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Facsimile From Suzanne F. van Hall, P.C.

Cover Sheet

Date: August 3, 2003

| To: | Facsimile No: | Phone No.: |
|--------------------------|---------------------------------|---------------|
| Gil N. Mileikowsky, M.D. | (310)858-1303 and (818)981-1994 | |
| Peter Wolfe, M.D. | (310)201-6623 | |
| Russell Iungerich | (310)697-0289 | (310)697-0288 |
| Mark Kawa | (310)318-3168 | (310)318-3198 |

Number of Pages, including the cover: 9

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August 3, 2003

By Facsimile (310)858-1303 and (818)981-1994 and Mail

Gil N. Mileikowsky, M.D.
5363 Balboa Boulevard, Suite 245
Encino, California 91316

By Facsimile (310)201-6623 and Mail

Peter Wolfe, M.D.
c/o James Barnes
Medical Staff Services Office
Century City Hospital
2070 Century Park East
Los Angeles, California 90067

Re: Century City Hospital, Dr. Gil N. Mileikowsky
Voir Dire

Dear Dr. Mileikowsky and Dr. Wolfe:

As I indicated in my letter dated July 30, 2003, we have scheduled a continuation of my voir dire for Tuesday, August 5, 2003, at 3:00 p.m. at Century City Hospital. I will be there in person and I understand both of you will attend as well. I have asked James Barnes to arrange for a court reporter. Please check in at the Medical Staff Office with Mr. Barnes to find out in which room we will meet.

In order to help you prepare for the voir dire, I am providing this written response to the questions posed by you, Dr. Mileikowsky, in your letter dated July 22, 2003.

1. My formal education since high school is described in my curriculum vitae, which is attached (and which was previously provided to you both).
2. My employment history since college is described in my curriculum vitae. The jobs I held during my college years are irrelevant. I left each position because a better opportunity became available. I have actually had the fortune in my life to never be terminated from any position.

Gil N. Mileikowsky, M.D.

Peter Wolfe, M.D.

August 3, 2003

Page 2



3. I do not have a record of the number of cases in which I have served as a hearing officer in a Medical Staff hearing, but I would estimate fifteen hearings. As these are confidential matters, I will decline to name the hospitals, the attorneys who were involved or the names of the administrators. I can assure you, however, that none of those hearings involved Century City Hospital, any Tenet Healthcare System hospital, or the attorneys who are involved in this matter (Messrs Kawa and Iungerich), or (to my knowledge) any of the administrators from Century City Hospital.
4. I have never ordered sanctions for conduct relating to discovery nor have I ever dismissed a hearing or appeal.
5. My client base includes primarily hospitals, and to a lesser degree individual doctors, physician groups and individuals. I have not represented insurers or government licensing agencies. I will decline to provide the names of my clients or the work I have done for them. I can state, however, that I have not represented Century City Hospital nor any of the doctors who I know at this time to be involved in this matter. (See the answer to questions 6, 7, and 8 below).
6. As I have previously disclosed to you, more than 10 years ago I provided a set of model medical staff bylaws to what was then National Medical Enterprises (I believe) to share with individual hospitals. I do not know if Century City Hospital ever received that document or used it to any degree. Other than that, I have had no client relationship with Tenet Healthcare Systems or its predecessors, nor do I anticipate any such relationship in the future. I have not done any work for Columbia/HCA, Century City Hospital, Encino-Tarzana Regional Medical Center, or West Hills Hospital and Medical Center. As I have previously disclosed, I worked at Cedars-Sinai Medical Center from 1975 through 1980 in administration. After I left Cedars-Sinai, I represented Cedars-Sinai Medical Center in several medical staff matters that concluded more than 10 years ago. I have not done any work for them since then and anticipate none in the future. I have provided some legal advice to Northridge Hospital Medical Center, which is a part of Catholic Healthcare West, from time to time and anticipate that will continue.
7. My answer to question 6 covered the questions regarding my relationships with the hospitals and companies you mention in paragraphs a through f. I have never met and do not know Steve Tullman, Ron Stern, Dr. B. Miller, Anna Suda, Joseph Cilic, a Ms

Gil N. Mileikowsky, M.D.

Peter Wolfe, M.D.

August 3, 2003

Page 3



Sturman, or Ralph Helton. I have met Barbara Joyner at medical staff conferences but I do not recall ever working with her on any matters at any hospitals. Prior to this hearing I did not know Mark Kawa, Dr. S. Kay, Peter Wolfe, M.D., or Mr. James Barnes, and my only contact with them has been in connection with this hearing. I have already disclosed that I worked with Jay Christensen at Musick, Peeler & Garrett and at Girard, Ellingsen, Christensen and van Hall. I have not worked with him since 1988 and do not anticipate doing so in the future. I met Stephen Auer once, I believe, at a health care attorneys conference. I cannot recall any professional contacts with him. I know Lynn Kaufman, James Lahana, John Harwell, Daniel Willick, and Peter Rank professionally and have on rare occasion been involved in matters in which they were representing other parties. John Harwell has served as a hearing officer in several cases in which I have represented the medical executive committee and Daniel Willick has served as the hearing officer in one case in which I represented the Medical Executive Committee and both have been opposing counsel in matters in which they were representing physicians and I was representing the Medical Executive Committee. Lowell Brown started as an associate at Musick, Peeler & Garrett while I was there and left with us to join the firm of Girard, Ellingsen, Christensen and van Hall as an associate.

Without consulting a firm directory, I can tell you from my personal knowledge that I do not think I know any attorneys who are presently with Ervin, Cohen and Jessup, in house with Tenet; or in house with Columbia/HCA. I know many of the attorneys at K and R Law Group, Latham and Watkins, and Foley and Lardner. I know only Jay Christensen from Christensen and Auer and only Lynne Kaufman from Fenigstein and Kaufman. I know these attorneys professionally and have, on occasion, had been involved in matters in which they were also involved with the same parties, other parties or opposing parties in the case.

I do not know Daley Surowitz, Gerald Clute, Gary Robinson (although I know a lawyer in Santa Barbara by the name of Gary Robinson), Debbie Miller, Rose (Rosie) Franco, Laurie Holoff, Patricia Jones, Jim Sherman, or Mason McWilliams. I also do not know any of the physicians you next list: Drs. Schiller, Daryl Alexander, Sunit Ben Ozer, Stephen Cooper, Gary Disok, Allan Ention, Brian Fenmore, Eugene Goatwick, Paul Greenberg, Theodore Hariton, Allan Lichtman, Douglas Morriw, Stephen Pine, Sheldon Schein, James Shields, Peter Rubenstein, William Treiger, Michael Vermesh, Jerome Venet, R. Levey, Gelun Irani, or Richard Wulfsberg.

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Gil N. Mileikowsky, M.D.
Peter Wolfe, M.D.
August 3, 2003
Page 4

I look forward to meeting both of you in person on Tuesday.

Thank you for your courtesy and cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Suzanne F. van Hall".

Suzanne F. van HALL, Esq. P.C.
for van Hall Law Office

cc: Russell Iungerich
Mark Kawa

Evergreen, CO 80439
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Curriculum Vitae

Education

Undergraduate Education:

Occidental College, BA, June, 1974, Major: Psychology

Graduate Education:

University of California at Los Angeles, MA, Psychology, June, 1975

Loyola University School of Law, Los Angeles, JD, June, 1980

Admitted to Practice Law:

California 1980

Colorado 1986

Working Experience

Cedars Sinai Medical Center, Los Angeles, Various positions, final position: Assistant Administrator, 1975 through 1980

Musick Peeler and Garrett, associate, 1980 to 1985

Girard Ellingsen Christensen and van Hall, partner, 1985 to 1988

Jeffer, Mangels, Butler & Marmaro, of counsel, partner, 1988 to 1996

Van Hall Law Office, 1996 to the present

Recent Articles:

Conflict of Interest, Disclosure and Resolution; Cost & Quality, March, 1998

Re-engineering the Medical Staff, Simplify, Simplify, Simplify; Cost & Quality, July, 1997.

Avoiding Problems in Practice Acquisition and Recruitment, Cost & Quality, Apr. 1997.

Credentialing Tips; Forum, So. CA Assn. For Healthcare Risk Management, Apr. 1997.

Vana v. Vista Settled; Case Law Unsettled. California Health Law News, Winter, 1994.

The Medical Staff – Is It Different Yet? Overview, Fall 1994.

Fraud and Abuse Case Scenarios, California Health Law News, Spring 1994.

Model Medical Staff Rules, 1992, 1995.



Medical Staff Hearings: What to Expect at a Medical Staff Hearing, a brochure for hearing committee members.

Co-Author, California Healthcare Assn. Model Medical Staff Bylaws and Rules, 1995, 1997.

Medical Staff – Recent Presentations:

Paperless Credentialing, Washington State Assn. Of Medical Staff Services, May 8, 2002

Paperless Credentialing and Virtual Medical Staff, National Assn. Of Medical Staff Services, October 22 and 24, 2001.

Dealing with Impaired and Disruptive Physicians, American Health Lawyers' Annual Meeting, June 20, 2001.

Back to Basics, California Society for Healthcare Attorneys Annual Meeting, March 16, 2001

Medical Staff Issues, San Gabriel Chapter of CAMSS and Daniel Freeman Hospitals, March 23, 2001

Strategies for Living with JCAHO's Latest Revisions and California's Restrictions on Exclusive Contracting Arrangement, California Society for Healthcare Attorneys Annual Meeting, March 16, 2001.

Legal Issues: Managed Care Organizations and Hospitals: How Can They Work Together Given the Commonalities and the Differences, NAMSS, Las Vegas, Sept. 24, 2000;

Preparing for a High Stakes Peer Review Hearing; American Health Lawyers' Annual Meeting, Washington DC, June 20, 2000.

Medical Staff Leadership, Swedish Medical Center, Seattle, WA April 1, 2000.

Sharing Quality Information with HMOs. California Assn. Of Quality Assurance Professionals, Manhattan Beach, CA april 4, 2000.

Legal Issues Update; NAMSS, Tennessee, TN, Sept. 16, 1999.

Profiling and Quality, Quality Assn. Of Quality Assurance Professionals, San Diego, CA April 8, 1999.

Disruptive Physicians, Shermans Oaks, Hospital, September 10, 1998.

Don't Let the COBRA Bite You. Orange County CAMMS, April 22, 1998.

Dealing with Disruptive and Impaired Physicians, Ventura County CAMMS, March 11, 1998.

Annual Medical Staff Conference, hosted by Daniel Freeman Memorial Hospital and the San Gabriel Chapter of CAMSS, March 23, 2001, Nov, 1998, Nov. 1997, Sept. 1996, Jan, 1995, Fall each year, 1984-1994.

Medical Staff Bylaws and Rules, CAMSS Annual Meeting, May 1996;

Centralized Credentialing, Orange Co. CAMSS, February, 1996

Model Medical Staff Bylaws, Rules and Applications, California Healthcare Assn., March 1997, March 1995, and October 1995.

Physician Recruitment and Acquisition: Methods for Avoiding and Curing Problems. 1995 American Academy of Healthcare Lawyers Annual Meeting, June 1996.



- 8/20/01 AHLA - Annual Meeting, Florida, Credentialing and Peer Review Substantive Law Committee luncheon: Handling Impaired and Deficient Doctors
10/22,23/01 NAMSS - Chicago

2000 SPEECHES AND PUBLICATIONS

- 4/1/00 Judi Hoff, Swedish Medical Center, 206-386-2550.
4/4/00 Manhattan Beach QA Professionals Sharing Quality Information with HMOs. Grant McArn
8/20 and 21/00 American Health Lawyers, Annual Meeting: Preparing for a High Stakes Peer Review Hearing. Washington DC
9/25/00 NAMMS - Las Vegas - Howard Bogard (205)458-5416

1999 SPEECHES AND PUBLICATIONS

- 3-19 to 21 CSHA Back to Basics, Hyatt Newporter Liz Jagla
4-8 and 9 Quality Professionals; Grant McArn 10:15-11:15 San Diego, Horton Grand. Topic: Profiling and Quality. Most = QA professionals, some risk management.
6-18 to 21 CAMMS, Santa Barbara, Medical Staff Bylaws, Paula Anderson, (805)964-9840 x151
9-16 & 17 NAMMS Legal Issues Update Nashville TN (Vick) 949-719-9030

1998 SPEECHES AND PUBLICATIONS

- 2-13-98 Sharp Medical Staff Seminar -Barbara Grondona (619)541-3525 Corinne Duran Vicki Searcy bundling privileges; Cary Miller; Dr. Bustmark: computers & medicine
2-12-98 Sharp medical staff leadership conference Grossmont; Michael Long MD (619)589-6074
2-9 and 2-10 UCSD Medical Center Raylene Kelsberg 619-543-6630, beeper (619)918-8753 FAX (619)543-6944 Medical Staff Issues - evening lecture and early morning: \$875
3-11-98 Ventura CAMMS: Dealing with Disruptive and Impaired Physicians. Jill Meredith St. Francis. Fax (805)568-5790
3-20-98 California Society for Healthcare Attorneys; Back to Basics Monterey
4-22-98 Orange County CAMMS: *Don't Let the COBRA Bite You*. OCMA conference center.
5-16-98 Exempla Lutheran Medical Staff Retreat: Medical Staff Bylaws and Rules.
9-10-98 Sherman Oaks 12:30-1:30 *Disruptive Physicians*
11-6-98 Fourteenth Annual Medical Staff Issues: 9:30 - 3:30 Daniel Freeman Memorial

Articles:

Conflict of Interest Cost and Quality Winter, 1998.

1997 SPEECHES AND PUBLICATIONS

- 1-28-97 Sue Loeschner (818)767-3310 Long Beach Chapter of CAMSS, *Patient Rights* Bay Harbor Hospital.
3 4th & 6th 97 CHA - Model Medical Staff Bylaws Seminar. CPP App, OP Surg -- coordinating credentialing and CQI, Re-engineering and the bylaws.
3-7-97 CSHA: *Back to Basics*, Ojai, Annual Meeting
3-8-97 CSHA: Computer Nerds - Breakfast Table
4-7-97 CU Health Administration; *Antitrust* 7:00 -7:45 p.m. Blair Gifford, 556-5866
6-5-97 CAMMS: Ventura; Santa Barbara Chapter: Patient Advocates.
6-17-97 Huntington Beach Medical Center, "Don't Let the COBRA Bite You:When the Law Allows Patients to be Refused, Transferred or Discharged"
6-26-97 Risk Management: Dee Agullar *Healthful Law* (916)781-4610 La Jolla Adventist
11-7-97 Thirteenth Annual Medical Staff Seminar, Daniel Freeman Memorial Hospital, 9:30 a.m.-3:15p.m.
12-2-97 Hanford Medical Center Vicki Rocha 209-585-5458 Medical Staff Issues \$2760

SUZANNE F. VAN HALL CURRICULUM VITAE



Page 4

12-2-97 Hanford Medical Center — Medical Staff: Treatment, Documentation Issues
 12-5-97 Marge Goodman Sonoma 707-523-7175 Medical Staff Issues —\$3,000.00. 1997 Medical Staff
 Issues. 9:00 to 3:00 p.m.

Articles: *Re-engineering the Medical Staff, Cost and Quality* Winter, 1997

1996 SPEECHES AND PUBLICATIONS

- 1-17-96 St. Francis Medical Center, Santa Barbara: *Ethics* Father Zozos and Lloyd Saaitjian
 2-21-96 Orange County: Lani Canatsey, *Centralized Credentialing*
 3-15-96 CA Society for Healthcare Attorneys, Annual Meeting; 10:30 - noon; *Back to Basics*
 3-17-96 CSHA 9-10 *Provider Deselection*
 3-28-96 8:10 - 9:00 a.m. *Legal Issues Resulting from Financial Constraints in the 90s* San Fernando Chapter
 of the American Assn. of Critical Care Nurses, Diane Parker (818)907-4584 \$150
 Sportsmen's Lodge
 5-4-96 11:30 - 12:30 Valley Hospital Annual Medical Staff Retreat *Provider Deselection: Advocating*
for Patients Nina Hirsch (818)885-5428 Anaheim, Disneyland Hotel
 5-24-96 California Assn of Medical Staff Services, Annual Meeting, *Medical Staff Bylaws and Rules* Mary
 Morley, Beverly Hills 8:30 - 9:30
 6-13-96 St. Francis Medical Center; Medical Staff Quarterly Meeting, *Sexual Harassment -- Implications for*
Doctors as Medical Staff Members and Employers, 5:00-7:00 p.m.
 6-24-96 American Academy of Healthcare Attorneys, *Physician Recruitment, Methods for*
 6-26-96 *Avoiding and Curing Problems*. With; John Zipprich, Hotel Del Coronado, San Diego
 9-25-96 JMBM Healthcare/Labor Breakfast: *"Whistle blowers" in Healthcare*; 7:45-9:00 a.m., LA
 10-9-96 San Fernando Valley Chapter of CAMSS, at Kaiser Panorama Ellen Gail (818)364-3031 *Provider*
Deselection: Advocating for Patients
 10-10-96 JMBM Healthcare/Labor Breakfasts: *Screening Employees: Getting the Good, Avoiding the*
Bad, 7:45 a.m. to 9:00 a.m., Los Angeles.
 10-11-96 Twelfth Annual Medical Staff Issues Seminar, Daniel Freeman, 10:00 am to 2 p.m.
 10-12-96 Northridge Hospital Medical Center, *Proctors, Exclusives, and Evolution: Will Change Ever*
Cease? Palm Springs, 10:30 a.m. to 11:30 a.m.
 11-7-96 JMBM Healthcare/Labor Breakfasts: *Independent Contractors or Employees?* 7:45-9 a.m., LA
 Aspen Publishers: *Medical Ethics, Policies, Protocols, Guidelines and Programs*, April 1996, John Monagle &
 David Thomasana, Lynn C. Antosz Editor (301)417-7500 FAX(301)417-7550
- Articles/Books