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1 MS. NEWMAN: Go on.
 2 DR. FRIEDMAN: It doesn't have anything
 3 to do with what the time was.
 4 MS. NEWMAN: Question, please.
 5 BY DR. FRIEDMAN:
 6 Q. Doctor, what were you charging in April 1998
 7 for performing LASIK eye surgery? What did you
 8 charge Mr. Morgan?
 9 MS. NEWMAN: That you may answer. Go
 10 ahead.
 11 A. \$2,500.00 per eye.
 12 Q. Was that your usual and customary fee?
 13 A. Yes.
 14 Q. Was that fee larger than what was necessary to
 15 recover the costs of manufacture, research,
 16 development and handling of the device?
 17 MS. NEWMAN: Don't answer the
 18 question.
 19 MR. LAPAT: Objection.
 20 MS. NEWMAN: Just don't answer the
 21 question, next question.
 22 Q. Doctor, do you know what it costs to
 23 manufacture, research, develop and handle the
 24 device?

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1 MS. NEWMAN: Don't answer the
 2 question. Next question, please.
 3 MR. LAPAT: Objection.
 4 Q. In performing LASIK surgery, I believe you
 5 said that the results could not make a person's
 6 visual acuity any better than what his best
 7 corrected acuity preoperatively. Did you say that?
 8 MR. LAPAT: Objection. Who knows what
 9 you just said. That was a badly mangled question
 10 and I don't think she understands it.
 11 MS. NEWMAN: Did you understand the
 12 question, Doctor?
 13 THE WITNESS: No.
 14 Q. Doctor, I want to just turn your attention to
 15 when LASIK surgery is performed, in what number of
 16 patients or percentage of patients are the results
 17 to the patient not satisfactory?
 18 MS. NEWMAN: Don't answer the question.
 19 MR. LAPAT: Objection; vague.
 20 MS. NEWMAN: She can't answer what
 21 someone else thinks and what someone else feels.
 22 Q. Doctor, what percentage of patients that you
 23 or your group have performed LASIK surgery on have
 24 expressed dissatisfaction with the procedure?

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1 MS. NEWMAN: Don't answer the
 2 question.
 3 MR. LAPAT: Objection.
 4 MS. NEWMAN: Next question, Counsel.
 5 Q. Doctor, at the time that you operated on
 6 Mr. Morgan in 1998 had you had experience doing
 7 LASIK surgery on other patients with retinopathy of
 8 prematurity?
 9 MS. NEWMAN: You may answer.
 10 A. I don't recall.
 11 Q. At the time you operated on Mr. Morgan in
 12 April 1998 had you had any experience operating on
 13 patients whose visual acuity was in the 20/50 level?
 14 MS. NEWMAN: Don't answer the question.
 15 Q. Had you had any experience at the time you
 16 operated on Mr. Morgan in April 1998 performing
 17 LASIK on patients who had visual acuity in the 20/40
 18 level?
 19 MS. NEWMAN: Can you answer that?
 20 A. Yes.
 21 Q. And had you had experience with patients who
 22 had visual acuity in the 20/40 minus radius?
 23 A. I don't recall.
 24 Q. Pardon me?

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1 A. I don't recall.
 2 Q. How about 20/40 minus 2?
 3 MS. NEWMAN: Do you recall?
 4 A. I don't recall.
 5 Q. I'll ask it in case I didn't cover it, how
 6 about 20/50?
 7 MS. NEWMAN: I said, "Don't answer the
 8 question."
 9 Q. Doctor, how do you explain Mr. Morgan's
 10 decreased visual acuity postoperatively?
 11 MS. NEWMAN: As of March 27, 2000?
 12 DR. FRIEDMAN: Yes.
 13 A. He's developed cataracts.
 14 Q. Is that the only reason for his decreased
 15 visual acuity? Is there any other . . .
 16 A. I can't say.
 17 Q. During the time that you were seeing
 18 Mr. Morgan did you consider that there would be any
 19 other explanation other than cataracts?
 20 A. Yes.
 21 Q. And what did you consider?
 22 A. Considered retinal disease, considered optic
 23 nerve disease, considered corneal problems.
 24 Q. And did you eliminate these?