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August 19, 2003

Becky Miller, M.D., Chief of Staff
Century City Hospital
2070 Century Park East
Los Angeles, California 90067

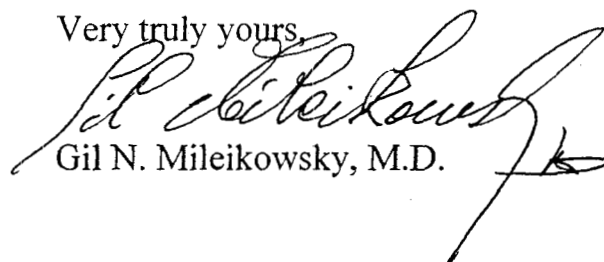
**Re: *Motion for Recusal of Suzanne Fullerton Van Hall, Esq.
As Hearing Officer in the Matter of Gil N. Mileikowsky, M.D.***

Dear Dr. Miller:

Thank you very much for the opportunity to address the Medical Executive Committee on the important question of the recusal of Suzanne Fullerton van Hall, Esq. as Hearing Officer in this matter.

Attached is my two page written statement.

Very truly yours,


Gil N. Mileikowsky, M.D.

STATEMENT OF GIL N. MILEIKOWSKY, M.D.
IN SUPPORT OF MOTION FOR RECUSAL OF SUZANNE VAN HALL, ESQ.

Both by letter and in voir dire examination, Ms. van Hall revealed facts about herself that make it clear that she is not qualified under Article VIII, Section 5D of the Medical Staff By-Laws, which require that ". . .the hearing officer shall not be biased for or against the practitioner, will gain no direct financial benefit from the outcome and must not act as a prosecuting officer or as an advocate for any party."

Ms. van Hall's frank factual disclosures render her an entirely unsuitable choice as Hearing Officer and require that she either recuse herself, or be asked to do so by The Medical Executive Committee. In brief, the facts that Ms. van Hall has revealed are these:

A. She was selected for the position of Hearing Officer by John Harwell, Esq. the prior Hearing Officer, who was asked by the MEC and myself to recuse himself because of the appearance of impropriety. He was then serving simultaneously as a Hearing Officer in this proceeding and as the Hearing Officer in a similar proceeding involving any privileges at West Hills Hospital, where some of the charges are identical.

B. Mr. Harwell and Ms. van Hall have a history of referring business to one another. From time to time, one of them will cause the other to be appointed as a Hearing Officer in a matter in which the first represents a party.

C. It would be virtually impossible for Ms. van Hall not to protect Mr. Harwell's conduct at West Hills Hospital, where he acted grossly in excess of his authority by denying me due process and summarily aborting my hearing, invoking "terminating sanctions" arising out of pre-hearing discovery matters. Apparently the West Hills Hospital matter is a subject of concern in the proceeding here at Century City.

D. The California Supreme Court has clearly held that a hearing officer in administrative proceedings may not have any economic relationship, past, present or future, with a party to the proceeding. Ms. van Hall's professional preferences, background and experience in healthcare matters establish that she must necessarily have such an economic interest in this proceeding.

E. Ms. van Hall has a distinct economic interest in these proceedings; she has enjoyed a lengthy career in representing hospitals and their medical staffs in proceedings such as these. She has a reasonable expectation that such assignments will continue, but, I suggest, only if she continues to act in the interests of hospitals and their medical staffs.

F. Ms. van Hall has close ties with Jay Christensen, Esq. an attorney for Tenet and its

hospitals, Encino Tarzana Regional Medical Center and Century City Hospital. Ms. van Hall and Mr. Christensen were formerly partners.

G. Ms. van Hall had a prior employment relationship with Cedars Sinai Medical Center. Charges involving my privileges at Cedars Sinai Medical Center will also be considered in this proceeding.

Moreover, Ms. van Hall's inability to serve independently, impartially, and without bias is exemplified by these additional facts:

- She has never represented a practitioner in twenty-five years of participation in medical staff discipline proceedings;
- She, like Mark Kawa, Esq., another Tenet attorney, who represents the Administration of Encino Tarzana Regional Medical Center and Medical Executive Committee of Century City Hospital, has expressed herself in professional circles, both in oral presentations and in writings, as an expert on "disruptive physicians" and how they can be most effectively silenced and excluded by hospitals and their medical staffs. Most if not all of Century City's charges against me allege "disruptive conduct."
- Ms. van Hall revealed that she has worked with other attorneys, hospitals and medical staffs to attempt to devise means and procedures to deal with "disruptive physicians" in a manner that circumvents their due process, fair hearing rights. It strains credulity for Ms. van Hall to suggest, in light of her extensive professional background and experience adverse to practitioners, that she has the ability to be impartial and unbiased in this matter.
- Ms. van Hall regularly serves as a prosecutor of physicians who stand, as I do, for quality of care, and find themselves in confrontational situations with their hospitals and medical staff organizations.
- Ironically, her lack of neutrality is revealed by the unbalanced beam of the scale of justice that is a part of her letterhead. Clearly, she does not hold herself out to be neutral.

If the Medical Executive Committee shares my view that Ms. van Hall is unqualified to serve, and wishes to replace her with a person that has suitable qualifications for impartiality, I would be pleased to pay one-half of the fees charged by a retired judge, whose integrity and impartiality is beyond reproach, Judges Robert Feinerman, and Robert Altman for example, would certainly qualify.

Gil N. Mileikowsky, M.D.

Telephone: (310) 858-1300

Facsimile: (310) 858-1303

Fax Cover Sheet

CONFIDENTIAL

Date: 8-20-03

Time: 6:00 PM

Century City Hospital [CCH]

Attn: James Barnes

Fax: (310) 2016623

Medical Staff Coordinator. TEL (310) 2016646

From: Gil N. Mileikowsky, M.D.

Number of Pages, Including This Cover Sheet: 4 pages

If you do not receive all pages, please call me as soon as possible at (310) 858-1300.

Message:

Dear James,
Following, please find my letter to
Dr. B. Miller, M.D. - Chief of Staff
and my 2 page Summary Regarding
the basis for my motion to the MEC
to request that Mrs Van Hall recuse
herself, to be discussed on 8/21/03 by the MEC.
Thanks, Gil

THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY ME IMMEDIATELY BY TELEPHONE THANK YOU.

ACTIVITY REPORT

Report printed 8/20/03 at 6:10 PM

TIME : 05/13/2003 07:29

NO.	DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
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	05/12	05:18		01:34	05	OK	RX ECM
	05/12	06:38		03:27	08	OK	RX ECM
	05/12	07:22		35	01	OK	RX ECM
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BUSY : BUSY/NO RESPONSE
 NG : POOR LINE CONDITION
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 CA : CALL BACK MSG
 POL : POLLING
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Confirmations of FAX transmissions of
 my FAX to James at CCH on 8/20/03 at 6:00 PM