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BERNARD J. DIMURO

VA., D.C. & IL. BARS

JONATHAN R. MOOK

VA. & D.C. BARS

CHARLES RUST-TIERNEY

VA. & D.C. BARS

STEPHEN A. KATZ

VA. BAR

WASHINGTON OFFICE

200 INVESTMENT BUILDING

1511 K STREET, N.W.

WASHINGTON, D.C. 20005

(202) 463-8768

February 17, 1987

Bernard J. Carroll, M.D., Ph.D.  
Professor & Chairman  
Duke University Medical Center  
Department of Psychiatry, Box 3950  
Durham, North Carolina 27710

Re: Osheroff v. Chestnut Lodge, et al.

Dear Dr. Carroll:

The jury trial of Dr. Osheroff's claims against Chestnut Lodge has now been set to commence on October 5, 1987. Your assistance during the Health Claims Arbitration proceedings was extremely helpful and I believe that we shall again need to call upon your assistance in presenting the case to a jury. Although we have not finalized our list of expert witnesses to call at trial, I trust that you would be available to testify should the need arise.

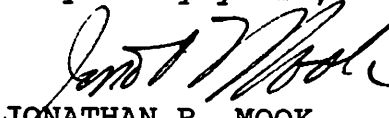
Would you kindly let me know concerning your availability in October. The Court has blocked off the entire month of October for the case, but I anticipate that the actual proceedings will take no longer than 2-3 weeks, depending upon the number of witnesses.

Pre-trial in the case will be in May, 1987, with the expectation that depositions of experts will be taken in early June. In light of this time frame, I shall be back in touch to provide you with more details concerning the case, as well as to discuss the type of testimony which you could provide.

Bernard J. Carroll, M.D., Ph.D.  
Page 2  
February 17, 1987

I thank you for your patience with regard to this litigation. As you undoubtedly are aware, this is a precedent setting case with regard to psychiatric malpractice which touches upon a number of important psychiatric-legal issues. We, therefore, intend to present as complete and well developed a case as possible and look forward to working with you in making such a presentation.

Very truly yours,



JONATHAN R. MOOK

JRM/sr  
cc: Raphael J. Osheroff, M.D.

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(202) 463-8768

February 17, 1987

Gerald L. Klerman, M.D.  
Paine Whitney Psychiatric Clinic  
Cornell University  
525 East 68th Street  
New York, New York 10021

Re: Osheroff v. Chestnut Lodge, et al.

Dear Dr. Klerman:

The jury trial of Dr. Osheroff's claims against Chestnut Lodge has now been set to commence on October 5, 1987. Your assistance during the Health Claims Arbitration proceedings was extremely helpful and I believe that we shall again need to call upon your assistance in presenting the case to a jury. Although we have not finalized our list of expert witnesses to call at trial, I trust that you would be available to testify should the need arise.

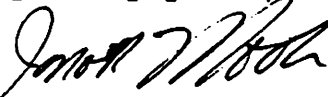
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Gerald L. Klerman, M.D.  
Page 2  
February 17, 1987

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Very truly yours,



JONATHAN R. MOOK

JRM/sr  
cc: Raphael J. Osheroff, M.D.

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February 17, 1987

Donald F. Klein, M.D.  
New York State Psychiatric Institute  
722 West 168th Street  
New York, New York 10021

Re: Osheroff v. Chestnut Lodge, et al.

Dear Dr. Klein:

The jury trial of Dr. Osheroff's claims against Chestnut Lodge has now been set to commence on October 5, 1987. Your assistance during the Health Claims Arbitration proceedings was extremely helpful and I believe that we shall again need to call upon your assistance in presenting the case to a jury. Although we have not finalized our list of expert witnesses to call at trial, I trust that you would be available to testify should the need arise.

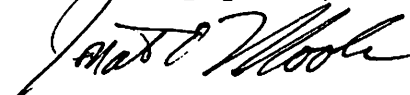
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Donald F. Klein, M.D.  
Page 2  
February 17, 1987

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Very truly yours,

A handwritten signature in cursive script, appearing to read "Jonathan R. Mook".

JONATHAN R. MOOK

JRM/sr

cc: Raphael J. Osheroff, M.D.

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WASHINGTON, D.C. 20005  
(202) 463-8768

February 17, 1987

Frank J. Ayd, Jr., M.D.  
Ayd Medical Communications  
1130 East Cold Spring Lane  
Baltimore, Maryland 21239

Re: Osheroff v. Chestnut Lodge, et al.

Dear Dr. Ayd:

The jury trial of Dr. Osheroff's claims against Chestnut Lodge has now been set to commence on October 5, 1987. Your assistance during the Health Claims Arbitration proceedings was extremely helpful and I believe that we shall again need to call upon your assistance in presenting the case to a jury. Although we have not finalized our list of expert witnesses to call at trial, I trust that you would be available to testify should the need arise.

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Frank J. Ayd, Jr., M.D.  
Page 2  
February 17, 1987

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Very truly yours,



JONATHAN R. MOOK

JRM/sr

cc: Raphael J. Osheroff, M.D.



Peter B. Silvain, Ph.D.

7812 Turning Creek Court  
Potomac, Maryland 20854

(301) 983-8783

January 12, 1987

Jonathan R. Mook  
Attorney at Law  
Hirschkop & Associates  
P.O. Box 1226  
108 N. Columbus Street  
Alexandria, Virginia 22313

OSHEROFF V. CHESTNUT LODGE

Dear Mr. Mook:

This is to confirm the details of our meeting of January 9, 1987. With respect to the above matter, I will provide general damages consulting services as follows:

1. Consult with Dr. Board regarding his testimony.
2. Consult with the appointed forensic psychoanalyst regarding his testimony.
3. Consult with Dr. Sadoff regarding his testimony.
4. Develop damages strategies to convert the testimony to financial recovery endpoints.
5. Work with the retained forensic economist to prepare evidence of economic loss from physical, psychological, social and financial data.
6. Be available at the time of trial to prepare charts and other evidence.

My estimate of the time needed to accomplish Items 1 through 5 of the above list is 30 - 40 hours. My standard hourly charge is \$125.00. Travel time is charged at a reduced rate of \$50.00 per hour and if travel to Philadelphia is required, [Sadoff] it will be charged at coach cost or .225 per mile. I have tentatively set aside the time required to do this work during the week of February 2nd. At the conclusion of my work with the above parties, I will schedule a meeting with you to convey the project results. Upon receipt of a retainer for 30 hours work, [\$3,750.00], I will contact you to confirm the project dates.

Jonathan Mook, Esq.  
Osheroff v. Chestnut Lodge  
Page 2

The 40 hour estimate will not be exceeded without your prior approval. A written statement of consulting time and expenses will be prepared and all unused retainer fees will be promptly returned to the law firm.

Along with the retainer check, please forward a letter of authorization for this work and executed medical releases for all three witnesses.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter B. Silvain". The signature is fluid and cursive, with a large initial "P" and "S".

Peter B. Silvain, Ph.D.

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LAW OFFICES  
DONAHUE, EHRMANTRAUT & MONTEDONICO

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GILBERT F. SHELSBY (D.C., MD.)  
MARK D. PALMER (D.C., MD.)  
S. MARC LAND (MD.)  
KIRK D. BECCHI (VA.)

REPLY TO:

March 10, 1987

ROCKVILLE

Jonathan R. Mook, Esquire  
HIRSCHKOP & ASSOCIATES, P.C.  
108 North Columbus Street  
Alexandria, Virginia 22313

RE: Osheroff V. Chestnut Lodge, et al.


Dear Mr. Mook:

I have your letter dated March 3, 1987. I want Dr. Osheroff to know that if he has any additional allegations of negligence to make against my clients, he should set forth each such additional allegation in Supplemental Answers to Interrogatories. Similarly, if he is going to be claiming any additional injuries which we have not heard about, he should set forth each such injury in Supplemental Answers to Interrogatories. Also, if he recalls conversations with Dr. Ross and Dr. Dingman which he has not previously told us about, he is required to set forth all such additional conversations in Supplemental Answers to Interrogatories.

Dr. Osheroff should be made to understand that any contentions he makes during the trial which we have not been provided discovery on are subject to be stricken from the record. I look forward to receiving your full cooperation in obtaining complete discovery from Dr. Osheroff as to what contentions he will be making against my clients.

Thank you for your assistance in this matter.

Very truly yours,

  
William A. Ehrmantraut

WAE:lid

CONFIDENTIAL

CONFIDENTIAL  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 03/18/87 BY 60322  
UCBAW/STP

CONFIDENTIAL

CONFIDENTIAL  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 03/18/87 BY 60322  
UCBAW/STP

March 10, 1987

RECEIVED

Jonathan B. Book, Executive  
Director & Associate  
108 North Columbia Street  
Alexandria, Virginia 22304

Mr. Robert V. Chastant, Esq., et al.

Dear Mr. Book:

I have your letter dated March 7, 1987. I want to inform you that I have been very busy and have not had time to respond to your letter. I am sorry that I have not been able to respond to your letter sooner. I will be glad to discuss the matter with you at your convenience. I will be glad to discuss the matter with you at your convenience. I will be glad to discuss the matter with you at your convenience.

I am sorry that I have not been able to respond to your letter sooner. I will be glad to discuss the matter with you at your convenience. I will be glad to discuss the matter with you at your convenience. I will be glad to discuss the matter with you at your convenience.

Thank you for your attention in this matter.

Very truly yours,

William A. Harrison

MAR 18 1987

BM:MAN

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FENTON L. MARTIN  
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J. NORRIS BYRNES  
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GEORGE J. BACHRACH  
CARL S. SILVERMAN\*  
JAMES R. DEVENY, II  
DALE B. GARBUTT  
ALFRED L. SCANLAN, JR.\*  
PAUL W. MADDEN  
GERSON B. NEHLMAN  
PRISCILLA C. CASKEY  
GEORGE M. CHURCH  
F. FORD LOKER  
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JAMES R. CHASON  
JAMES F. ROSNER  
JAMES C. HOLMAN  
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WILLIAM J. RYAN, JR.  
STEVEN I. BATOFF\*  
GERARD P. SUNDERLAND\*  
STEVEN E. BERS  
BARBARA HOLTZ LEVINE\*  
THOMAS P. KIMMITT, JR.  
DONNA M. SILLS  
ALBERT J. MATRICCIANI, JR.\*

JEANNE M. PHELAN  
JONATHAN E. CLAIBORNE\*  
YVONNE M. KISIEL  
ALBERT J. MEZZANOTTE, JR.\*  
DEBORAH SWEET  
ANN MACNEILLE  
MARC SELDIN ROSEN  
CHRISTOPHER S. LAMBERT  
JOHN V. CHURCH\*  
KEVIN C. MCCORMICK  
DOUGLAS F. MURRAY  
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OLIVIA S. BYRNE  
BARBARA L. AYRES  
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JOYCE N. FITCH

GERARD J. GAENG  
LEO P. HYLAN  
DANA B. ROSENFELD  
CAROL A. ZUCKERMAN\*  
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WILLIAM M. DOLAN, III  
ANDREW M. McDONALD  
MICHELE LAX  
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JOANNE M. SULLIVAN  
PHILIP B. BARNES  
RUSSEL L. BEERS  
JOHN J. HATHWAY  
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CHRISTOPHER P. DOWNS  
DAVID L. HANCOCK  
LISA A. KERSHNER  
JAMES B. RUTLEDGE, III  
KATHERINE L. TAYLOR

OF COUNSEL  
W. HAMILTON WHITEFORD  
ROGER A. CLAPP  
J. ROYALL TIPPETT, JR.  
ERNEST C. TRIMBLE  
B. CONWAY TAYLOR, JR.  
GEORGE D. SOLTER

\*MEMBER MARYLAND AND  
DISTRICT OF COLUMBIA BAR

\*MEMBER DISTRICT OF COLUMBIA  
BAR ONLY

COUNSEL

JEFFREY M. GLOSSER\*

BARBARA BREWER CLARK\*

March 9, 1987

Jonathan R. Mook, Esquire  
Hirschkop & Associates  
108 North Columbus Street  
P. O. Box 1226  
Alexandria, Virginia 22313

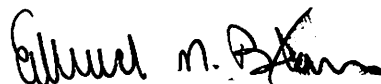
Re: Osheroff v. Chestnut Lodge, et al.  
Our File No: 02331/00104

Dear Jonathan:

As promised in our earlier telephone conversation concerning the Defendant Chestnut Lodge's Answers to Interrogatories, please be advised that Chestnut Lodge has primary coverage with the Appalachian Insurance Company of 1 million dollars per occurrence/1 million dollars annual aggregate. Moreover, there is an umbrella policy through the Interstate Fire and Casualty Company which provides an additional limit of liability of 1 million dollars per occurrence/1 million dollars annual aggregate. This information shall serve as a formal supplementation to your Interrogatory No. 4.

Should you have any questions concerning this letter, please do not hesitate to contact me.

Very truly yours,



Edward M. Buxbaum

EMB:smb

cc: John T. Hull, Esquire

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WASHINGTON, D.C. 20005

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March 9, 1987

Jerome M. Staller, Ph.D.  
The Center for Forensic Economic Studies, Inc.  
1315 Walnut Street, 12th Floor  
Philadelphia, Pennsylvania 19107

Re: Osheroff v. Chestnut Lodge, Inc.

Dear Dr. Staller:

Enclosed please find a copy of the transcript of Dr. Carl Schramm's testimony in the Osheroff v. Greenspan litigation. As you may recall, Dr. Schramm testified concerning Dr. Osheroff's business losses resulting from the tortious conduct of Dr. Osheroff's employees, Drs. Greenspan and Tolkan. I also am enclosing copies of the Alexandria Circuit Court and Virginia Supreme Court decisions in the case. You will note that based upon the assumption that Dr. Osheroff's practice would continue to grow at the same rate as the rest of the Greater Metropolitan Washington area, Dr. Schramm concluded that the loss to Dr. Osheroff's practice would be approximately \$825,000 for the years 1980 through 1985. Using the assumption that the practice would continue to grow at the faster rate previously experienced by Dr. Osheroff's dialysis center, Dr. Schramm calculated the loss to be approximately \$1,237,000.00 for the years 1980 through 1985.

The Circuit Court perceived several flaws in Dr. Schramm's assessment of damages. The Court concluded that Dr. Osheroff should have been expected to rebuild his practice within three years after the departure of Drs. Greenspan and Tolkan and also noted that Dr. Schramm's calculations failed to take into account factors other than the tortious conduct of those individuals which would have an adverse impact on Dr. Osheroff's practice. (Although the Court did not specifically so state in its Opinion, the Court obviously was alluding to Dr. Osheroff's hospitalization for mental illness). The Court, therefore, limited damages to the years 1980 through 1982 and reduced Dr. Schramm's projected loss by 50%. Consonant with these ground rules, the Court calculated compensatory damages as being in the amount of approximately \$185,000.

Jerome M. Staller, Ph.D.  
Page 2  
March 9, 1987

I have requested that Dr. Schramm provide me with a copy of his report and as soon as I receive the report, I shall forward a copy to you.

Sincerely,



JONATHAN R. MOOK

JRM/sr  
Enclosures  
cc: David J. Fudala



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February 17, 1987

William Z. Potter, M.D.  
National Institute of Mental Health  
Chief, Clinical Pharmacology  
Laboratory of Clinical Science  
9000 Rockville Pike  
Building 10, Room 2-D-46  
Bethesda, Maryland 20892

Re: Osheroff v. Chestnut Lodge, et al.

Dear Dr. Potter:

The jury trial of Dr. Osheroff's claims against Chestnut Lodge has now been set to commence on October 5, 1987. Your assistance during the Health Claims Arbitration proceedings was extremely helpful and I believe that we shall again need to call upon your assistance in presenting the case to a jury. Although we have not finalized our list of expert witnesses to call at trial, I trust that you would be available to testify should the need arise.

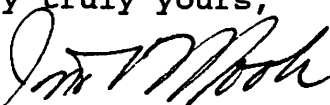
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William Z. Potter, M.D.  
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February 17, 1987

I thank you for your patience with regard to this litigation. As you undoubtedly are aware, this is a precedent setting case with regard to psychiatric malpractice which touches upon a number of important psychiatric-legal issues. We, therefore, intend to present as complete and well developed a case as possible and look forward to working with you in making such a presentation.

Very truly yours,



JONATHAN R. MOOK

JRM/sr  
cc: Raphael J. Osheroff, M.D.