

Q And if Mr. Magloire sustained a left shoulder injury, including a left shoulder dislocation many years before the January 22, 2002, accident, but was asymptomatic completely prior to this January 22, 2002, accident, would this left shoulder injury from years before be relevant from his sustaining a broken neck in the January 2002 accident?

A Based on the scenario being asymptomatic, no.

MR. FRANKEL: I have nothing further at this tune

THE VIDEOGRAPHER: Mr, Brown, do you have anything further?

MR. BROWN: I do The last answer, you know what, though, you know what...

THE VIDEOGRAPHER: Going off the record. It's 7:11.

MR. FRANKEL: Just so we have a clear record, again, the Defendant will conduct a further deposition. The Plaintiff will redirect at that time, at the further deposition. That's it.

I think at this point we are going to conclude the deposition, and Defendants will again discuss with Plaintiff's counsel when they want to conduct a further deposition.

We thank everyone for appearing today.

MR. BROWN: Just on that question, based on your reflect and the redirect today, counsel would like to reserve for our subsequent deposition time.

MR. FRANKEL: Stan, do you have anything to add?

MR. KARSMAN: No.

THE VIDEOGRAPHER: This concludes the portion of today's deposition of Dr. Rafiy. It is now 7:13 p m., May 12, 2004.

This is the end of Tape 2 of 2 of today's portion of the deposition.

(Time noted: 7:30 p.m.)