

Nevyas, M.D.

1 THE WITNESS: Okay. Yes. I'm not sure
2 what my status is -- they've changed the
3 status of people who don't operate there at
4 Wills and I do not believe that I am on -- in
5 the same capacity. I'm not sure what it was.
6 There was some kind of courtesy staff and I'm
7 not sure what my current capacity is because I
8 haven't operated there in many years.

9 BY MR. KAFRISSEN:

10 Q. Do you have privileges to operate at Wills Eye
11 at present?

12 A. I have privileges to operate at the Wills Eye
13 Surgical Center in New Jersey, which I had applied for.
14 I do not know whether my privileges are active or not at
15 Wills right now. I'm pretty sure I do have privileges to
16 operate but I'm not positive because I haven't operated
17 there in many years.

18 Q. Okay.

19 A. West Park Hospital is not in existence anymore.
20 Oh, I'm sorry, it does give a limited, the hospital
21 appointments here. Let me look at the open ones. Yeah,
22 I'm not sure what my courtesy staff or what my
23 designation is at Wills presently.

24 The City Avenue Hospital is no longer
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1 open so I'm not -- that's a moot point, my appointment
2 there. That's all. I have privileges at Presbyterian
3 and Medical College of Pennsylvania.

4 Q. Okay. And you had also mentioned faculty
5 appointments.

6 A. Yes. I'm -- I do not know what my current
7 faculty appointment is at the University of Pennsylvania.
8 I may not have one because, again, I haven't been
9 teaching there in a good while, and my faculty
10 appointment is at Medical College of Pennsylvania, where
11 I am a full professor.

12 Q. Okay.

13 A. And at Jefferson, again, that was through the
14 Wills affiliation that I had a faculty appointment. I've
15 never been told that I don't have one, but I haven't done
16 teaching there in many years so I'm not sure.

17 Q. Okay. Is there anything else within the
18 faculty or the hospital appointments that you're aware
19 of?

20 A. Not that I can think of.

21 Q. And then I think you said there may be some
22 publications that are more current.

23 A. I'm not sure. I'd have to check at this point.
24 Let's see. I may have -- there may be some other
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1 publications where my name has been involved where I was
2 not the primary author, and I'm not sure of that right
3 now.

4 Q. Could you describe for me what your current
5 practice is like.

6 A. My current practice is basically surgical
7 ophthalmology.

8 Q. Okay. And was your practice any different in
9 1997?

10 A. No.

11 Q. And when you say surgical ophthalmology, can you
12 just describe for me what you mean by that.

13 A. Well, I primarily do anterior segment surgery;
14 that is, surgery of the anterior segment of the eye.
15 That involves cataract surgery, which is most of the
16 surgery that I do that is not nonrefractive; corneal
17 transplantation and other minor procedures, and I do
18 refractive surgery which involves refractive lensectomy,
19 Lasik, laser thermokeratoplasty, astigmatic keratotomy,
20 radial keratotomy and astigmatic -- did I say refractive
21 lensectomy?

22 Q. Yes.

23 A. Intac placement, I-N-T-A-C. Any other
24 procedures that might come up that are refractive. There
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1 are others -- I can't think of any -- modifications of
2 what I mentioned but that's the majority.

3 Q. In 1997, were you practicing full-time?

4 A. Yes.

5 Q. Now, do you have your complete file here with
6 you today?

7 A. Only on the Fiorelli case?

8 Q. Yes.

9 A. Yes.

10 Q. And can I take a look at that.

11 MS. POST: Off the record.

12 (Discussion held off the record.)

13 BY MR. KAFRISSEN:

14 Q. Let me ask you this, Doctor. The records that
15 you have here, the copy of Cheryl Fiorelli's records,
16 does that include the Laser Institute records as well?

17 A. Yes.

18 Q. And are those the records that were produced --

19 MS. POST: At what point?

20 MR. KAFRISSEN: Well, during discovery.

21 MS. POST: Yes. Yes.

22 MR. KAFRISSEN: What I'm asking is do I
23 have a complete copy of this so I don't have
24 to go through all these pages?

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1 MS. POST: I believe you do. What I
2 have produced to you are the office records
3 from Alternative Nevyas Eye Associates as well
4 as the Delaware Valley Laser Surgery Institute
5 records. They're two separate charts which
6 have been provided to you.

7 MR. KAFRISSEN: Okay.

8 MS. POST: Okay?

9 MR. KAFRISSEN: Okay.

10 BY MR. KAFRISSEN:

11 Q. The documents -- is there anything that you're
12 aware of that is missing from the file that you brought
13 with you today?

14 MS. POST: Meaning are there other
15 records?

16 MR. KAFRISSEN: Other records.

17 MS. POST: Other than --

18 THE WITNESS: I didn't bring her
19 financial records.

20 BY MR. KAFRISSEN:

21 Q. And the financial records would be the billing
22 records?

23 A. The billing records.

24 Q. Would the billing records be from the practice
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1 or from the surgical institute?

2 A. Both.

3 Q. Both, okay.

4 Have you ever been asked to review a
5 potential medical malpractice case?

6 A. Yes.

7 Q. Have you been asked on one occasion or more
8 than one occasion?

9 A. More.

10 Q. Have you ever agreed to serve as an expert in a
11 malpractice case?

12 A. Yes, I have.

13 Q. Can you estimate for me on how many occasions?
14 A. Many years, 50, maybe 100 over quite a few
15 years.

16 Q. Have those cases been inside Philadelphia
17 County or outside of the County?

18 A. Both.

19 Q. Within the last, say, five years, have you
20 testified within Philadelphia County?

21 A. By "testified," do you mean in court?

22 Q. In court.

23 A. I haven't -- I've only -- I've never testified
24 in Philadelphia County.

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