

1 THE VIDEOGRAPHER: Here begins tape number one in the  
2 deposition of Hitesh Amin, M.D., in the matter of *Randolph*  
3 *Wiggins, et al. vs. MedStar Southern Maryland Hospital Center,*  
4 *Incorporated, et al.* in the Circuit Court for Prince George's  
5 County, Case Number CAL16-37868. Today's date is June 14,  
6 2017. The time is 10:13 a.m.

7 The video operator today is Brian Mackey. This  
8 deposition is taking place at the office of Pessin Katz, 901  
9 Dulaney Valley Road, Towson, Maryland.

10 Counsel, please identify themselves and state whom  
11 they represent.

12 MR. ZUBER: Justin Zuber on behalf of the plaintiff,  
13 the Estate of Reni Wiggins.

14 MS. FORERO: I'm Janet Forero on behalf of MedStar  
15 Southern Maryland Hospital.

16 MS. MAGDEBURGER: Natalie Magdeburger on behalf of  
17 Dr. Amin and Washington Surgical Specialists.

18 THE VIDEOGRAPHER: The court reporter today is Sherry  
19 Smith. Would the reporter please swear in the witness?

20 THE REPORTER: And can you raise your right hand,  
21 please?

22 WHEREUPON,

23 DR. HITESH AMIN,  
24 called as a witness, and having been first duly sworn to tell  
25 the truth, the whole truth and nothing but the truth, was

1 examined and testified as follows:

2 EXAMINATION

3 BY MR. ZUBER:

4 Q. Good morning, Doctor. My name's Justin Zuber. I'm going  
5 to be taking your deposition here today. Have you ever had  
6 your deposition taken before?

7 A. Yes, I have.

8 Q. On how many occasions?

9 MS. MAGDEBURGER: Objection on -- if I can just have  
10 a continuing objection, that would be --

11 MR. ZUBER: Sure, sure.

12 MS. MAGDEBURGER: -- helpful.

13 MR. AMIN: I can recall about four times.

14 BY MR. ZUBER:

15 Q. Okay. And do you remember -- can you tell me starting  
16 with the first one, if you can recall, what year that took  
17 place in?

18 MS. MAGDEBURGER: Same continuing objection.

19 A. I believe that was around 2012 or 2013 timeframe. I don't  
20 know exactly when that was.

21 Q. Okay. Do you remember any of the allegations in that  
22 case?

23 A. Yes. That was a case where there was an alleged delay in  
24 treatment on a patient who had an obstructing colon lesion.

25 Q. And is that case still pending in any sort of

1 jurisdiction?

2 A. No.

3 Q. Okay. Do you remember where that case was filed?

4 A. Prince George's County.

5 Q. Did it go to trial?

6 A. No.

7 Q. Okay. The second case, what year was that in?

8 A. Maybe a year -- two years later, 2014.

9 Q. Okay. And what were the allegations in that case?

10 A. That was a case where a patient suffered a leak following  
11 surgery, and it was alleged that there was a delay in  
12 diagnosis.

13 Q. Okay. And what case -- or where was that filed in?

14 A. Prince George's County.

15 Q. And is that case resolved?

16 A. It has been resolved, yes. It went to trial, and we had a  
17 defense verdict for myself and my corporation.

18 Q. Okay. Were you the primary defendant in that case?

19 A. I believe I was.

20 Q. Okay.

21 MS. MAGDEBURGER: Just for the record, there were two  
22 other defendants --

23 DR. ARMIN: Three.

24 MS. MAGDEBURGER: -- three other defendants. There  
25 was a primary care physician group, so two of them, and then

1 Dr. Balkissoon, who was a partner of Dr. Amin's.

2 MR. ZUBER: Okay.

3 MS. MAGDEBURGER: And there -- there was a verdict  
4 against the primary care physicians.

5 MR. ZUBER: Okay. I understand.

6 BY MR. ZUBER:

7 Q. And the third case, remember what year that was in?

8 A. I gave a deposition maybe last year, 2016 or -- or late  
9 2015.

10 Q. Okay. And I'm assuming you were a named defendant in that  
11 case as well?

12 A. Yeah, I believe I was the sole defendant in that case.

13 Q. Okay. And was that in Prince George's County as well?

14 A. Yes.

15 Q. And what were the allegations in that case?

16 A. Improper management of a postoperative wound.

17 Q. And I'm assuming that case is probably still pending?

18 A. No. That case was dismissed by the plaintiffs with  
19 prejudice.

20 Q. Okay. Was it dismissed immediately after your deposition?

21 A. Pretty much.

22 Q. Okay. And the fourth case, which case is that?

23 MS. MAGDEBURGER: And it was dismissed without  
24 settlement.

25 MR. ZUBER: Okay.

1 MS. MAGDEBURGER: It was just dismissed voluntarily.

2 MR. ZUBER: Sure.

3 MR. AMIN: And last case, I just was deposed last year. That  
4 was a case, again, filed in Prince George's County. I believe  
5 I was the primary defendant in that case as well.

6 MS. MAGDEBURGER: Sole defendant.

7 MR. AMIN: Sole defendant. Case went to trial; and, again, we  
8 have a defense verdict for myself.

9 BY MR. ZUBER:

10 Q. Okay. What were the allegations in that case?

11 A. Allegation, basically of --

12 MS. MAGDEBURGER: Complications from --

13 A. -- complications from a Lap-Band removal surgery.

14 MS. MAGDEBURGER: And insertion.

15 A. Insertion and removal, yeah.

16 Q. Who was the plaintiff's attorney in that case?

17 THE WITNESS: Do you recall, Natalie? I don't -- I don't  
18 recall the attorney at this time.

19 MR. ZUBER: Okay. Do you --

20 MS. MAGDEBURGER: It's the bathtub effect. Do you  
21 have that, Justin, yet?

22 MR. ZUBER: Yeah, yeah. Well...

23 BY MR. ZUBER:

24 Q. That case, did it involve the use of a VisiPort trocar at  
25 all?

1 A. I used it, but that was not part of the allegations.

2 Q. Okay. Where did -- was that an operation which took place  
3 at Southern Maryland?

4 A. The patient had surgeries at Doctors Community Hospital  
5 and at Southern Maryland.

6 Q. Okay. Where you used the VisiPort, was that Southern  
7 Maryland or Doctors Community?

8 A. That would have been both of those surgeries.

9 Q. Okay.

10 A. She had an insertion and a removal.

11 Q. I see.

12 A. And the removal was complicated by infection and wound  
13 problems, and that was the allegation of improperly diagnosing  
14 the wound issues.

15 Q. Okay. And the removal, that took place at Southern  
16 Maryland?

17 A. That took place at Doctors.

18 Q. Doctors, okay.

19 A. Doctors Community Hospital.

20 Q. And you said that there was an allegation regarding the  
21 insertion?

22 A. Yeah. So she had a port that flipped, and the port flip  
23 required us to reoperate. And during that reoperation, she  
24 developed a wound infection, which ultimately required the band  
25 system to be removed.

1 Q. Okay. But as you said, none of that had anything to do  
2 with the use of a VisiPort trocar?

3 A. That's correct.

4 Q. Okay. So these are obviously cases where you're --

5 MS. MAGDEBURGER: There's another case though, just  
6 so that the record's complete. I think he'd forgotten about  
7 the -- the ...

8 DR. AMIN: Ryker [ph]?

9 MS. MAGDEBURGER: Right.

10 DR. AMIN: Mm-hmm. That was also last year, so the  
11 deposition occurred last year. That case was, I understand,  
12 just recently dismissed by the courts. And that one is also an  
13 allegation of injury or complication from Lap-Band -- or sorry,  
14 it was a ventral hernia repair, but it did involve a VisiPort.  
15 So there was complication during entry of -- using a VisiPort.

16 BY MR. ZUBER:

17 Q. Okay. Where was that case filed?

18 A. Prince George's.

19 Q. Okay. And you were the sole defendant in that case?

20 A. No, I believe the hospital's also named.

21 Q. Okay. And that would be Southern Maryland Hospital?

22 A. Yes, Southern Maryland Hospital.

23 Q. Okay. And did the allegations have anything to do with  
24 the use of the VisiPort?

25 MS. MAGDEBURGER: I'll let him answer on allegations;

1 but since the case is still pending, I'm not gonna let him  
2 answer anything further beyond that.

3 MR. ZUBER: Okay. That's fine.

4 A. Yeah. They're alleging that there was a complication from  
5 the entry technique.

6 Q. Okay. Do you know the name of the plaintiff's attorney in  
7 that case?

8 A. I don't recall. I'm sorry.

9 Q. Okay. And when were you deposed?

10 A. This was also last year.

11 Q. Remember what month last year?

12 A. No.

13 Q. Can you give me a season? Winter? Summer? Spring?

14 A. Yeah. It seemed like -- I think it was sort of beginning  
15 of the year, maybe February or March. That would be ...

16 Q. Okay. All right. So I think those are cases where you've  
17 provided testimony as a defendant. Have you ever testified in  
18 a case as a medical expert?

19 A. No, I have not.

20 MR. ZUBER: Okay. All right. So I'm gonna have this  
21 marked as Exhibit No. 1. This is his CV.

22 (Exhibit No. 1 was marked for identification.)

23 BY MR. ZUBER:

24 Q. All right. Doctor, I'm just gonna show you this briefly;  
25 but then I need it back so I can ask you questions about it.

1 A. Sure.

2 Q. But is that an updated and accurate copy of your CV?

3 A. Yes, this appears to be.

4 Q. Okay.

5 MS. MAGDEBURGER: Here you go. Why don't you let him  
6 keep that, and you can use this one. How's that?

7 MR. ZUBER: Okay. Sure. That works.

8 MS. MAGDEBURGER: That way we can keep the exhibits  
9 together.

10 BY. MR. ZUBER:

11 Q. Doctor, I know a lot of this is kind of written down here  
12 already; but can you just kind of briefly describe for me your  
13 educational background?

14 A. Mm-hmm. So I earned my BS at Emory University, went on to  
15 do my medical school at St. George's University in  
16 Grenada, where I earned an M.D. degree, after which I  
17 immediately transitioned into residency at Case -- well,  
18 they -- they now call it Case Medical Center. At the time it  
19 was called Case Western Reserve University program. I  
20 completed my residency in five years, and then I entered  
21 clinical practice immediately after.

22 Q. Why did you choose to go to St. George's?

23 MS. MAGDEBURGER: Objection. Relevance. You may  
24 answer.

25 A. It was one of the schools that accepted me, so I decided

1 to go.

2 Q. Were you accepted to any schools in the U.S.?

3 A. No.

4 MS. MAGDEBURGER: Objection to relevance. Move to  
5 strike. And, actually, Mr. Zuber, I'd ask you to move on  
6 'cause, as you well know, there's case law in Maryland that if  
7 it's not relevant, it's not admissible. So you're just  
8 tweaking the doctor, which I don't think is appropriate.

9 MR. ZUBER: Okay.

10 MS. MAGDEBURGER: Let's stay professional.

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