMAN: She answered in general
2 before and you misstated her testimony.

3 MR. KAFRISSSEN: Oh, okay.

4 BY MR. KAFRISSSEN:

5 Q. You just testified that standard of care in 1997
6 did not require you to measure corneal thickness prior
7 to lasik surgery; is that correct?

8 A. Yes.

9 Q. Is it your testimony that was the standard of
10 care in 1997 regardless of the vision and the
11 refraction of the patient you were dealing with?

12 MS. NEWMAN: I'm just going to object
13 to relevance at this point.

14 MR. KAFRISSSEN: Well, I think that is
15 relevant. I think that if the doctor's
16 position is that the standard of care was
17 that no matter what patient you were
18 confronted with in 1997 that the standard
19 of care did not require you to measure
20 corneal thickness. And I just want to know
21 that, what is her opinion.

22 MS. NEWMAN: Go ahead, you can answer
23 the question.

24 THE WITNESS: What was the question?