

Helen F. Dalton & Associates, P.C.  
Attorneys for Plaintiffs  
JUAN ALFREDO GANDO AMAT  
AND LILIA HAYDEE GARCIA  
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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

-----X  
JUAN ALFREDO GANDO AMAT, AND LILIA HAYDEE  
GARCIA,

PLAINTIFFS,

-AGAINST-

HAND TO HAND EXPRESS AND ANGELITO AQUINO-  
SANTANA,

**PLAINTIFF'S EXPERT  
WITNESS DISCLOSURE**

DEFENDANTS.

Case No.:  
2:21-cv-19162-KM-CLW

-----X  
HAND TO HAND EXPRESS AND ANGELITO AQUINO-  
SANTANA,

THIRD-PARTY PLAINTIFFS,

-AGAINST-

ALVARDO GUERRA JIMENEZ,

THIRD-PARTY DEFENDANTS

-----X

**PLEASE TAKE NOTICE**, that pursuant to Federal Rules of civil Procedure 26(a)(2), the  
Plaintiff, discloses Michael Gerling, M.D., as an expert witness in this action.

1. The qualifications of Doctor Gerling are set forth in his Curriculum Vitae, annexed  
hereto as **Exhibit A**.

2. Annexed hereto is the narrative report prepared by Doctor Gerling. Said report

contains a statement of the opinions this witness will express at the trial of this matter, as **Exhibit B**.

3. Doctor Gerling has reviewed the relevant medical records and radiological films as well those generated by his office.

4. Doctor Gerling will testify that the injuries sustained by Plaintiff were sustained as a result of the November 23, 2020, motor vehicle accident.

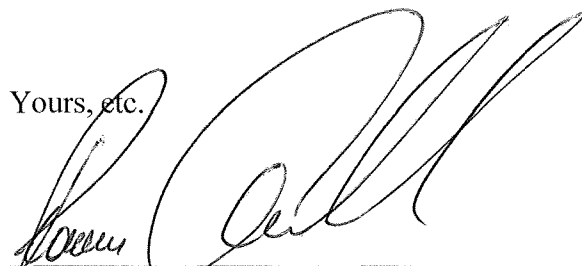
5. Doctor Gerling's testimony fee is \$11,000 per day and \$12,000 any additional day.

6. At this time, Plaintiff is not in possession of any prior testimonies within four years. However, Plaintiff reserve the right to supplement this disclosure once this information becomes available at the time of trial.

This correspondence serves as our good faith effort to obtain the outstanding discovery. Please provide the outstanding discovery within the next twenty days, or we will be required to seek the assistance of the court.

Dated: Kew Gardens, NY  
November 1, 2023

Yours, etc.

A handwritten signature in black ink, appearing to read 'Roman', is written over a horizontal line.

Roman Avshalumov, Esq.  
Helen F. Dalton & Associates, P.C.  
Attorneys for Plaintiffs  
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File No.: 2021-0270

TO:

Hardin Kundla Mckeon & Poletto  
Attorneys for Defendants  
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ANGELITO AQUINO-SANTANA**  
673 Morris Avenue  
Springfield, NJ 07081  
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**ALVARDO GUERRA JIMENEZ**  
P.O Box 258829  
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File No. 22-621927

# EXHIBIT A

Curriculum Vitae

# Michael C. Gerling, MD

## Contact Information

Administrative Office Address: 94 9th St. Unit 1-222, Brooklyn, NY 11215

Work phone: (212) 882-1110

Work email address: [info@gerlinginstitute.com](mailto:info@gerlinginstitute.com)

Web page: [www.gerlinginstitute.com](http://www.gerlinginstitute.com)

## Current Appointments and Leadership Positions

### Faculty Appointments

11/2018 - Current | Clinical Associate Professor | Non Tenure-Eligible | Department of Orthopedics | New York University | New York, New York

9/2011 - 10/2018 | Clinical Assistant Professor | Non Tenure-Eligible | Department of Orthopedics | New York University | New York, New York

6/2006 - 6/2010 | Clinical Assistant Professor | Non Tenure-Eligible | Department of Orthopedics | State University of New York, Downstate | Brooklyn, New York

### Hospital Appointment

9/2011 - Current | Attending Orthopedic Surgeon | Department of Orthopedics | NYU Hospital for Joint Diseases | New York, New York

3/2009 - Current | Attending Orthopedic Surgeon | Department of Orthopedics | NYU Langone - Brooklyn | Brooklyn, New York

6/2006 - 6/2010 | Attending Orthopedic Surgeon | Department of Orthopedics | State University of New York, Downstate | Brooklyn, New York

### Administrative Leadership Positions

3/2009 - Current | Departmental | Chief of Spinal Services | Department of Orthopedics | NYU Langone - Brooklyn | Brooklyn, New York

## Education and Training

### Education

8/1986 - 8/1991 | High School | Earl Haig Secondary School | Toronto, Canada

8/1991 – 8/1995 | B.S. Molecular and Cellular Biology, Genetics | University of California, Berkeley | Berkeley, CA

8/1996 – 6/2000 | Doctor of Medicine | University of California, San Diego | San Diego, CA

## **Postdoctoral Training**

7/2000 – 7/2005 | Residency | Department of Orthopedics | Ochsner Clinic | New Orleans, LA

7/2005 – 7/2006 | Henry Bohlman Spine Fellowship | Department of Orthopedics | Case Western Reserve University | Cleveland, OH

## **Specialty Certification**

2008 - 2028 | American Board of Orthopedics – Full Board Certification

(Testing 8/2008 and Recertification 8/2017)

## **Licensure**

2006 - Current | New York State Medical License | 241604

2011 - Current | New Jersey State Medical License | 47-3782660

2005 - 2007 | Ohio Medical License | Not Renewed

No History of License Restrictions or Censure

## **Previous Appointments and Leadership Positions**

### **Faculty Academic Appointments**

8/2006 – 7/2010 | Clinical Assistant Professor | Non Tenure-Eligible | Department of Orthopedics and Rehabilitation | SUNY Downstate Medical Center | Brooklyn, New York

### **Hospital Appointments**

9/2011 – 2018 | Attending Orthopedic Surgeon | Department of Orthopedics | Lenox Hill Hospital | New York, New York

### **Administrative Leadership Positions**

8/2006 – 7/2010 | Research | Director of Clinical Research | Department of Orthopedics and Rehabilitation | SUNY Downstate Medical Center | Brooklyn, NY

8/2006 – 7/2010 | Departmental | Director of Spine | Department of Orthopedics and Rehabilitation | SUNY Downstate Medical Center | Brooklyn, NY

### **Other Professional Positions**

9/2001-9/2002 | Ochsner Clinic Foundation | Fellows Association Executive Committee | Member at Large | New Orleans, LA

9/2002-9/2003 | Ochsner Clinic Foundation | Therapeutics Committee | Member at Large | New Orleans, LA

9/2002-6/2005 | Orthopedist | New Orleans Criminal Sheriff's Department | General Orthopedist | New Orleans, LA

1/2006 – 7/2006 | Spinal Trauma Fellow | MetroHealth Hospital of Cleveland | Junior Faculty Attending | Cleveland, OH

7/2005 – 7/2006 | Degenerative Spine Fellow | University Hospital of Cleveland | Spinal Cord Injury Unit | Cleveland, OH

9/2007- 9/2008 | Brooklyn Orthopedic Society | Treasurer

9/2008- 9/2009 | Brooklyn Orthopedic Society | Secretary

9/2008- 9/2010 | SUNY Downstate | OR Committee | Member

9/2009- 9/2010 | Brooklyn Orthopedic Society | Vice-President

9/2010- 9/2011 | Brooklyn Orthopedic Society | President

9/2013-9/2015 | AAOS | Spine Program Committee | Member

9/2013-9/2016 | Cervical Spine Research Society (CSRS) | Program Committee | Member

4/2014-4/2016 | Lumbar Spine Research Society (LSRS) | Program Committee | Member

9/2015-9/2017 | ACSR Board Member | Executive Committee | Member

12/2017-12/2020 | Cervical Spine Research Society (CSRS) | ICL Program Committee | Member

4/2017 - 4/2020 | AAOS | Spine Curriculum Content Committee | Member

12/2018-12/2021 | Lumbar Spine Research Society (LSRS) | Program Committee | Member  
 4/2017 - 4/2021 | Federation of Spine Associations CSRS SubSection | Director  
 4/2020 - 4/2021 | Federation of Spine Associations | President Elect

### Awards, Honors, and Memberships in Honorary Societies

Internal  
 None

External

9/1995 | UCSF Department of Plastic Surgery, Supervisor: David Young, MD | UC Berkeley Honors Thesis Program  
 9/2003 | North American Spine Society | Travel Scholarship  
 9/2006 | Herndon Society | Fellow  
 9/2006 | Cervical Spine Research Society | Fellow Research Award Finalist

### Research Activity

#### **Research Activities**

My current research interests are focused in the reporting of clinical outcomes in spinal disorders. Dr. Passias and I lead a team of 4 full time researchers housed within the NYU Orthopedics Department who support our interests in a wide variety of spinal disorders in adults and children. We utilize databases to investigate the impacts of treatment and co-morbidities on clinical outcomes, as well as to investigate the utility and applications of new patient reported outcome measures. My research presentations are now common and well received at national and international academic societies, where I frequently moderate sessions and guide curriculum. I currently prospectively collect data to follow the patient reported quality of life (PRQOL) measures in my own patients for clinical research purposes. My longer term goal is to distinguish myself in outcomes reporting for endoscopic and other minimally invasive spine techniques.

#### **Grant History**

Grants and Clinical Trials

*Please enter grant information in the tables below. These tables mirror the Funding History Template. To start a new line in the table, press the Tab key when you reach the end of a row.*

*Current*

Funding Agency	Role	Effort %	Project Title	No-Cost Extension	Award Type	Grant #	Project ID	Project Start Date	Project End Date	Annual Project Direct Costs	Annual Project Indirect Costs	Annual Project Total Costs	Total Project Direct Costs	Total Project Indirect Costs	Total Project Total Costs
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*Pending*

Funding Agency	Role	Effort %	Project Title	Award Type	Grant #	Project ID	Project Start Date	Project End Date	Annual Project Direct Costs	Annual Project Indirect Costs	Annual Project Total Costs	Total Project Direct Costs	Total Project Indirect Costs	Total Project Total Costs
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*Past*

Funding Agency	Role	Effort %	Project Title	Award Type	Grant #	Project ID	Project Start Date	Project End Date	Annual Project Direct Costs	Annual Project Indirect Costs	Annual Project Total Costs	Total Project Direct Costs	Total Project Indirect Costs	Total Project Costs
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**PAST:**

National Institute of Health (NIH) | PI | 100% | Effect of laryngoscope blade type and c-spine immobilization technique on intubations | Short Term Research Grant | 6/1997 - 9/1997

**Clinical Activity**

My clinical practice has always focused on degenerative and traumatic disorders of the spine, primarily through the incorporation of minimally invasive surgical (MIS) technology and techniques. I was one of the first surgeons in NYC performing MIS Lumbar interbody fusions and I am currently one of the only surgeons performing true endoscopic spinal decompression and discectomy. For this reason, I am frequently asked to teach at national and international cadaver courses for spinal surgeons.

**Education Activity**

I take great pride in educational activities during clinical practice, in consulting activities and as a volunteer in numerous academic societies. I have always sought to include a wide variety of students in my clinical practice. I served as a principle attending of the spine rotation for SUNY Downstate orthopedic residents for 12 years continuously, and proctor Nurse Practitioner Students from NYU, in addition to Physical Therapists and Medical students both in the OR and in my private offices. Throughout my career I have innovated and taught courses at major academic surgeon focused societies and take pride in participation in hands-on cadaver courses for other practicing surgeons in numerous venues.

**Teaching Activities****Curriculum development and other innovative educational activities**

2008 – 2011 | Founder & Course Co-Director | Young Spine Surgeons Forum | North American Spine Society (NASS)  
 10/2008 | Instructional Course Lecture (ICL) | Course Director and Moderator | Young Spine Surgeons Forum | North American Spine Society | Toronto, Canada  
 11/2009 | Instructional Course Lecture (ICL) | Course Director and Moderator | Young Spine Surgeons Forum | North American Spine Society | San Francisco, CA  
 10/2010 | Instructional Course Lecture (ICL) | Course Director and Moderator | Young Spine Surgeons Forum | North American Spine Society | Orlando, FL  
 3/2018 | Course Director and Moderator - CSRS Subsection | Federation of Spine Associations (FOSA) - American Academy of Orthopedic Surgeons (AAOS) | New Orleans, LA  
 3/2018 - 6-2018 | Webinar Development and Design | Adult Scoliosis - American Academy of Orthopedic Surgeons (AAOS)  
 3/2018 - 6-2018 | Webinar Development and Design | Microdiscectomy - American Academy of Orthopedic Surgeons (AAOS)  
 12/2018 | Instructional Course Lecture (ICL) | Section Moderator and Architect | Ambulatory Cervical Spine Surgery | Cervical Spine Research Society | Scottsdale, AZ  
 12/2018 | Instructional Course Lecture (ICL) | Section Moderator and Architect | New Technology in Cervical Spine Surgery | Cervical Spine Research Society | Scottsdale, AZ  
 3/2019 | Course Director and Moderator - CSRS Subsection | Federation of Spine Associations (FOSA) - American Academy of Orthopedic Surgeons (AAOS) | Las Vegas, NV  
 12/1-12/3/2020 CSRS Instructional Course Lecture, Chairman



## Invited Talks and Teaching of Peers

### Internal

Sponsored by NYU Langone Health

2013-9/2013 | Supervisor | Graduate Program | Clinical Preceptorship | Nursing Students | NYU Nursing School | NYU Rory Meyers College of Nursing | New York, New York

Sponsored by all other NYU schools

2013 | Course Instructor | Treatment of Low Back Pain | Surgeons and Surgeons in Training | NYU Hospital for Joint Disease

External to NYU Langone Health and all other NYU schools

### Extra-Departmental Lectureships

5/2008 | Grand Rounds | Speaker | Department of Family Medicine | SUNY Downstate | Brooklyn, New York

1/2009 | Grand Rounds | Speaker | Department of Neurology | SUNY Downstate | Brooklyn, New York

10/2007 | Grand Rounds | Speaker | Department of Rheumatology | SUNY Downstate | Frequency: 2 | Brooklyn, New York

7/2017 | Grand Rounds | Speaker | Department of Family Medicine | Brookdale Hospital | Brooklyn, New York

4/2007 | Grand Rounds | Speaker | Internal Medicine | Kingsbrook Jewish Medical Center | Brooklyn, New York

1/2007 | Grand Rounds | Speaker | Internal Medicine and Family Medicine Departments | Interfaith Medical Center | Brooklyn, New York

2/2008 | Grand Rounds | Speaker | Neurology and Internal Medicine | Long Island College Hospital | Brooklyn, New York

10/2006 | Resident Lectureship | Speaker | Family Medicine | Medical Residents | SUNY Downstate | Brooklyn, New York

2/2008 | Resident Lectureship | Speaker | Internal Medicine | Medical Residents | Long Island College Hospital | Brooklyn, New York

2007 | Keynote Speaker | Constantine and Helen Cathedral | Community Graduation Banquet | Brooklyn, NY

2007-2008 | Medical Student Lectureship | Speaker | Physical Examinations | Medical Students | SUNY Downstate | Brooklyn, New York

2007-2009 | Medical School Orthopedics Interest Group | Medical Students | SUNY Downstate | Brooklyn, New York

10/2008 | Speaker | Young Spine Surgeons Forum | Introduction and Pathophysiology of Lumbar Degenerative Spondylolisthesis | North American Spine Society | Toronto, Canada

10/2008 | Speaker | Young Spine Surgeons Forum | Intraoperative Management and Prevention of Complications | North American Spine Society | Toronto, Canada

10/2008 | Speaker | Young Spine Surgeons Forum | Introduction and Pathophysiology of Lumbar Degenerative Spondylolisthesis | Surgeons and Surgeons in Training | North American Spine Society | Toronto, Canada

10/2010 | Instructional Course Lecture (ICL) | Speaker | Treatment of Severe Cervical Kyphotic Deformity | North American Spine Society | Orlando, FL

10/2010 | Instructional Course Lecture (ICL) | Speaker | Treatment of Severe Cervical Kyphotic Deformity | Cervical Spine Research Society | Charlotte, NC

2/2011 | Instructional Course Lecture (ICL) Hands on Skills Course, 5SK | Speaker | Advanced Surgical Techniques for Sagittal Plane Spinal Deformity: Thoracolumbar osteotomy and spine and pelvic fixation techniques, for the treatment of sagittal plane deformity | American Academy of Orthopedic Surgery | San Diego, CA

2/2011 | Instructional Course Lecture (ICL) | Speaker | Interspinous Devices and MIS Decompression for Spinal Stenosis | American Academy of Orthopedic Surgery | San Diego, CA

6/2011 | Instructional Course Lecture (ICL) | Moderator | Cervical Technologies | American College of Spine Surgery | Las Vegas, NV

6/2011 | Instructional Course Lecture (ICL) | Speaker | Pearls and Pitfalls of MIS TLIF | American College of Spine Surgery | Las Vegas, NV

6/2011 | Instructional Course Lecture (ICL) | Speaker | Cervical Technologies: Interbody Spacers | American College of Spine Surgery | Las Vegas, NV

6/2011 | Instructional Course Lecture (ICL) | Speaker | Lumbar Technologies: Lumbosacral Fixation | American College of Spine Surgery | Las Vegas, NV

2/2012 | Instructional Course Lecture (ICL) | Speaker | Advanced Surgical Techniques for Sagittal Plane Spinal Deformity: Thoracolumbar osteotomy and spine and pelvic fixation techniques, for the treatment of sagittal plane deformity | American Academy of Orthopedic Surgery | San Francisco, CA

12/2012 | Instructor | 17<sup>th</sup> Instructional Course | Cervical Spine Research Society (CSRS)

12/2012 | Instructional Course Lecture (ICL) | Speaker | Complications in Cervical Spine Surgery | Cervical Spine Research Society | Phoenix, AZ

3/2013 | Instructional Course Lecture (ICL) | Speaker | MIS Surgeon's Course | Minimally Invasive TLIF Pearls and Techniques | Las Vegas, NV

4/2013 | Instructional Course Lecture (ICL) | Moderator | Lumbar Spine Research Society Meeting | Biologics Symposium | Lumbar Spine Research Society | Chicago, IL

6/2013 | Instructional Course Lecture (ICL) | MIS Surgeon's Course | Speaker | Cervical Spine Surgery and Complications | Las Vegas, NV

8/2013 | Instructional Course Lecture (ICL) | MIS Surgeon's Course | Speaker | Minimally Invasive Pedicle Screws | Long Island, NY

8/2013 | Instructional Course Lecture (ICL) | MIS Surgeon's Course | Speaker | Minimally Invasive TLIF Techniques: Cadaveric Demonstration | Long Island, NY

5/14/2015-5/16/2015 | Debate | Speaker | Spine A-Z: Current Concepts and Controversies | Cervical Foraminotomy Vs. ACDF Vs. TDR | Spine Study Group | Miami, FL

3/2015 | Spinal Infections Symposium | Speaker | Vertebral Osteomyelitis: Treatment Strategies | American Academy of Orthopedic Surgery | Las Vegas, NV

12/2016 | ICL - Oral Debate | Speaker | Steroids in Spinal Cord Injury: Why I use them | Cervical Spine Research Society | Toronto, Canada

3/2017 | ICL - Case Based Approach to Treatment of Spinal Deformity | Speaker | American Academy of Orthopedic Surgery | San Diego, CA

12/2017 | Surgical Technique Instruction | Endoscopic Cadaver Instructor | Cornell 11th New York City Minimally Invasive Spine, Spinal Endoscopy, Robotics & 3D Navigation Symposium: Case-based and Hands-on | Cadaver Lab | New York, NY

3/2018 | Speaker | Cervical Myelopathy: Medical Treatment Options | Federation of Spine Associations (FOSA) - American Academy of Orthopedic Surgeons (AAOS) | New Orleans, LA

12/2018 | Instructional Course Lecture (ICL) | Speaker | Ambulatory Cervical Spine Surgery | Cervical Spine Research Society | Scottsdale, AZ

12/2018 | Instructional Course Lecture (ICL) | Speaker | New Technology in Cervical Spine Surgery | Cervical Spine Research Society | Scottsdale, AZ

2/15/2019 | Speaker | The Operative Perspective on Endoscopic Discectomy: Case and Video Presentation | NASS | Park City, UT.

2/14/2019 | Speaker | Economic Analysis: Surgeon's and Patient's Perspective | NASS | Park City, UT

2/15/2019 | Speaker | The Operative Perspective on Endoscopic Discectomy: Case and Video Presentation | NASS | Park City, UT

4/3/2019 | Instructional Course Lecture (ICL) | Speaker | Session 3: Case Selection and Approach in the Ambulatory Setting | Lumbar Spine Research Society (LSRS) | Chicago, IL

9/2/2021 | Speaker | Endoscopic Spine Fusion | NASS section of FOSA at the Annual AAOS

### **Mentoring and Advising**

(Please indicate by asterisk \* in front of the names of those mentees who are cited on publications in your CV. If you know the Current Academic title and Institution of your mentee, you may indicate)

Predoctoral students supervised and/or mentored

2007-Current | Ria Roberts | Advisor - Pre-med /Pre-doctoral Research/ Residency | Resident - Internal Medicine | Yale in New Haven, CT

9/2015-9/2017 | Poorman, Gregory W | NYU Scoliosis Research Foundation | Orthopedics Dept | Researcher | Currently MPh Student NYU

9/2013-9/2014 | Nancy Worley | NYU Scoliosis Research Foundation | Orthopedics Dept | Researcher | Currently Medical Student, Tulane School of Medicine

9/2016-9/2017 | Dante Levin | NYU Scoliosis Research Foundation | Orthopedics Dept | Researcher | Currently Attending Surgeon, Mt. Sinai Medical Center

9/2013-9/2014 | Bianco Kristine M | NYU Scoliosis Research Foundation | Orthopedics Dept | Researcher

9/2017-Current | Diebo, Bassel G | NYU Scoliosis Research Foundation | Orthopedics Dept | Researcher | Currently Ortho Resident at SUNY Downstate

9/2017-Current | Bortz, Cole | NYU Scoliosis Research Foundation | Orthopedics Dept | Researcher

Postdoctoral students supervised and/or mentored

None

Faculty mentored

9/2016 - Current | Joseph Pyun, MD | Orthopedics Department | Clinical Assistant Professor | NYU Langone

### **Institutional, Local/National Service and Related Activity**

#### **Institutional Service**

3/2009 - Current | Hospital | Attending Orthopedic Surgeon | Department of Orthopedics at NYU Langone - Brooklyn

9/2011 - Current | Hospital | Attending Orthopedic Surgeon | Department of Orthopedics at NYU Hospital for Joint Diseases

9/2011 – 2018 | Hospital | Attending Orthopedic Surgeon | Department of Orthopedics at Lenox Hill Hospital

8/2006 – 7/2010 | Hospital | Director | Spine Service Line | Department of Orthopedics and Rehabilitation at SUNY Downstate Medical Center

1/2006 – 7/2006 | Hospital | Junior Faculty Attending, Spinal Trauma Fellow | MetroHealth Hospital of Cleveland

7/2005 – 7/2006 | Hospital | Spinal Cord Injury Unit, Degenerative Spine Fellow | University Hospital of Cleveland

#### **Professional Service**

Professional Service for Professional Organizations

2000 – Current | Member | American Medical Association (AMA)

2001 | Ochsner Clinic Foundation | Fellows Association Executive Committee

2002 | Ochsner Clinic Foundation | Therapeutics Committee

2005 – Current | Member | Henry Bohlman's "Wine and Spine Society"

2006 – Current | Member | Brooklyn Orthopedic Society

2006 – Current | Member | Herndon Society

2008 – Current | Member | Fellow of American Academy of Orthopedic Surgery (FAAOS)

2009 – Current | Member | AO North America

2009 – Current | Member | North American Spine Society (NASS)

2009 – Current | Member | Cervical Spine Research Society (CSRS)

2007-2008 | Brooklyn Orthopedic Society | Treasurer

2008-2009 | Brooklyn Orthopedic Society | Secretary

2008-2010 | Member | SUNY Downstate | OR Committee

2008 - Current | Young Surgeons Forum | North American Spine Society Pre-Meeting Course | Course Committee | Clinical Section Co-Director

2008 - Current | Young Surgeons Forum | North American Spine Society Pre-Meeting Course | Course Committee | Faculty Moderator

2008 - Current | Young Surgeons Forum | North American Spine Society Pre-Meeting Course | Course Committee | Speaker  
 2009-2010 | Brooklyn Orthopedic Society | Vice-President  
 2009 | Young Spine Surgeons Study Group | Co-Founder  
 2010-2011 | Brooklyn Orthopedic Society | President  
 2012 – Current | Member | Lumbar Spine Research Society (LSRS)  
 2013-2015 | AAOS | Spine Program Committee  
 2013-2016 | Cervical Spine Research Society (CSRS) | Program Committee  
 2013-2018 | Member | Spine Research Foundation – NYU Department of Orthopedics  
 2014-2016 | Lumbar Spine Research Society (LSRS) | Program Committee  
 2015 | Association for Collaborative Spinal Research (ACSR) Board Member | Executive Committee  
 2017 – Current | Member | Federation of Spine Associations (FOSA)  
 2017 – Current | Executive Council for Education | American Academy of Orthopedic Surgeons (AAOS) | Spine Content Committee Council  
 2017-2020 | FOSA-AAOS | Program Chairperson (CSRS)  
 2018-2021 | Lumbar Spine Research Society (LSRS) | Program Committee  
 2018-2021 | Cervical Spine Research Society (CSRS) | Instructional Course Lecture Committee  
 11/2019 - 2022 | Chairman of Education | Cervical Spine Research Society (CSRS)  
 2019 - 2022 | Lumbar Spine Research Society (LSRS) | Education Committee  
 2020 | President Elect | Federation of Spine Associations (FOSA)

#### Peer Review Groups, Grant Application Review Groups, and Study Sections

2014 – Current | Member | International Spine Study Group (ISSG)  
 2014 – 2017 | Member | Association for Collaborative Spinal Research (ACSR)

#### Advisory Boards and Consultant Positions

2017- Current | Consultant | Wolf Endoscopic Surgical  
 2018- Current | Member | Cervical Spine Research Society (CSRS) Board of Directors

#### Organizing Roles in Scientific Meetings

12/2/2020 | Moderator | Virtual Instructional Course: (10015) Technology | Cervical Spine Research Society (CSRS) | Online Virtual Course  
 11/2019 | Moderator and Section Director | ICL- Cervical Spine Research Society (CSRS)  
 4/2019 | Moderator | FOSA – AAOS Specialty Day | Cervical Spine Research Society (CSRS)  
 11/2018 | Moderator and Section Director | ICL- Cervical Spine Research Society (CSRS)  
 3/2018 | Moderator | FOSA – AAOS Specialty Day | Cervical Spine Research Society (CSRS)  
 12/1/2017 | Moderator | Session X: Spinal Cord | Cervical Spine Research Society (CSRS) | Hollywood, FL  
 3/2017 | Moderator | FOSA – AAOS Specialty Day | Cervical Spine Research Society (CSRS)  
 2017 | Meeting Moderator - Degenerative Lumbar Section | International Society for the Advancement of Spine Surgery (ISASS)  
 2016 | Meeting Moderator - Miscellaneous Paper Section | Lumbar Spine Research Society (LSRS)  
 2015 | Meeting Moderator - Miscellaneous Paper Section | Lumbar Spine Research Society (LSRS)  
 2015 | Meeting Moderator - Paper Session | American Academy of Orthopedic Surgeons (AAOS)  
 2014 | Meeting Moderator - Complications Section | Lumbar Spine Research Society (LSRS)  
 2013 | Moderator – Basic Science | Lumbar Spine Research Society (LSRS) | Chicago, IL  
 2012 | Moderator – Complications Section | Cervical Spine Research Society (CSRS)

#### Editorial and Journal Positions

2006-Current | Editorial Reviewer | Spine Journal  
 2017-Current | Editorial Reviewer | Operative Neurosurgery

## Community Service, Volunteer Activities, and Teaching of Patients

2018 | Medical Volunteer | AVP American Volleyball Professional Association Tour

## Military Service

None

## Bibliography

Peer-reviewed Publications

1. Gerling MC, Jossart G, Duh QY, Weier HU, Clark OH, Young DM. Invasion of Human Follicular Thyroid Carcinoma Cells in an in vivo Invasion Model. *Thyroid*. 1999 Dec;9(12):1221-6. doi: 10.1089/thy.1999.9.1221
2. Gerling MC, Davis DP, Hamilton RS, Morris GF, Vilke GM, Garfin SR, Hayden SR. Effects of Cervical Spine Immobilization Technique and Laryngoscope Blade Selection on an Unstable Cervical Spine in a Cadaver Model of Intubation. *Ann Emerg Med* 2000 Oct;36(4):293-300. doi: 10.1067/mem.2000.109442
3. Gerling MC, Davis DP, Hamilton RS, Garfin SR, Hayden SR. Effect of Surgical Cricothyrotomy on the Unstable Cervical Spine in a Cadaver Model of Intubation. *J Emerg Med*. 2001 Jan;20(1):1-5. doi: 10.1016/S0736-4679(00)00287-0
4. Gerling MC, Pfirrmann CW, Farooki S, Kim C, Boyd GJ, Feng SA, Jacobson JA, Resnick D, Brage ME. Posterior Tibial Tendon Tears: Comparison of the Diagnostic Efficacy of MRI and Ultrasound for the Detection of Surgically Created Longitudinal Tears in Cadavers, *Invest Radiol*. 2003 Jan;38(1):51-6. doi: 10.1097/01:RLI.0000040852.70879.C8
5. Gerling MC, Authement L, Turley L, Kaye J. Long-Term Follow Up After Partial Fasciectomy for Dupuytren's Contracture Using the Disability of Arm, Shoulder and Hand (DASH) and Patient Rated Wrist/Hand Evaluation (PRWHE) Questionnaires. Manuscript in Progress.
6. Gerling MC, Bohlman HH. Dropped Head Deformity due to Cervical Myopathy: Surgical Treatment Outcomes and Complications Spanning Twenty Years. *Spine (Phila Pa 1976)*. 2008 Sep 15;33(20):E739-45. doi: 10.1097/BRS.0b013e31817f1f8b
7. Gerling MC. Effects of Spinous Process Excision on Adjacent Level Motion: A Biomechanical Cadaveric Model. Manuscript in Progress.
8. Morr S, Shanti N, Carrer A, Kubeck J and Gerling MC. Quality of information concerning cervical disc herniation on the Internet. *Spine J*. 2010 Apr;10(4):350-4. Doi: 10.1016/j.spinee.2010.02.009. Review.
9. Gerling MC, Eubanks JD, Patel R, Whang PG, Bohlman HH, Ahn NU. Cement Augmentation for Refractory Osteoporotic Vertebral Compression Fractures: Survivorship Analysis. *Spine (Phila Pa 1976)*. 2011 Sep 1;36(19):E1266-9. doi: 10.1097/BRS.0b013e31820a0b3f.
10. Patel RD, Graziano GP, Vanderhave KL, Patel AA, Gerling MC. Facet Violation with the Placement of Percutaneous Pedicle Screws. *Spine (Phila Pa 1976)*. 2011 Dec 15;36(26):E1749-52. doi: 10.1097/BRS.0b013e318221a800.
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38. "The Economic Impact of Hospital Acquired Conditions in Open, Minimally Invasive, and Robot Assisted Lumbar Fusion Surgery". Submitted: *Global Spine Journal*. Manuscript ID is GSJ-19-0296.
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#### Peer-reviewed reviews

1. Lieberman-Kieval D. Manuscript ID GSJ-20-0268, "Reciprocal Change of Occipitocervical Parameters after Anterior Cervical Discectomy and Fusion." *Global Spine Journal*. In Review.

#### Non peer-reviewed publications

1. Gerling MC. Commentary on Spinal Disk Replacement Technology. *The Brooklyn Orthopedic Society Bulletin* 2007 Nov; p. 1-2

#### Book Chapters, Books



1. Gerling MC. Surgery for Neromuscular Kyphosis. In: Benzel EC, editor. The Cervical Spine. 5<sup>th</sup> ed. Cervical Spine Research Society. Philadelphia: Lippincott, Williams and Wilkins (LWW); 2011
2. Gerling MC. Treatment of Low Grade Spondylolisthesis. In: Kim DH, Vaccaro AR, Whang PG, Kim SD, Kim SH, editors. Lumbosacral and Pelvic Procedures. 1<sup>st</sup> ed. Boca Raton, FL: CRC Press; 2013
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5. Publication Pending: Gerling MC. Scoliosis. In: Complications of Spinal Instrumentation. 2013.
6. Gerling MC. Endoscopic Spine Surgery. In: Discectomy. In: Operative Techniques in Orthopedics, Volume 29, Issue 2, June 2019, 100719

## Editorials and Commentaries

None

## Book reviews

None

Meeting Reports, Consensus Reports, practice guidelines and any other publication

## Media appearances

None

Other Media including Research and Analytic tools (Please include description)

**Abstracts**

1. Endoscopic Percutaneous Discectomy Does Not Decrease Complications, Readmission, or Length of Stay in 522 Patients
2. \*Wilker M, Gerling MC, Mitgang J. Adjacent Level Motion After Lumbar Surgery: Comparing Laminectomy with Posterior Instrumented Fusion, <http://www3.aaos.org/education/anmeet/anmt2010/poster/poster.cfm?Pevent=P390>
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4. Pfirrmann CW, Gerling MC, Farooki S, Kim C, Brage ME, Resnick DL. PTT tears: Comparison between MR Imaging and US in the analysis of surgically created lesions in cadavers. Radiology Supp, Feb 2000: 215
5. Gerling MC. Operative versus non-operative treatment for adult spinal deformity: A meta-analysis characteristics and postoperative outcome. Pending Review
6. Michael Gerling; Gregory M. Mundis, MD; Juan S. Uribe, MD, FAANS; Paul Park, MD; Praveen V. Mummaneni, MD; Kai-Ming G. Fu, MD, PhD; Stacie Tran, BS, MPH; Khoi Duc Than, MD; Pierce D. Nunley, MD; David O. Okonkwo, MD, PhD; Richard G. Fessler, MD, PhD; Neel Anand. The Impact of Revision Surgery on Patients Undergoing MIS Correction of Adult Spinal Deformity: A Multi-Center Study. ISSG, AANS/CNS Joint Section on Disorders of the Spine and Peripheral Nerves: 2018 Meeting
7. Michael Gerling; Gregory M. Mundis, MD; Juan S. Uribe, MD, FAANS; Paul Park, MD; Praveen V. Mummaneni, MD; Kai-Ming G. Fu, MD, PhD; Stacie Tran, BS, MPH; Khoi Duc Than, MD; Pierce D. Nunley, MD; David O. Okonkwo, MD, PhD; Richard G. Fessler, MD, PhD; Neel Anand. The Impact of Revision Surgery on Patients Undergoing MIS Correction of Adult Spinal Deformity: A Multi-Center Study. SOLAS 2018
8. Michael Gerling; Gregory M. Mundis, MD; Juan S. Uribe, MD, FAANS; Paul Park, MD; Praveen V. Mummaneni, MD; Kai-Ming G. Fu, MD, PhD; Stacie Tran, BS, MPH; Khoi Duc Than, MD; Pierce D. Nunley, MD; David O. Okonkwo, MD, PhD; Richard G. Fessler, MD, PhD, Neel Anand. Presentation 84: Undergoing Bariatric Surgery

Lowers Complication Rates Following Spine Surgery in Morbidly Obese Patients 15604. Cervical Spine Research Society (CSRS). Pending Review

### Oral and poster presentations

- 9/30/2022 | Michael Gerling; Melissa Baker; Evan Chaladoff; Eloise Stanton BA, Anastasia Artemieb, Zorica Buser | Nerve Root Retraction Time During Lumbar Endoscopic Discectomy Surgery: Association with Post-Operative Neurological Complications | SMISS Annual Forum 2022 | Las Vegas, NV.
- 9/30/2022 | Michael Gerling; Melissa Baker; Evan Chaladoff; Zorica Buser | The Incidence of Complications and Neurological Deficits in Split Tubular, Endoscopic and Robotic-assisted Endoscopic TLIFs: There is a Difference | SMISS Annual Forum 2022 | Las Vegas, NV.
- 6/2/2022 | Michael C. Gerling | Incorporation Of New Technology In Clinical Practice | Global Spine Congress Annual Meeting, June 1-4 | Las Vegas, NV.
- 2/15/2019 | Michael C. Gerling | The Operative Perspective on Endoscopic Discectomy: Case and Video Presentation | NASS | Park City, UT.
- 2/14/2019 | Michael C. Gerling | Economic Analysis: Surgeon's and Patient's Perspective | NASS | Park City, UT.
- 2019 | Peter Passias, \*Cole Bortz, Samantha Horn, Frank Segreto, Kartik Shenoy, \*Bassel Diebo, Renaud Lafage, Aaron Buckland, Michael Gerling | Diminishing Clinical Returns of Multilevel Minimally Invasive Lumbar Interbody Fusion | AAOS | Las Vegas, NV.
- 2019 | \*Cole A. Bortz, Samantha Horn, Frank Segreto, Jessica Morton, \*Bassel Diebo, Renaud Lafage, Virginie Lafage, Michael Gerling, Peter Passias | Complication Risk in Primary and Revision Minimally Invasive Lumbar Interbody Fusion: A Comparable Alternative to Conventional Open Techniques? | AAOS | Las Vegas, NV.
- 2019 | Peter G. Passias, \*Cole A. Bortz, Frank A. Segreto, Samantha R. Horn, \*Bassel Diebo, Carl Paulino, Rivka Ihejirika, Michael C. Gerling, Thomas J. Errico | Pelvic Incidence Affects Age-Adjusted Alignment Outcomes in a Population of Adult Spinal Deformity | AAOS | Las Vegas, NV.
- 2018 | Peter G. Passias, Dennis Vasquez-Montes, Samantha R. Horn, \*Cole Bortz, Frank A. Segreto, Aaron J. Buckland, Themistocles S. Protopsaltis, Han Jo Kim, Michael Gerling, Renaud Lafage, Thomas J. Errico, Frank J. Schwab, Virginie Lafage | Redefining the Cervical Disability Threshold of T1 Slope minus Cervical Lordosis | CSRS | Scottsdale, AZ.
- 2018 | Peter Passias, Charles Wang, Gregory Poorman, Samantha Horn, Frank Segreto, \*Cole Bortz, Han Jo Kim, Virginie Lafage, Michael Gerling | The Correlation Between Cervical Alignment and Posterior Cervical Muscle Fatty Infiltration at Baseline in Cervical Deformity Patients// | AANS/CNS Joint Section | Orlando, FL.
- 2018 | Peter Passias, \*Gregory Poorman, Dennis Vasquez-Montes, Gregory Mundis, N. Anand, Samantha Horn, Bassel Diebo, \*Cole Bortz, Frank Segreto, Muhammed Burhan bin Janjua, Douglas Burton, Aaron Buckland, Michael Gerling, Alexandra Soroceanu, Robert Eastlack, D. Kojo Hamilton, Robert Hart, Frank Schwab, Virginie Lafage, Christopher Shaffrey, Daniel Sciubba, Shay Bess, Christopher Ames, Eric Klineberg | Predictive Analytics for Determining Extended Operative Time in Corrective ASD Surgery | AANS/CNS Joint Section | Orlando, FL.
- 2018 | Peter Passias, Samantha Horn, \*Gregory Poorman, John Moon, Peter. Zhou, Jared Tishelman, Leah Steinmetz, \*Cole Bortz, Frank Segreto, David Ge, Bryan Beaubrun, Cyrus Jalai, Michael Gerling, Aaron Buckland, Virginie Lafage | Cervical Deformity Patients with Concurrent Thoracolumbar Deformity Recruit More Lower Limb Compensation | ISASS | Toronto, CA.
- 2018 | Peter Passias, Charles Wang, Gregory Poorman, Samantha Horn, Frank Segreto, \*Cole Bortz, Nicholas Stekas, David Ge, Han Jo Kim, Virginie Lafage, Michael Gerling | The Correlation between Cervical Alignment and Posterior Cervical Muscle Fatty Infiltration at Baseline in Cervical Deformity Patients | ISASS | Toronto, CA.
- 2018 | Peter Passias, \*Gregory Poorman, Dennis Vasquez-Montes, Samantha Horn, Frank Segreto, \*Cole Bortz, Virginie Lafage, Christopher Ames, Michael Gerling, Eric Klineberg | Predictive Analytics for Determining Extended Operative Time in Corrective ASD Surgery | LSRS | Chicago, IL.
- 2018 | Peter Passias, Samantha Horn, Frank Segreto, \*Gregory Poorman, Dennis Vasquez-Montes, \*Cole Bortz, Shaleen Vira, Aaron Buckland, Michael Gerling, Thomas Errico | Adult Spinal Deformity: The Influence of BMI on Achieving Postoperative Age-Adjusted-Alignment Goals | LSRS | Chicago, IL.

- 2018 | Peter Passias, \*Gregory Poorman, Samantha Horn, Cyrus Jalai, Frank Segreto, \*Cole Bortz, \*Bassel Diebo, Themistocles Protopsaltis, Michael Gerling, Thomas Errico | Bone Marrow Concentration vs. Iliac Crest Bone Graft: 2-Year Results in a Single-Blinded Randomized Controlled Trial on Thoracolumbar Spinal Fusion Bone Grafts in Multi-Level Adult Spinal Deformity | LSRS| Chicago, IL.
- 2018 | \*Gregory Poorman, Samantha Horn, \*Bassel Diebo, Charles Wang, Cole Bortz, Frank Segreto, John Moon, Michael Gerling, Peter Passias | Lumbar Discectomies in Outpatient vs Inpatient Settings: Length of Stay, Cost, and Complications in Two National Databases | LSRS| Chicago, IL.
- 2018 | Peter Passias, \*Gregory Poorman, Samantha Horn, \*Cole Bortz, Frank Segreto, Shay Bess, Virginie Lafage, Michael Gerling, Thomas Errico | Patient Profiling Can Identify Spondylolisthesis Patients at Risk for Conversion from Nonoperative to Surgical Treatment | LSRS| Chicago, IL.
- 2018 | Samantha Horn, Nicholas Frangella, \*Gregory Poorman, Dennis Vasquez-Montes, \*Cole Bortz, \*Bassel Diebo, Frank Segreto, Virginie Lafage, Michael Gerling, Peter Passias | Full-Body Analysis of Adult Spinal Deformity Patients' Age-Adjusted Alignment at 1 Year | LSRS| Chicago, IL.
- 2018 | Peter Passias, Samantha Horn, Cyrus Jalai, \*Gregory Poorman, \*Cole Bortz, Frank Segreto, \*Bassel Diebo, Thomas Errico, Virginie Lafage, Michael Gerling | Sustained Changes in Age-Adjusted Full-Body Compensation Following Adult Spinal Deformity Corrective Surgery | LSRS| Chicago, IL.
- 2018 | Peter Passias, \*Cole Bortz, Rabia Qureshi, \*Bassel Diebo, Justin Paul, Samantha Horn, Frank Segreto, Shay Bess, Michael Gerling, Hamid Hassanzadeh | Predictors of Adverse Discharge Disposition in Adult Spinal Deformity and Associated Costs | LSRS| Chicago, IL.
- 2018 | \*Gregory Poorman, Peter Zhou, Dennis Vasquez-Montes, Samantha Horn, Frank Segreto, \*Cole Bortz, Joshua Auerbach, Michael Gerling, Justin Paul, Peter Passias | Differences in Primary and Revision Deformity Surgeries: Following 1,063 Primary Thoracolumbar Adult Spinal Deformity Fusions over Time | LSRS| Chicago, IL.
- 2018 | Peter Passias, \*Cole Bortz, Samantha Horn, Frank Segreto, Nicholas Stekas, David Ge, Christopher Varlotta, Nicholas Frangella, Virginie Lafage, Renaud Lafage, Leah Steinmetz, Dennis Vasquez-Montes, Mohamed Moawad, Chloe Deflorimonte, Charla Fischer, Themistocles Protopsaltis, Aaron Buckland, Thomas Errico, Michael Gerling. | Diminishing Clinical Returns of Multilevel Minimally Invasive Lumbar Interbody Fusion | NASS | Los Angeles, CA
- 2018 | Cole Bortz, Frank Segreto, Samantha Horn, Christopher Varlotta, David Ge, Dennis Vasquez-Montes, Mohamed Moawad, Chloe Deflorimonte, Virginie Lafage, Renaud Lafage, Charla Fischer, Michael Gerling, Themistocles Protopsaltis, Thomas Errico, Aaron Buckland, Peter Passias. | Complication Risk in Primary and Revision Minimally Invasive Lumbar Interbody Fusion: A Comparable Alternative to Conventional Open Techniques? | NASS | Los Angeles, CA
- 9/28/2018 | Michael Gerling | PROMIS Correlates with Patient Satisfaction and VAS Back Pain Scores | Friday AM1A Abstracts: How Should We Measure Our Success | NASS | Los Angeles, CA
- 9/28/2018 | Michael Gerling | ODI Cannot Account for all of the Variability in PROMIS Scores in Thoracolumbar Patients | Friday AM1A Abstracts: How Should We Measure Our Success | NASS | Los Angeles, CA
- 9/28/2018 | Michael Gerling | Prior Bariatric Surgery Lowers Complication Rates following Spine Surgery in Obese Patients | PM2C Abstracts: The Gravity of Obesity | NASS | Los Angeles, CA
- 2018 | Michael Gerling; Gregory M. Mundis, MD; Juan S. Uribe, MD, FAANS; Paul Park, MD; Praveen V. Mummaneni, MD; Kai-Ming G. Fu, MD, PhD; Stacie Tran, BS, MPH; Khoi Duc Than, MD; Pierce D. Nunley, MD; David O. Okonkwo, MD, PhD; Richard G. Fessler, MD, PhD, Neel Anand | The Impact of Revision Surgery on Patients Undergoing MIS Correction of Adult Spinal Deformity: A Multi-Center Study | CNS
- 2018 | Michael Gerling; Gregory M. Mundis, MD; Juan S. Uribe, MD, FAANS; Paul Park, MD; Praveen V. Mummaneni, MD; Kai-Ming G. Fu, MD, PhD; Stacie Tran, BS, MPH; Khoi Duc Than, MD; Pierce D. Nunley, MD; David O. Okonkwo, MD, PhD; Richard G. Fessler, MD, PhD, Neel Anand | The Impact of Revision Surgery on Patients Undergoing MIS Correction of Adult Spinal Deformity: A Multi-Center Study | AANS
- 2018 | Michael Gerling; Gregory M. Mundis, MD; Juan S. Uribe, MD, FAANS; Paul Park, MD; Praveen V. Mummaneni, MD; Kai-Ming G. Fu, MD, PhD; Stacie Tran, BS, MPH; Khoi Duc Than, MD; Pierce D. Nunley, MD; David O. Okonkwo, MD, PhD; Richard G. Fessler, MD, PhD, Neel Anand | The Impact of Revision Surgery on Patients Undergoing MIS Correction of Adult Spinal Deformity: A Multi-Center Study | SMISS

- 7/12/2018 | Gerling MC | Diminishing Clinical Returns of Multilevel Minimally Invasive Lumbar Interbody Fusion | Whitecloud #4 | IMAST
- 7/12/2018 | Gerling MC | Impact of Presenting Patient Characteristics on Surgical Complications and Morbidity in Early Onset Scoliosis | Whitecloud #9 | IMAST
- 7/13/2018 | Gerling MC | Defining Age Adjusted Spinopelvic Alignment Thresholds: Should We Integrate BMI? | Whitecloud #26 | IMAST
- 2017 | Gerling MC | Patient Profiling Can Identify Spondylolisthesis Patients at Risk for Conversion from Nonoperative to Surgical Treatment | IMAST
- 11/30/2017 | Gerling MC, Passias PG, Radcliff K, Isaacs RE, Arnold PM, Bianco K, Horn S, Poorman GW, Boniello AJ, Yang S, Vaccaro AR | Two-Year Surgical Outcomes of Patients with Cervical Myelopathy: An Analysis of the Impact of Patient Characteristics, Operative Data, and Preoperative Nonoperative Treatment Modalities | Cervical Spine Research Society (CSRS) Annual Meeting | Cervical Spine Research Society (CSRS) | Hollywood, FL
- 11/30/2017 | Gerling MC | Cervical Spine Trauma in Children: Analysis of Changes in Incidence, Etiology, and Concurrent Injuries Among 11,323 Pediatric Patients Over a 10-Year Period | Cervical Spine Research Society (CSRS) Annual Meeting | Cervical Spine Research Society (CSRS) | Hollywood, FL
- 11/12/2017 | Passias PG, Radcliff KE, Arnold PM, Horn S, Poorman GW, Boniello AJ, Yang S, Vaccaro AR, Gerling MC | Two-Year Surgical Outcomes of Patients with Cervical Myelopathy: An Analysis of the Impact of Patient Characteristics, Operative Data, and Preoperative Nonoperative Treatment Modalities | Cervical Spine Research Society (CSRS) Annual Meeting | Cervical Spine Research Society (CSRS) | Hollywood, FL
- 11/12/2017 | Poorman GW, Beaubrun BM, Horn SR, Diebo BG, Vira S, Bono O, Moon J, Wang C, Hirsch BP, Tishelman JC, Zhou PL, Gerling MC, Passias PG | Cervical Spine Trauma in Children: Analysis of Changes in Incidence, Etiology, and Concurrent Injuries Among 11,323 Pediatric Patients Over a 10-Year Period | Cervical Spine Research Society (CSRS) Annual Meeting | Cervical Spine Research Society (CSRS) | Hollywood, FL
- 2017 | Gerling MC | Outcomes Of Open Staged Corrective Surgery In The Setting Of Adult Spinal Deformity | Lumbar Spine Research Society (LSRS) Annual Meeting | Lumbar Spine Research Society (LSRS) | Chicago, IL
- 10/2016 | Gerling MC | Safety of Endoscopic Discectomy in the Ambulatory Setting | Society of Minimally Invasive Spine Surgery Annual Meeting | Society of Minimally Invasive Spine Surgery (SMISS) | Las Vegas, NV
- 10/2016 | Gerling MC | Endoscopic Percutaneous Discectomy does not Decrease Complications, Re-admission, or Length of Stay in 522 Patients | Society of Minimally Invasive Spine Surgery Annual Meeting | Society of Minimally Invasive Spine Surgery (SMISS) | Las Vegas, NV
- 9/2015 | Gerling MC | Predictors of Length of Hospital Stay and 30-Day Readmission in Adult Spinal Deformity Surgical Patients: An Analysis of 963 Patients Using the American College of Surgeons Database | Scoliosis Research Society Annual Meeting | Scoliosis Research Society | Minneapolis, MN
- 9/2015 | Gerling MC | Predictors of Length of Hospital Stay and 30-Day Readmission in Cervical Spondylotic Myelopathy Patients: An Analysis of 3057 Patients Using the American College of Surgeons Database | Scoliosis Research Society Annual Meeting | Scoliosis Research Society | Minneapolis, MN
- 2015 | Gerling MC | Identifying Predictors of Upper Body Post-Operative Pain and Disability Improvement in Surgical Cervical Spine Radiculopathic Patients | Cervical Spine Research Society (CSRS) European Sections Meeting | Cervical Spine Research Society (CSRS) | London, UK
- 5/2015 | Gerling MC, Passias PG, Bianco K, Worley NJ, Jalai CM, Oh, Spratt, Radcliff K, Isaacs RE, Cowgill, Vaccaro AR | Non-operative Treatment Modalities Prior To Cervical Surgery Affect Patient Outcomes: An Analysis Of 1818 Patients | Cervical Spine Research Society (CSRS) European Sections Meeting | Cervical Spine Research Society (CSRS) | London, UK
- 5/2015 | Gerling MC, Passias PG, Bianco K, Worley NJ, Jalai CM, Oh, Spratt, Radcliff K, Isaacs RE, Cowgill, Vaccaro AR | Predictors Of Two-year Surgical Outcomes Of Patients With Cervical Myelopathy: An Analysis Of 203 Patients | Cervical Spine Research Society (CSRS) European Sections Meeting | Cervical Spine Research Society (CSRS) | London, UK
- 4/2015 | Gerling MC, Macagno AE, Passias PG, Marascalchi BJ, Macagno AE, Jalai CM, Worley NJ, Bianco N, Bendo JA | Cervical Spondylotic Myelopathy: National Trends in the Presentation, Treatment and Perioperative Outcomes over 10 Years | ISASS Annual Meeting | ISASS | San Diego, CA

- 4/2015 | Gerling MC, C.M. Jalai, K. Radcliff, P.G. Passias, N.J. Worley, C.M. Jalai, K. Bianco, C. Oh, R.E. Isaacs, A.R. Vaccaro | Analysis of Post-operative Clinical Outcome between Patients with and without History of Prior Cervical Spine Surgery - a Multicenter Study of 1313 Patients of 2-year Follow-up from the Association for Collaborative Spinal Research | ISASS Annual Meeting | ISASS | San Diego, CA
- 4/2015 | Gerling MC, Shaleen Vira, P.G. Passias, K. Bianco, N.J. Worley, C.M. Jalai, C. Oh, K.F. Spratt, K. Radcliff, R. Isaacs, I. Cowgill, A.R. Vaccaro | Predictors of Two-year Surgical Outcomes of Patients with Cervical Myelopathy: An Analysis of 203 Patients | ISASS Annual Meeting | ISASS | San Diego, CA
- 4/2015 | Gerling MC, Shaleen Vira, P.G. Passias, K. Radcliff, R.E. Isaacs, K. Bianco, C.M. Jalai, N.J. Worley, A.R. Vaccaro | Surgical Management of Cervical Myelopathy: An Analysis of Patient Characteristics, Surgical Procedures, Complication Rates and Risk Factors | ISASS Annual Meeting | ISASS | San Diego, CA
- 4/2015 | Gerling MC, M. Spiegel, R. Isaacs, C.M. Jalai, K. Radcliff, N.J. Worley, K. Bianco, V. Challier, B.J. Marascalchi, P.G. Passias, A. Vaccaro | The Impact of Advanced Age on Peri-operative Outcomes in the Surgical Treatment of Cervical Spondylotic Myelopathy | ISASS Annual Meeting | ISASS | San Diego, CA
- 3/2015 | Gerling MC | The Impact of Advanced Age on Peri-Operative Outcomes in the Surgical Treatment of Cervical Spondylotic Myelopathy | American Academy of Orthopedics Annual Meeting | American Academy of Orthopedics | Las Vegas, NV
- 3/2015 | Gerling MC | Risks Factors For Reoperation After Surgery for Intervertebral Disc Herniations: Subanalysis of 8 year SPORT data | American Academy of Orthopedics Annual Meeting | American Academy of Orthopedics | Las Vegas, NV
- 2/2015 | Gerling MC | Risks Factors for Reoperation after Surgery for Lumbar Spinal Stenosis: Subanalysis of Eight-Year SPORT Data | NASS 11<sup>th</sup> Annual Evidence and Technology Spine Summit | NASS | Salt Lake City, Utah
- 2/2015 | Gerling MC | Risks Factors for Reoperation after Surgery for Degenerative Spondylolisthesis: Subanalysis of Eight-Year SPORT Data | NASS 11<sup>th</sup> Annual Evidence and Technology Spine Summit | NASS | Salt Lake City, Utah
- 2/2015 | Gerling MC | Risks Factors for Reoperation after Surgery for Intervertebral Disc Herniations: Subanalysis of Eight-Year SPORT Data | NASS 11<sup>th</sup> Annual Evidence and Technology Spine Summit | NASS | Salt Lake City, Utah
- 11/2014 | Gerling MC | Reoperation after surgery for Spondylolisthesis | NASS Annual Meeting | NASS | San Francisco, CA
- 11/2014 | Gerling MC | Reoperation after surgery for Spinal Stenosis | NASS Annual Meeting | NASS | San Francisco, CA
- 11/2014 | Gerling MC | Reoperation after surgery for Disk Herniations | NASS Annual Meeting | NASS | San Francisco, CA
- 7/16/2014-7/19/2014 | Gerling MC | Risks Factors For Re-operation in Patients Treated Surgically for Degenerative Spondylolisthesis | International Meeting on Advanced Spine Techniques (IMAST) Meeting | International Meeting on Advanced Spine Techniques (IMAST) | Valencia, Spain
- 7/16/2014-7/19/2014 | Gerling MC | Risks Factors For Re-operation in Patients Treated Surgically for Spinal Stenosis | International Meeting on Advanced Spine Techniques (IMAST) Meeting | International Meeting on Advanced Spine Techniques (IMAST) | Valencia, Spain
- 5/2014 | Gerling MC | Risk factors for re-operation in patients treated surgically for lumbar stenosis: A sub-analysis of the eight year data from the SPORT trail | Lumbar Spine Research Society (LSRS) Annual Meeting | Lumbar Spine Research Society (LSRS)
- 5/2014 | Gerling MC | Risk factors for re-operation in patients treated surgical for degenerative spondylolisthesis: A sub-analysis of the eight year data from the SPORT trial | Lumbar Spine Research Society (LSRS) Annual Meeting | Lumbar Spine Research Society (LSRS)
- 5/2014 | Gerling MC | Risk factors for reoperation in patients treated surgically for intervertebral disc herniations: A sub-analysis of the eight year data from the SPORT trial | Lumbar Spine Research Society (LSRS) Annual Meeting | Lumbar Spine Research Society (LSRS)
- 2014 | Gerling MC | Selective versus non-selective thoracic fusion in Lenke 1C curve: A meta- analysis of baseline characteristics and postoperative outcomes | Scoliosis Research Society

- 3/2014 | Gerling MC | Dysphagia Following Anterior Cervical Discectomy and Fusion: National Incidence and Risk Factors | American Academy of Orthopedics Annual Meeting | American Academy of Orthopedics | San Diego, CA
- 2/2011 | Gerling MC | Pathophysiology and Treatment of Lumbar Spinal Stenosis - Interspinous Devices and MIS Decompression for Spinal Stenosis | American Academy of Orthopedic Surgery Annual Meeting | American Academy of Orthopedic Surgery | San Diego, CA
- 11/2010 | Gerling MC | Calcium Phosphate (CaP) Cement and Spinal Augmentation: Cadaveric and Biomechanical Properties with use of Radio-opacifiers | 2010 Challenges in Fracture Care Across Disciplines Meeting | AO North America | Phoenix, AZ
- 10/2010 | Gerling MC | Young Surgeon's Perspectives on Academic Career | North American Spine Society (NASS) Annual Meeting | North American Spine Society | Orlando, FL
- 7/2010 | Gerling MC | Radio-Opacification of calcium phosphate cement for spinal augmentation: cadaveric and biomechanical study | World Forum for Spine Research | Montreal, Canada
- 5/2010 | Gerling MC | Spinal Augmentation: Cadaveric and Biomechanical Study of the Effects of Radio-opacification of CaP cement | World Spine V | Santarini, Greece
- 4/2010 | Gerling MC | Necessity of Radio-Opacification of Calcium Phosphate Cement during Spinal Augmentation | Lumbar Spine Research Society (LSRS) Annual Meeting | Lumbar Spine Research Society (LSRS) | Chicago, IL
- 3/2010 | Gerling MC | Radio-opacification of Calcium Phosphate (CaP) cement for spinal augmentation: Cadaveric and Biomechanical Study | American Academy of Orthopedics Annual Meeting | American Academy of Orthopedics | New Orleans, LA
- 3/2010 | Gerling MC | Adjacent Level Motion After Lumbar Laminectomy compared with Posterior Instrumented Fusion: A Biomechanical Model | American Academy of Orthopedics Annual Meeting | American Academy of Orthopedics | New Orleans, LA
- 6/2009 | Gerling MC | Cervical Disc Herniation: The Quality of Information on the Internet | Cervical Spine Research Society (CSRS) European Sections Meeting | Cervical Spine Research Society (CSRS) | Uppsala, Sweden
- 4/2009 | Gerling MC | Adjacent Level Motion After Lumbar Surgery: A Biomechanical Model Compares Traditional Laminectomy With Posterior Instrumented Fusion | Lumbar Spine Research Society (LSRS) Annual Meeting | Lumbar Spine Research Society (LSRS) | Chicago, IL
- 2/2007 | Gerling MC | Dropped head deformity: Long-term surgical outcomes and complications | American Academy of Orthopedics Annual Meeting | American Academy of Orthopedics | San Diego, CA
- 2/2007 | Gerling MC | Improved survivorship after cement augmentation for osteoporotic compression fractures | American Academy of Orthopedics Annual Meeting | American Academy of Orthopedics | San Diego, CA
- 12/2006 | Gerling MC | Dropped head deformity: Long-term surgical outcomes and complications | Cervical Spine Research Society (CSRS) Annual Meeting | Cervical Spine Research Society (CSRS) | Palm Beach, FL
- 6/2006 | Gerling MC | Long-term survivorship analysis after osteoporotic compression fractures of the thoracolumbar spine in elderly patients: percutaneous cement augmentation versus brace treatment | International Society For The Study Of The Lumbar Spine | Bergen, Norway
- 11/2000 | Gerling MC | Comparison between MRI and US in the analysis of surgically created posterior tibial tendon tears in cadavers | Louisiana Orthopedic Association | New Orleans, LA
- 11/2000 | Gerling MC | PTT tears: Comparison between MR Imaging and US in the analysis of surgically created lesions in cadavers | Radiological Society of North America Annual Meeting | Radiological Society of North America | Chicago, IL
- 10/1998 | Gerling MC | Movement across an unstable cervical spine injury in a cadaver model of intubation | American College of Emergency Physicians National Meeting | American College of Emergency Physicians | San Diego, CA
- 6/1998 | Gerling MC | Effect of laryngoscope blade type and c-spine immobilization technique on an unstable c-spine injury | American College of Emergency Physicians California Meeting | American College of Emergency Physicians | Monterey, CA
- 5/1998 | Gerling MC | Effect of laryngoscope blade type and c-spine immobilization technique on intubations | Society for Academic Emergency Medicine | Chicago, IL

- 6/1995 | Gerling MC | Invasion of Human Follicular Thyroid Carcinoma Cells in an in vivo invasion model | UC Berkeley Genetics Symposium | UC Berkeley | Berkeley, CA

**Patents**

None

# EXHIBIT B





**CENTER for  
MUSCULOSKELETAL and  
NEUROLOGICAL CARE**

**Michael C. Gerling, MD**

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Sub-Specialization: Minimally Invasive Techniques  
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**NARRATIVE SUMMARY**

DATE: 11/03/2023

**Re:** Gando Amat, Juan

**DOB:** 01/26/1954

**Surgery Dates:** 07/27/2022, 06/02/2023

**DATE OF INJURY:** 11/23/2020

To Whom It May Concern:

This is to inform you that I have performed an orthopedic consultation and treatment of the patient for injury sustained in the accident stated below.

**HISTORY OF PRESENT ILLNESS ON INITIAL VISIT (05/12/2022):**

Mr. Juan Gando Amat is a 68-year-old male who presents today with neck, low back, left shoulder, left elbow, left wrist, left hand, right knee, right ankle, left hip, left knee, left ankle and left foot complaints, with the pain in the neck being the most severe. The symptoms began after the patient sustained an accident. The symptoms have been present for 17 months. The symptoms have been present for over a year and are becoming progressively worse. Since the onset, he has not been able to work. At the time of the accident, he was working as a manual laborer. Mr. Gando Amat requires assistance with activities of daily living including chores and lifting and similar tasks for which he now relies on his family for help. The symptoms have impaired his ability to sleep normally.

**Neck Specific Findings:**

- The patient's neck pain is rated 8/10.
- The patient has radiating pain to the right shoulder, right arm, left shoulder and left arm.
- The patient's radicular pain is rated 8/10.
- The patient reports numbness/paresthesia in the right arm, right elbow, right forearm, right wrist, right hand, right fingers, left arm, left elbow, left forearm, left wrist, left hand and left fingers.
- The patient is experiencing occipital headaches. Including instances of tripping/stumbling.

**Back Specific Findings:**

- The patient's back pain is rated 8/10.

- The patient has radiating pain to the left glute, left lateral thigh, left posterior thigh, anterior left thigh, left shin, left calf, dorsal aspect of the left foot and ventral aspect of the left foot.
- The patient's radicular pain is rated 8/10.
- The patient also reports numbness/paresthesia in the left glute, left lateral thigh, left posterior thigh, anterior left thigh, left shin, left calf, dorsal aspect of the left foot and ventral aspect of the left foot.
- The patient cannot walk more than 1-2 blocks without pain.
- The patient cannot stand more than 5 minutes without pain.
- Laying down helps to relieve the patient's pain.
- Lifting and bending exacerbates the patient's pain.

#### **Conservative management:**

- The patient requires the use of a cane.
- The patient has attempted neck-specific physical therapy sessions at a frequency of 2 days per week for greater than 1 year
- The patient has attempted back-specific physical therapy sessions at a frequency of 2 days per week for greater than 1 year
- The patient has been taking non-steroidal anti-inflammatories as needed for the pain

**Accident details:** The patient was T-boned by a tractor trailer in a motor vehicle accident a passenger in a motor vehicle. After the accident, they went to the emergency room by ambulance for care.

#### **Prior Neck and Back History:**

- The patient was asymptomatic in the neck prior to the accident.
- The patient was asymptomatic in the back prior to the accident.

#### **PHYSICAL EXAMINATION (05/12/2022):**

**General:** Patient is alert and oriented. They present sagittally balanced. He is in no acute distress.

**Examination of the Cervical Spine:** The cervical spine has limited range of motion due to pain with tenderness to palpation and spasm noted midline.

- Spurling's sign: Positive on the left.
- Lhermitte's: Positive
- ROM Flexion: 30 degrees (Normal: 60 degrees) with firm endpoint palpable.
- ROM Extension: 35 degrees (Normal: 75 degrees) with firm endpoint palpable.
- ROM Left lateral rotation: 50 degrees (Normal: 80 degrees) with firm endpoint palpable.
- ROM Right lateral rotation: 65 degrees (Normal: 80 degrees) with firm endpoint palpable.

**Examination of the Thoracolumbar Spine:** The thoracolumbar spine has limited range of motion due to pain with tenderness to palpation and spasm noted midline lumbar spine.

- ROM Forward Flexion: 40 degrees (Normal: 110 degrees) with firm endpoint palpable.
- ROM Extension: 10 degrees (Normal: 25 degrees) with firm endpoint palpable.

#### **Gait/Balance:**

- The patient displays a grossly stable gait.
- The patient is able to heel and toe walk.
- Romberg: Positive.

#### **Musculoskeletal exam:**

- Both upper extremities were examined.
  - o There is pain with left shoulder abduction.

- There is an impingement of the left shoulder.
- There is atrophy of the hands bilaterally.
- Tinel's positive at the right elbow.
- Tinel's positive at the right wrist.
- Phalen's positive at the right wrist
- Both lower extremities were examined.
  - Right knee reduced ROM
  - SI Joint Provocative Test FABER: Positive on the left
  - SI Joint Provocative Test Compression: Positive on the left

All range of motion was tested with a Goniometer. Normal limits established by AMA guidelines for range of motion of the spine are as follows: Cervical spine - flexion 60 degrees, extension 75 degrees, rotation 80/80, lateral flexion 45/45 degrees; Thoracolumbar spine - flexion 110 degrees, extension 25, rotation 30/30; lateral flexion 25/25. Normal limits for the knee are 0-130 degrees. Normal limits for the shoulder are 0-140 degrees.

### **Neurologic Examination:**

All extremities were examined.

### **Deep Tendon Reflexes:**

- Upper Extremities:
  - Right biceps: 1+. Left biceps: 0.
  - Right triceps: 1+. Left triceps: 0.
  - Right brachioradialis 3+. Left brachioradialis: 3+.
- Lower Extremities:
  - Right patella: 1+. Left patella: 1+.
  - Right Achilles: 1+. Left Achilles: absent.

### **Motor:**

- Upper Extremities:
  - Right deltoids: 5/5 Left deltoids: 5/5
  - Right biceps: 5/5 Left biceps: 5/5
  - Right wrist extension: 5/5 Left wrist extension: 5/5
  - Right triceps: 5/5 Left triceps: 5/5
  - Right grip: 5/5 Left grip: 5/5
  - Right IO: 4/5 Left IO: 4/5
- Lower Extremities:
  - Right EHL: 5/5 Left EHL: 5/5
  - Right Tibialis Anterior: 5/5 Left Tibialis Anterior: 5/5
  - Right Plantar Flexion: 5/5 Left Plantar Flexion: 5/5
  - Right Quadriceps: 5/5 Left Quadriceps: 5/5
  - Right Hamstrings: 5/5 Left Hamstrings: 5/5
  - Right Iliopsoas: 5/5 Left Iliopsoas: 5/5

### **Sensation:**

- Upper Extremities: Grossly intact to light touch in the C5-T1 dermatomes.
- Lower Extremities: Diffuse numbness in the left lower extremity.

### **DIAGNOSTICS/IMAGING:**

- The films and report of an MRI of the lumbar spine performed on 03/14/2022 were reviewed, noting herniations of an intervertebral disc that has sustained a right-sided annular tear between levels L4-5
- The films and report of an MRI of the cervical spine performed on 03/14/2022 were reviewed, noting the herniation of an intervertebral disc located between levels C5-6 that is contributing towards the impingement of the spinal cord and bilateral foraminal stenosis. In addition, there is a loss of intervertebral disc height between levels C5-6.
- The films of an X-Ray of the cervical spine performed on 08/17/2022 were reviewed, noting intact hardware status-post C5-6 Anterior Cervical Discectomy and Fusion, and a loss of intervertebral disc height between levels C6-7.
- The films of an X-Ray of the lumbar spine performed on 10/25/2022 were reviewed, noting the absence of any fractures or dislocations.
- The films of an X-Ray of the cervical spine performed on 03/14/2023 were reviewed, noting intact hardware status-post C5-6 Anterior Cervical Discectomy and Fusion. In addition, there was note of adjacent segment disorder and a loss of intervertebral disc height between levels C6-7.
- The films of an X-Ray of the lumbar spine performed on 06/15/2023 were reviewed, noting the absence of any fractures or dislocations.
- The films and reports of an X-Ray of the cervical spine performed on 09/06/2023 were reviewed, noting intact hardware status-post C5-6 Anterior Cervical Discectomy and Fusion.
- The films and report of a CT of the cervical spine performed on 09/06/2023 were reviewed, noting intact hardware status-post C5-6 Anterior Cervical Discectomy and Fusion with a loosening of the screws found in vertebral bodies C5 and C6.
- An EMG of the upper extremities was performed on 12/29/2021, noting right median nerve entrapment at the wrist and right ulnar nerve entrapment at the elbow.
- An EMG of the upper and upper and lower extremities was performed on 02/01/2022, noting lumbosacral radiculopathy of nerve found between levels L5-S1.

#### **PROCEDURES:**

- 07/27/2022: C5-6 Anterior Cervical Discectomy and Fusion by Dr. Gerling
- 06/02/2023: Right-sided L4-5 Lumbar Discectomy by Dr. Gerling

#### **HISTORY OF PRESENT ILLNESS ON MOST RECENT OFFICE VISIT (10/13/2023):**

Juan presents today with neck disorder, low back disorder and for his initial post-op visit. His symptoms remain ongoing with slight improvement since his last examination. He denies any bowel or bladder issues. Juan is unable to work and requires assistance with activities of daily living including chores and lifting, and similar tasks for which he now relies on his wife for. He cannot walk more than 3-5 blocks.

#### **Neck Specific Findings:**

- The patient's neck pain is rated 4/10.
- The patient has radiating pain to the left shoulder.
- The patient's radicular pain is rated 4/10.

#### **Back Specific Findings:**

- The patient's back pain is rated 4/10.
- The patient cannot walk more than 20 blocks without pain.
- The patient cannot stand more than 30 minutes without pain.
- Laying down helps to relieve the patient's pain.
- Lifting and bending exacerbates the patient's pain.

#### **Conservative Management:**

- Conservative Management prior to the C5-6 Anterior Cervical Discectomy and Fusion
  - o The patient has been performing home exercise programs for over a year

- The patient has been attending physical therapy for the neck and lower back at a frequency of 2 times a week for over a year.
- The patient has been taking non-steroidal anti-inflammatories as needed for the pain
- Conservative Management performed after the C5-6 Anterior Cervical Discectomy and Fusion, and before the right L4-5 Lumbar Discectomy.
  - The patient has been performing home exercise programs
  - The patient has been attending physical therapy for the neck and lower back at a frequency of 2 times a week for approximately 8 months.
  - The patient has been taking non-steroidal anti-inflammatories as needed without successful relief for the pain.
- Conservative management performed after the C5-6 Anterior Cervical Discectomy and Fusion, and after the right L4-5 Lumbar Discectomy.
  - The patient has been performing home exercise programs 3 times a week for 2 months with relief
  - The patient has been taking non-steroidal anti-inflammatories as needed without successful relief for the pain.

### **PHYSICAL EXAM ON MOST RECENT OFFICE VISIT (10/13/2023):**

**General:** Patient is alert and oriented. They present sagittally balanced. He is in no acute distress.

**Examination of the Cervical Spine:** The cervical spine is non-tender.

- ROM Flexion: 40 degrees (Normal: 60 degrees) with firm endpoint palpable.
- ROM Extension: 45 degrees (Normal: 75 degrees) with firm endpoint palpable.
- ROM Left lateral rotation: 50 degrees (Normal: 80 degrees) with firm endpoint palpable.
- ROM Right lateral rotation: 60 degrees (Normal: 80 degrees) with firm endpoint palpable.
- Incision: Fully healed without complications

**Examination of the Thoracolumbar Spine:** The thoracolumbar spine has limited range of motion due to pain with tenderness to palpation and spasm noted midline lumbar spine.

- Facet Syndrome: Focal tenderness to palpation of the facets with painful extension during range of motion testing.
- Straight leg raise: Positive bilaterally
- ROM Forward Flexion: 90 degrees (Normal: 110 degrees) with firm endpoint palpable.
- ROM Extension: 20 degrees (Normal: 25 degrees) with firm endpoint palpable.
- Incision: Fully healed.

### **Gait/Balance:**

- The patient displays an antalgic gait.
- The patient is able to heel and toe walk.

### **Musculoskeletal exam:**

- Both upper extremities were examined.
  - There is pain with left shoulder abduction.
  - There is an impingement of the left shoulder.
  - There is atrophy of the hands bilaterally.
  - Tinel's positive at the right elbow.
  - Tinel's positive at the right wrist.
  - Phalen's positive at the right wrist
- Both lower extremities were examined.
  - Right knee reduced ROM
  - SI Joint Provocative Test FABER: Positive on the left
  - SI Joint Provocative Test Compression: Positive on the left

All range of motion was tested with a Goniometer. Normal limits established by AMA guidelines for range of motion of the spine are as follows: Cervical spine - flexion 60 degrees, extension 75 degrees, rotation 80/80, lateral flexion 45/45 degrees; Thoracolumbar spine - flexion 110 degrees, extension 25, rotation 30/30; lateral flexion 25/25. Normal limits for the knee is 0-130 degrees. Normal limits for the shoulder is 0-140 degrees.

### **Neurologic Examination:**

All extremities were examined.

### **Deep Tendon Reflexes:**

- Upper Extremities:
  - Right biceps: 1+. Left biceps: 0.
  - Right triceps: 1+. Left triceps: 0.
  - Right brachioradialis 3+. Left brachioradialis: 3+.
- Lower Extremities:
  - Right patella: 1+. Left patella: 1+.
  - Right Achilles: 1+. Left Achilles: absent.

### **Motor:**

- Upper Extremities:
  - Right deltoids: 5/5 Left deltoids: 5/5
  - Right biceps: 5/5 Left biceps: 5/5
  - Right wrist extension: 5/5 Left wrist extension: 5/5
  - Right triceps: 5/5 Left triceps: 5/5
  - Right grip: 5/5 Left grip: 5/5
  - Right IO: 5/5 Left IO: 5/5
- Lower Extremities:
  - Right EHL: 5/5 Left EHL: 5/5
  - Right Tibialis Anterior: 5/5 Left Tibialis Anterior: 5/5
  - Right Plantar Flexion: 5/5 Left Plantar Flexion: 5/5
  - Right Quadriceps: 5/5 Left Quadriceps: 5/5
  - Right Hamstrings: 5/5 Left Hamstrings: 5/5
  - Right Iliopsoas: 5/5 Left Iliopsoas: 5/5

### **Sensation:**

- Upper Extremities: Grossly intact to light touch in the C5-T1 dermatomes.
- Lower Extremities: Grossly intact in the L3-S1 dermatomes.

### **MEDICAL TREATMENT PLAN (10/13/2023):**

In regards to the cervical spine, the patient remains symptomatic status-post C5-6 Anterior Cervical Discectomy and Fusion performed on 07/27/2022 with improving but persistent axial neck pain and pain in the upper left shoulder. At this time, the screws implanted at vertebral bodies C5 and C6 appear to be loosening and may require revisional surgery in the future. We recommended that the patient continues with conservative management treatment options and will consider an updated MRI and standing X-Ray studies if symptoms persist to determine an appropriate treatment plan.

In regards to the lumbar spine, the patient remains symptomatic status-post right L4-5 Lumbar Discectomy with axial lower back pain. We recommended that the patient continue with conservative management treatment options and will consider an updated MRI and standing X-ray studies if symptoms persist to determine an appropriate treatment plan.

**REVIEW OF OUTSIDE RECORDS**

11/23/2020: Emergency Consultation Note, Mark Huang, M.D. | Raritan Bay Medical Center  
 11/23/2020: CT Report of Cervical Spine, Alan Saunders, M.D. | Raritan Bay Medical Center  
 11/24/2020: Hospital Consultation, Suhas Patel, M.D. | Jersey Shore University Medical Center  
 11/24/2020: Progress Report (Physical Therapy), Kristina Acquaviva, PT | Jersey Shore University Medical Center  
 11/24/2020: Progress Report (Trauma), Michael Knight, MD | Jersey Shore University Medical Center  
 11/25/2020: Trauma Surgery/Critical Care Progress Note, Joyce Bonitz, M.D. | Jersey Shore University Medical Center  
 11/25/2020: Progress Report (Occupational Therapy), Mary Ann Kotran, OT | Jersey Shore University Medical Center  
 11/25/2020: Progress Report (Physical Therapy), Kristina Acquaviva, PT | Jersey Shore University Medical Center  
 11/25/2020: Orthopedic Trauma Consultation, Michael Ciskowski, PA-C, Jersey Shore University Medical Center  
 11/26/2020: Trauma Surgery/Critical Care Progress Note, Seung Hoon Shin, M.D. | Jersey Shore University Medical Center  
 11/27/2020: Trauma Surgery/Critical Care Progress Note, Seung Hoon Shin, M.D. | Jersey Shore University Medical Center  
 11/27/2020: Progress Report (Physical Therapy), Patricia Bonatakis, PT | Jersey Shore University Medical Center  
 11/28/2020: Trauma Surgery/Critical Care Progress Note, Seung Hoon Shin, M.D. | Jersey Shore University Medical Center  
 11/29/2020: Trauma Surgery/Critical Care Progress Note, Seung Hoon Shin, M.D. | Jersey Shore University Medical Center  
 11/30/2020: Trauma Surgery/Critical Care Progress Note, Dr. Michael Knight | Jersey Shore University Medical Center  
 11/30/2020: Progress Report (Occupational Therapy), Leigh Jablonski, OT | Jersey Shore University Medical Center  
 11/30/2020: Progress Report (Physical Therapy), Susan Poland, PT | Jersey Shore University Medical Center  
 12/1/2020: Trauma Surgery/Critical Care Progress Note, Michael Knight, MD | Jersey Shore University Medical Center  
 12/2/2020: Discharge Summary, Hackensack Meridian Health Nursing & Rehab  
 12/2/2020: Progress Report, Stephen Jurewicz, M.D. | Hackensack Meridian Health – Red Bank  
 12/15/2020: Progress Report (Trauma), Joyce Bonitz, M.D. | Jersey Shore University Medical Center  
 12/31/2020: Progress Report (Physical Therapy Left Shoulder), Ryan Coyle, M.D. | UOA  
 1/20/2021: X-Ray Report of Left Clavicle, Lenox Hill Radiology – ACP Richmond Hill  
 1/20/2021: X-Ray Report of Left Shoulder, Lenox Hill Radiology – ACP Richmond Hill  
 1/20/2021: X-Ray Report of Bilateral Knees, Lenox Hill Radiology – ACP Richmond Hill  
 1/20/2021: Orthopedic Consultation Report, Maxim Tyorkin, M.D.  
 1/21/2021: Progress Report | Bestcare PT & Chiro, PLLC  
 1/22/2021: Progress Report | Bestcare PT & Chiro, PLLC  
 1/26/2021: Progress Report | Bestcare PT & Chiro, PLLC  
 1/27/2021: Progress Report (Orthopedic), Maxim Tyorkin, M.D.  
 1/28/2021: Progress Report, Arielle Fenig, M.D. | Triboro Spine and Joint Medicine  
 1/28/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 2/4/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 2/5/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 2/10/2021: MRI Report of the Lumbar Spine, Middle Village Radiology  
 2/10/2021: MRI Report of the Cervical Spine, Middle Village Radiology  
 2/23/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 2/24/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 2/25/2021: Progress Report, Bestcare PT & Chiro, PLLC

2/25/2021: Progress Report, Arielle Fenig, M.D. | Triboro Spine and Joint Medicine  
 3/2/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 3/3/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 March 4, 2021: Progress Report, Bestcare PT & Chiro, PLLC  
 3/9/2021-3/11/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 3/16/2021-3/18/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 3/23/2021-3/25/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 3/30/2021-4/1/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 4/6/2021-4/8/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 4/7/2021 Progress Report (Orthopedic), Maxim Tyorkin, M.D.  
 4/8/2021: Progress Report, Arielle Fenig, M.D. | Triboro Spine and Joint Medicine  
 4/13/2021-4/15/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 4/20/2021-4/22/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 4/27/2021-4/29/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 5/4/2021-5/6/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 5/11/2021-5/13/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 5/18/2021: 5/20/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 5/19/2021: Progress Report (Orthopedic), Maxim Tyorkin, M.D.  
 5/25/2021-5/27/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 6/1/2021-6/3/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 6/7/2021: MRI Report of the Right Shoulder, Middle Village Radiology  
 6/7/2021: MRI Report of the Right Knee, Middle Village Radiology  
 6/8/2021-6/10/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 6/10/2021: Progress Report, Arielle Fenig, MD | Triboro Spine and Joint Medicine  
 6/15/2021-6/17/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 6/16/2021: Progress Report (Orthopedic), Maxim Tyorkin, M.D.  
 6/17/2021: Progress Report, Allan Levin, M.D. | Maximum Orthopedics and Sports Medicine  
 6/17/2021: Progress Report | Elmhurst Balance & Physical Therapy Center  
 6/22/2021-6/24/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 6/29/2021-7/1/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 7/5/2021: Progress Report (Orthopedic), Maxim Tyorkin, M.D.  
 7/5/2021: Procedure Note, Maxim Tyorkin, M.D.  
 7/6/2021-7/8/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 7/13/2021-7/15/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 7/20/2021-7/22/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 7/27/2021-7/29/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 8/3/2021-8/5/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 8/4/2021: Progress Report (Orthopedic), Maxim Tyorkin, M.D.  
 8/10/2021-8/12/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 8/17/2021-8/19/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 8/24/2021-8/26/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 8/31/2021-9/2/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 9/7/2021-9/9/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 9/14/2021-9/17/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 9/15/2021: Progress Report (Orthopedic), Maxim Tyorkin, M.D.  
 9/21/2021-9/23/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 9/28/2021-9/30/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 9/30/2021: Initial Consultation Progress Report, Riaz Ahmad, M.D. | Citimed  
 10/5/2021-10/7/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 10/12/2021-10/14/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 10/19/2021-10/21/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 10/26/2021-10/28/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 11/2/2021-11/4/2021: Progress Report, Bestcare PT & Chiro, PLLC  
 12/29/2021: Report of EMG, Dominique Cozien, M.D. | Medical Arts Building



1/6/2022: Progress Report (Orthopedics), Arnold Goldman, M.D. | Sports Medicine/Arthroscopy/Foot & Ankle Surgery  
 1/14/2022: Progress Report (Orthopedics), Jonathan Simahee, M.D. | Brooklyn Premier Orthopedic Center for Musculoskeletal Disorders  
 1/15/2022: MRI Report of Right Knee, Lenox Hill Radiology – Kew Gardens  
 1/25/2022: Progress Report (Orthopedics), Arnold Goldman, M.D. | Sports Medicine/Arthroscopy/Foot & Ankle Surgery  
 2/1/2022: Report of EMG, Lev Aminov, M.D.  
 2/8/2022: Report of EMG, Lev Aminov, M.D.  
 2/9/2022: Operative Report, Arnold Goldman, M.D. | Allcity Family Healthcare Center  
 2/15/2022: Progress Report (Orthopedic), Arnold Goldman, M.D. | Sports Medicine/Arthroscopy/Foot & Ankle Surgery  
 2/21/2022: Progress Report (Orthopedics) - Jonathan Simahee, M.D. | Brooklyn Premier Orthopedic Center for Musculoskeletal Disorders  
 3/10/2022: Progress Report (Orthopedics) - Vora Vagmin, M.D. | Brooklyn Premier Orthopedic Center for Musculoskeletal Disorders  
 3/14/2022: MRI Report of the Cervical Spine, Community Medical Imaging  
 3/14/2022: MRI Report of the Lumbar Spine, Community Medical Imaging  
 3/15/2022: Progress Report (Orthopedic), Arnold Goldman, M.D. | Sports Medicine/Arthroscopy/Foot & Ankle Surgery  
 3/17/2022: Progress Report (Orthopedics) - Vora Vagmin, M.D. | Brooklyn Premier Orthopedic Center for Musculoskeletal Disorders  
 5/17/2022: Progress Report (Orthopedic), Arnold Goldman, M.D. | Sports Medicine/Arthroscopy/Foot & Ankle Surgery  
 7/14/2022: Progress Report (Orthopedic), Arnold Goldman, M.D. | Sports Medicine/Arthroscopy/Foot & Ankle Surgery  
 8/17/2022: Xray Report of Cervical Spine, Lenox Hill Radiology – Kew Gardens  
 11/14/2022: Neurobehavioral Status Exam – Mehrdad Golzad, M.D. | NYC Medical & Neurological Offices, P.C.  
 11/17/2022: Report of EEG – Mehrdad Golzad, M.D. | NYC Medical & Neurological Offices, P.C.  
 11/23/2022: MRI Report of the Brain, Lenox Hill Radiology – Flushing  
 12/21/2022: Computerized Dynamic Posturography Report – Mehrdad Golzad, M.D. | NYC Medical & Neurological Offices, P.C.  
 12/21/2022: Progress Report (Neurology) - Mehrdad Golzad, M.D. | NYC Medical & Neurological Offices, P.C.  
 2/6/2023: Audiology Exam – Zarina Badalova, AuD, CCC-A | ZN Audiology  
 2/6/2023: Progress Note (Audiology) - Zarina Naizam, AuD, CCC-A | ZN Audiology  
 4/17/2023: Progress Report (Orthopedics) - Jonathan Simahee, M.D. | Brooklyn Premier Orthopedic Center for Musculoskeletal Disorders  
 6/20/2023: Neurology Progress Report – Mehrdad Golzad, M.D. | NYC Medical & Neurological Offices, P.C.

### SUMMARY:

Mr. Gando Amat sustained significant musculoskeletal injuries to his neck and low back in the above stated accident. Though he had some modest improvements with surgical intervention, he continues to have severe restricted function with limited range of motion of the neck and low back. He is unable to work and has daily pain requiring ongoing narcotics and pain management. He has dysfunction of the extremities due to radicular pain, numbness and weakness of the extremities which can be correlated with the disc herniation and traumatic injuries to the spine. Mr. Gando Amat is totally disabled due to the above stated disorders.

As there was no prior history of cervical or lumbar disorders, it is my professional opinion that the cervical and lumbar spine injuries above, treatments above, and resultant permanent disability are directly causally related to the above stated accident. Within a reasonable degree of medical certainty, Mr. Gando Amat sustained a permanent and significant limitation to his cervical and lumbar spine due to this injury.

It is my opinion that he will require further spinal procedures which will cost between \$80,000 and \$100,000. He will require revision surgery of the neck and low back within 10-15 years of each procedure respectively, and each will cost between \$80,000 and \$100,000 with increased risk of complication during revision surgery that also will add expense.

I am a Board Certified and Licensed Physician within the state of New York and New Jersey and certify under penalty of perjury the above statements are true and accurate to the best of my knowledge.

A handwritten signature in black ink, appearing to read 'Michael C. Gerling', written over a horizontal line.

**Michael C. Gerling, M.D.**

Board Certified Orthopedic Spine Surgeon

Site Director for Spine Surgery | Department of Orthopedics NYU Langone Medical Center - Brooklyn

Clinical Assistant Professor | NYU Grossman School of Medicine - Langone Medical Center, Manhattan

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

-----X  
JUAN ALFREDO GANDO AMAT, AND LILIA HAYDEE  
GARCIA,

PLAINTIFFS,

-AGAINST-

HAND TO HAND EXPRESS AND ANGELITO AQUINO-  
SANTANA,

DEFENDANTS.

-----X  
HAND TO HAND EXPRESS AND ANGELITO AQUINO-  
SANTANA,

THIRD-PARTY PLAINTIFFS,

-AGAINST-

ALVARDO GUERRA JIMENEZ,

THIRD-PARTY DEFENDANTS

-----X  
STATE OF NEW YORK        )  
COUNTY OF QUEENS ss:

Roman Avshalumov, Esq. affirms the following, under penalties of perjury: I reside in Queens County, State of New York, I am not a party to the within action and on November 7, 2023, I served the following:

**PLAINTIFF'S EXPERT WITNESS DISCLOSURE**

Upon:

Hardin Kundla Mckeen & Poletto  
Attorneys for Defendants

**HAND TO HAND EXPRESS AND  
ANGELITO AQUINO-SANTANA**

673 Morris Avenue  
Springfield, NJ 07081  
Tel: (973) 912-5222

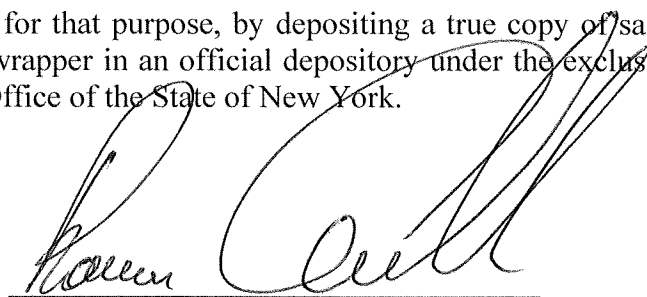
Law offices of Nancy L. Callegher

AFFIRMATION OF  
SERVICE

Case No.:  
2:21-cv-19162-KM-CLW

Attorneys for Third-Party Defendants  
**ALVARDO GUERRA JIMENEZ**  
P.O Box 258829  
Oklahoma City, OK 73125  
Tel: (732) 623-7200  
File No. 22-621927

at the address designated by said attorneys for that purpose, by depositing a true copy of same enclosed in a postpaid properly addressed wrapper in an official depository under the exclusive care and custody of the United States Post Office of the State of New York.

A handwritten signature in black ink, appearing to read 'Roman Avshalumov', is written over a horizontal line.

Roman Avshalumov, Esq.

Case No.: 2:21-cv-19162-KM-CLW  
UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

JUAN ALFREDO GANDO AMAT, AND LILIA HAYDEE GARCIA,

PLAINTIFFS,

-AGAINST-

HAND TO HAND EXPRESS AND ANGELITO AQUINO-SANTANA,

DEFENDANTS.

-----X  
HAND TO HAND EXPRESS AND ANGELITO AQUINO-SANTANA,

THIRD-PARTY PLAINTIFFS,

-AGAINST-

ALVARDO GUERRA JIMENEZ,

THIRD-PARTY DEFENDANTS.

**PLAINTIFF'S EXPERT WITNESS DISCLOSURE**

**Helen F. Dalton & Associates, P.C.**  
*Attorneys for Plaintiffs*  
**80-02 Kew Gardens Road, Suite 601**  
**Kew Gardens, NY 11415**  
**(718) 263-9591**

TO:  
Hardin Kundla Mckeon & Poletto  
Attorneys for Defendants  
**HAND TO HAND EXPRESS AND**  
**ANGELITO AQUINO-SANTANA**  
673 Morris Avenue  
Springfield, NJ 07081  
Tel: (973) 912-5222

Law offices of Nancy L. Callegher

Attorneys for Third-Party Defendants

**ALVARDO GUERRA JIMENEZ**

P.O Box 258829

Oklahoma City, OK 73125

Tel: (732) 623-7200

File No. 22-621927

Case  
Amat v Hand to Hand  
03-24-25

**Exhibit  
Gerling-2**

Gerling Institute  
90 Matawan Rd, Ste 302  
Matawan, NJ 07747  
732-441-7177  
ID#: 842794713  
Michael Gerling MD NPI#: 1376647891  
Monday April 1, 2024

Patient : Juan Gando Amat #456  
Itemized Statement: 05/12/2022 - 04/01/2024  
DOB : 01/26/1954  
Onset date : 01/23/2020

Mail to:  
Juan Gando Amat  
109-68 Park Lane South  
Richmond Hill NY 11418

**Insured**  
Juan Gando Amat  
109-68 Park Lane South  
Richmond Hill NY 11418  
DOB: 01/26/1954  
Policy#: 70021344511

**Insurance Carrier (primary)**  
Bristol West Claims  
P.O. Box 258806  
Oklahoma City OK 73125

**Attorney**  
Helen Dalton & Associates  
80-02 Kew Gardens Road  
#601  
Kew Gardens NY 11415

**Employer**

**Current Diagnosis**

Date	Description	Amount
05/12/22	99245 Office consultation 80 Min	\$ 760.00
07/27/22	63081 Vertebral corpectomy, Cervical, single	\$75145.63
07/27/22	22554 Arthrodesis, cervical below C2	\$62500.00
07/27/22	22845 59 Anterior instrumentation; 2 to 3 vertebra	\$42000.00
07/27/22	22853 Insertion of interbody biomechanical	\$43000.00
07/27/22	20930 Allograft,morselized,placement of osteopr	\$ 4009.47
07/27/22	20936 Autograft for spine surgery	\$ 3300.00
07/27/22	63081 AS Vertebral corpectomy, Cervical, single	\$75145.63
07/27/22	22554 AS Arthrodesis, cervical below C2	\$62500.00
07/27/22	22845 AS 59 Anterior instrumentation; 2 to 3 vertebra	\$42000.00
07/27/22	22853 AS Insertion of interbody biomechanical	\$43000.00
07/27/22	20936 AS Autograft for spine surgery	\$ 3300.00
08/11/22	99024 Postoperative follow-up visit	\$ 0.00
09/19/22	Payer payment Chk#163405... applied to svcs: 05/12/22 - 05/12/22	\$ 126.47
09/19/22	Adjustment applied to svcs: 05/12/22 - 05/12/22	\$ 633.53
10/25/22	99213 Office Visit - 20-29 Min	\$ 275.00
10/25/22	72100 X-Ray spine, lumbosacral; 2 or 3 views	\$ 150.00
03/14/23	99215 Office Visit - 40-54 Min	\$ 500.00
03/14/23	72040 X-Ray spine, cervical; 2 or 3 views	\$ 175.00
03/14/23	T1013 Sign language or oral interpretive servic	\$ 17.65
05/19/23	Payer payment Chk#163614... applied to 99215 (03/14/23)	\$ 250.00
05/19/23	Payer payment Chk#163614... applied to 72040 (03/14/23)	\$ 150.00
05/19/23	Payer payment Chk#163614... applied to T1013 (03/14/23)	\$ 8.83
05/19/23	Adjustment applied to 99215 (03/14/23)	\$ 250.00
05/19/23	Adjustment applied to 72040 (03/14/23)	\$ 25.00
05/19/23	Adjustment applied to T1013 (03/14/23)	\$ 8.82

Total Sales Tax : \$ 0.00  
Total Late Charges : \$ 0.00  
Total Interest Charges : \$ 0.00  
Patients-Cash Rcvd : \$ 0.00  
Patients-Chks Rcvd : \$ 0.00  
Patients-Crdt Crd : \$ 0.00  
Payer Payments : \$ 535.30  
  
Total Charges : \$457778.38  
Total Received : \$ 535.30

Total Adjustment : \$ 917.35  
Balance (based on search) : \$456325.73



**Edward M. Decter, M.D., FACS**

4 Becker Farm Road, First Floor  
Roseland, New Jersey 07068  
973-669-9767  
Fax 973-669-2968

February 27, 2023

Paul Daly, Esq.  
Hardin, Kundla, McKeon & Poletto  
673 Morris Avenue  
P.O. Box 730  
Springfield, NJ 07081

Re: Juan Gando Amat  
Claim No.: AB220-300528  
Case No.: 21817718  
Date of Incident: 11/23/20  
Date of Examination: 2/27/23 Pain Medicine Physicians  
187 Millburn Avenue  
Suite 103 Rear Of Bldg  
Millburn, NJ 07041

Dear Mr. Daly:

The following is an independent orthopaedic medical examination and report that you have requested of me on the above-named individual.

Review of Records

At the time of preparation of this medical report, I have reviewed the following copious medical records:

1. Plaintiff's Answers to Interrogatories.
2. Records from Jersey Shore University dated 11/24/20 to 12/12/20. The plaintiff was a restrained passenger in the backseat. He was involved in an accident. It was a lateral impact. The plaintiff had severe multiple left-sided rib fractures two through eight posteriorly, a splenic laceration, left-sided hemopneumothorax, and a right-sided pneumothorax. The plaintiff required transfer to the emergency room.
3. Emergency room records from the Raritan Bay Medical Center dated 11/23/20, which noted that the plaintiff was a 66 year-old male who presented after a motor vehicle collision. He reported that another vehicle hit the driver's side of his car. He reported that he was wearing a seatbelt. He reported pain in the left upper back and left upper chest. He also reported pain in his abdomen

Re: Juan Gando Amat  
 February 27, 2023  
 Page 2

diffusely. He denied nausea, vomiting, headache, dizziness, visual changes, numbness, tingling, fever, or chills. The neck had a normal range of motion. The neck was supple. Musculoskeletal was normal range of motion. Dr. Knight at Jersey Shore accepted plaintiff for transfer, had left-sided abdominal and chest pain status post MVA. CAT scan of the head was done. It showed no bleed, no mass, no shift, no infarct. CAT scan of the cervical spine was done. It showed degenerative changes with areas of stenosis, left pneumothorax with posterior left second rib fracture, left greater than right bilateral pneumothoraces, and possible gastroesophageal reflux. At C2-3, no significant central canal or neural foraminal stenosis was noted. No significant central canal or neural foraminal stenosis was noted at C3-4 and C4-5. There was a broad-based disc osteophyte at C5-6 producing moderate right and left neural foraminal stenosis, severe left neural foraminal stenosis and disc osteophyte at C6-7. No significant central canal stenosis at C7-T1. There was a CAT scan of the chest, abdomen, and pelvis done. The impression was multiple posterior left rib fractures, splenic laceration of grade III with hemi-peritoneum with blood pooling in the pelvis. *This is not orthopaedic in nature and will not be commented on by me. This would be dealt with by a general surgeon.* A left hydronephrosis and bibasilar atelectasis was noted. Small fat containing umbilical hernia was noted. Thus, the plaintiff had a splenic laceration. The plaintiff had air in left chest wall and had left-sided rib fractures.

4. Hospital record from Jersey Shore University Medical Center from 11/24/20 to 12/1/20. Three views of the left shoulder showed a fracture of the mid left clavicle with inferior displacement and mild shortening and multiple left rib fractures. Glenohumeral joint was preserved. No AC separation was noted, but there was a left clavicle fracture. Thus, the plaintiff had left multiple rib fractures on the left side and a left clavicle fracture. Right shoulder x-ray showed bone and joint spaces, mild to moderate AC joint, mild glenohumeral joint arthritis, spurring of the distal acromion, no fractures. The current active diagnosis was traumatic closed fracture of the ribs left side, hemopneumothorax left, splenic laceration, traumatic fracture of ribs with pneumothorax, motor vehicle accident, acute kidney injury not orthopaedic in nature, closed displaced fracture of left distal clavicle, acute blood loss, anemia. The plaintiff was hospital confined until 12/1/20.

Physician discharge summary. The admission date was 11/24/20. The discharge date was 12/1/20. The plaintiff was admitted to the trauma bay on 11/23 after an MVC, transferred to Raritan Bay. Left-sided chest tube was placed at Raritan Bay for left pneumothorax. The sentinel hall was out, and left pigtail was placed in the trauma

Re: Juan Gando Amat  
February 27, 2023  
Page 3

- bay, was then admitted to the surgical ICU. The chest tube was removed on 11/24. The plaintiff was downgraded to the floor on 11/25. On 11/27, the pigtail was removed. Again, this is not orthopaedic in nature.
5. Hospital records starting on the admission date of 12/1/20. The assessment was 66 year-old male who initially presented to the Raritan Bay Amboy status post MVA, found to have to multiple left rib fractures, left hemopneumothorax, grade III splenic laceration. He was transferred to trauma at JSUMC for further evaluation. Chest tube was placed but upon arrival to JSUMC was found misplaced, so pigtail CT was reinserted. He was admitted to the ICU for close monitoring. Once medically stable, he was transferred to HHM Red Back for SAR prior to discharge home. He was being seen today for palliative care initial consultation.
  6. Records where the plaintiff was received from the PACU via stretcher status post trans-lumbar postop TILF. The plaintiff had a fusion from L4 to S1, status post anterior cervical discectomy and fusion at C5-6. This was on 7/27/22. The past medical history was chronic back and neck pain. These hospital records where the plaintiff was admitted on 7/27/22 and discharged on 7/28/22. The diagnosis was status post anterior cervical discectomy and fusion.
  7. Operative report where Dr. Michael Gerling dated 7/27/22 did an anterior cervical discectomy and fusion on this plaintiff at Hudson Regional Hospital dated 7/27/22. The levels were C5 and C6.
  8. Records where Dr. Arnold Goldman dated 2/9/22 operated on the plaintiff's right knee with a postoperative diagnosis of medial and lateral meniscal tears, multicompartement hypertrophic synovitis, multiple loose bodies, chondromalacia grade III to IV of the patella and distal femur, osteochondritic and osteonecrotic fracture of the medial femoral condyle and distal femur, adhesive capsulitis, suprapatellar plica. He had arthroscopic multicompartement major joint synovectomy, partial medial and lateral meniscectomy, arthroscopic resection of loose bodies, abrasion chondroplasty of the medial femoral condyle and undersurface of the patella, drilling and debridement of osteochondritic and osteonecrotic fracture of the right knee, lysis of adhesions, resection of the suprapatellar plica, and injection for postoperative pain. Please send me Dr. Goldman's intraoperative photographs. We know that they exist, but I want to see the original ones because you cannot make out the detail in the photocopies.
  9. Records from Dr. Ryan Coyle dated 12/31/20, where the plaintiff presented with complaints of pain to the left clavicle after being injured in the motor vehicle accident of, it said, 11/25/20, but it was 11/23/20. He had pain in the clavicle. The plaintiff was diagnosed with a clavicle fracture.

Re: Juan Gando Amat  
February 27, 2023  
Page 4

10. Records from Dr. Maxim Tyorkin dated 1/20/21 to 9/15/21 where the plaintiff had neck pain, back pain, left shoulder pain, and bilateral knee pain. His assessment was cervical radiculopathy, lumbar radiculopathy, left clavicle fracture, multiple rib fractures, splenic laceration, and bilateral internal derangement of the knees.
11. Records from Tri-borough Spine and Joint Medicine by Dr. Arielle Fenig from 1/28/21 to 6/10/21. The plaintiff was there for consultation of neck and back pain. He injured his neck, back, left clavicle, left shoulder, and bilateral ribs.
12. Records from City Med dated 9/30/21, with a chief complaint of headache, neck pain, low back pain, left shoulder pain, left hip pain, right knee pain, clavicle fracture on the left, left-sided rib fractures and teeth injuries.
13. Records from Dr. Shusterman, a doctor of internal medicine, dated 11/15/21 to 12/13/21.
14. Records from Dr. Riaz Ahmad dated 9/30/21.
15. Records from Dr. Arnold Goldman dated 1/6/22 to 3/15/22. The plaintiff was there for evaluation of anterior cervical discectomy and fusion scheduled on 7/27/22. This was a cardiac consultation.
16. X-ray report of the left clavicle dated 1/20/21 from Lenox Hill Radiology which showed a subacute oblique fracture of the mid-clavicle with callus formation. There was a photocopy of this. There was overlap of the clavicle fracture in the mid-third.
17. X-ray report of the knee dated 1/20/21 from Lenox Hill Radiology which showed no fracture, preserved joint spaces, no osteophytes, mild bilateral prepatellar soft tissue swelling, and small right knee effusion.
18. X-ray report of the left shoulder dated 1/20/21 from Lenox Hill Radiology, which showed a clavicle fracture.
19. MRI report of the lumbar spine dated 2/10/21 from Middle Village Radiology, which noted spondylosis; partial desiccation and annular bulging at L1-2, L2-3, and L3-4; anterior osteophytes noted at L1-2 and L2-3; bulging with facet joint hypertrophy at L4-5; and a subligamentous herniation at L5-S1. Yet, this plaintiff underwent a TLIF for these findings. They were only talking about a subligamentous herniation at L5-S1.
20. MRI report of the cervical spine dated 2/10/21 from Middle Village Radiology, which noted bulging at C5-6 with moderate degenerative disease and osteophytic disc complexes compressing the thecal sac and impinging upon the left and right neural foramen at C5-6 and C6-7 making me question why this individual had an anterior cervical discectomy and fusion based upon what appears to be minimal findings seen on this MRI. I will review these films myself.
21. MRI report of the right shoulder dated 6/7/21 from Middle Village Radiology, which showed AC joint hypertrophy, no

Re: Juan Gando Amat  
 February 27, 2023  
 Page 5

- fracture or edema of the distal clavicle, and a complete tear of the supraspinatus tendon with superior migration of the humeral head on the right shoulder.
22. MRI report of the right knee dated 6/7/21 from Middle Village Radiology, which noted a partial tear of the anterior cruciate ligament and a suprapatellar and intra-articular joint fluid. Yet, this plaintiff had surgery on the right knee and had meniscectomies, and there were no reported meniscal tears identified on this MRI. I am a little concerned about the surgery that this plaintiff has had based upon these MRI reports that I have seen.
  23. MRI report of the right knee dated 1/15/22 done at Lenox Hill Radiology. It showed a decreased signal intensity in the cartilage in the central trochlea compatible with fibrocartilage prepatellar and superficial infrapatellar tissue, deep infrapatellar bursitis, and quadriceps tendinosis.
  24. MRI report of the lumbar spine dated 3/14/22 done at Community Medical Imaging which noted a herniation at the proximal foramen at L3-4, annular tears at L3-4 and L4-5, and bulging at L1-2 through L5-S1. Please note that in the journal, *Spine*, 2001, referable to disc bulging or disc contour, it indicates, "Symmetrical presence (or apparent presence) of disc tissue 'circumferentially' (50-100%) beyond the edges of the ring apophyses may be described as a 'bulging disc' or 'bulging appearance' and is not considered a form of herniation. Furthermore, 'bulging' is a descriptive term for the shape of the disc contour and not a diagnostic category." Protrusions were seen in the proximal foramina at L2-3.
  25. MRI report of the cervical spine dated 3/14/22 done at Community Medical Imaging which noted straightening, midline herniation at C7-T1, left paramedian herniation at C3-4, protrusion at C4-5, and multilevel foraminal narrowing which was focal at C5-6 and C6-7.
  26. Electrodiagnostic studies done by Dr. Aminov dated 2/1/22, which showed no electrophysiological evidence of cervical radiculopathy. Yet, this plaintiff went on to have an anterior cervical discectomy and fusion at C5-6.
  27. Electrodiagnostic studies dated 2/8/22 done of the lower extremities which reported left L5-S1 lumbosacral radiculopathy. I will correlate that with the MRI films.
  28. Physical therapy records from City Med Complete Medical Care dated 9/30/21.

#### Review of Radiographic Studies

At the time of this assessment and evaluation, unfortunately, I did not have any of the MRI films. I need to be provided with all of the MRI films on this case. The plaintiff has had knee surgery, neck surgery, and lumbar spine surgery after this accident. The imaging studies are of utmost importance for me to

Re: Juan Gando Amat

February 27, 2023

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review to see if I agree whether surgery was or was not indicated based upon my physical examination and interpretation of the imaging studies. Obviously, I am seeing the plaintiff in a postoperative state, and I want to see all of the intraoperative photographs that were taken of the right knee surgery. Please provide them to me for my review. I also want to see the MRI of the right shoulder as well where there was a reported complete tear of the rotator cuff.

### History

A Spanish interpreter was utilized for this case.

The details of this incident are noted that on the above date, this individual was a passenger of a vehicle that was involved in an accident with another vehicle.

### Current Complaints

He complains of pain in his upper lumbar spine to his mid lumbar spine. He says he has pain by his left clavicle and left shoulder and has a lot of back pain. He says he has pain in his left arm. When he tries to lift it, it feels like there is a blockage. He also complains of pain in his neck.

### Physical Examination

Examination revealed a 69 year-old, Spanish-speaking gentleman from Ecuador. He walked slowly and deliberately. He does not use any cane, crutches, or aids. With assistance and holding onto the table, he could walk on his toes and heels.

He would barely lumbar flex at all. His lumbar paraspinal muscles were supple. Extension was minimal. Right and left lateral bending was minimal which is totally under his control. There was no tenderness over the SI joints or sciatic notches. His knee jerks and ankle jerks were 1/4. Manual motor testing of the hip flexors, quadriceps, hamstrings, dorsiflexors, plantar flexors, invertors, and evertors was 5/5. No sensory deprivation was noted in the lower extremities.

The neck had a well-healed anterior scarification. He would barely move his neck in any ranges at all. He would not move to flexion, extension, or right or left lateral rotation. Paracervical muscles were supple. No lymphadenopathy was noted. Reflexes of the upper extremities showed no evidence of any abnormalities to include his biceps, triceps, or brachioradialis. Motor and sensory testing was intact.

Left shoulder actively would only forward elevate to 100 degrees and passively to 130 degrees. He had no localized tenderness over the biceps tendon. There was no tenderness on transdeltoid

Re: Juan Gando Amat  
February 27, 2023  
Page 7

palpation of his cuff. He had no weakness of forced external rotation. He had no weakness of forced internal rotation. There was a negative belly press. There was a negative O'Brien's test. He had some palpable tenderness over the midshaft of his clavicle with a bony prominence noted. There was no evidence of any clicking or movement of the clavicle.

His right knee had well-healed arthroscopic incisional sites. His range of motion was from 0 to 110. There was no effusion. There was no medial or lateral joint line tenderness. The ACL and PCL were stable. The MCL and LCL were stable. There was no popliteal fullness. There was no tenderness over the tibial tubercle, patellar tendon, or inferior pole of the patella. There was no tenderness over the pes tendon.

#### Medical Opinion

Consider this an initial report until I am provided with all of the imaging studies and color intraoperative photos. Once I get all of the imaging studies, I will give you a definitive opinion on this case. The medical records indicate that this individual had a splenic injury, rib fractures, clavicle fractures and then went on to have cervical spine surgery and right knee surgery.

Upon review of the requested documents, I will issue a supplemental report to you with my definitive medical opinion. I reserve the right to amend this report following my review of all of the imaging studies, and I will review the intraoperative photographs.

The above are my opinions expressed within a reasonable degree of medical certainty.

All history was obtained from the above-named individual and from any medical records made available for my review. All complaints expressed by the examinee as they relate to the above-noted history were documented. The orthopaedic examination was complete and accurate relating to the above-noted incident. At the conclusion of the examination, the examinee left in the same condition as that noted upon arrival. No dissatisfaction was voiced.

The examinee's ID was requested and if available was checked prior to the examination. I did not engage in any doctor-patient relationship with the examinee, and the examinee was aware of this fact.

I declare that the information contained within this document was prepared and is the work product of the undersigned and is true to the best of my knowledge and information. As is customary, I am being paid for my time examining the claimant and reviewing the medical records when provided to me in

Re: Juan Gando Amat  
February 27, 2023  
Page 8

preparation of this report, as well as for any future services which may be required such as review of additional records and/or future legal services referable to the above case.

If I can be of further assistance to you regarding this matter, please feel free to contact me.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Edward M. Decter". The signature is fluid and cursive, with a prominent initial "E" and a long, sweeping underline.

/S/ EDWARD M. DECTER, M.D., FACS

EMD:dm/vp



Please fill out and email or fax completed form to: [schedulingnj@examworks.com](mailto:schedulingnj@examworks.com) or 973-669-1067

## Examinee Verification Form

Examinee Name: Juan Gando Amat

Claimant Examined: Yes No

Physician Name: Edward M. Decter, MD

EW Number: 21817718

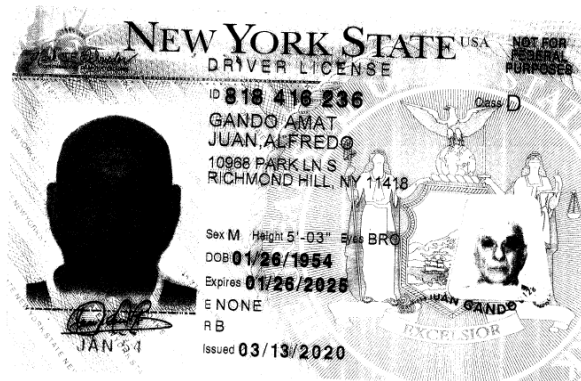
Physician Location:

187 Millburn Avenue, Suite 103 REAR Appt. Date: 2/27/2023 Time: 1:00 PM  
Millburn, NJ 07041

IME Start Time: \_\_\_\_\_ IME End Time: \_\_\_\_\_

Check the box that applies:

- ☒ Examinee Provided a Photo ID
- ☐ Examinee Does Not Have a Photo ID
- ☐ Examinee Refused to Provide a Photo ID



### Examinee Refused to Provide Photo ID

Juan Gando Amat was present for his/her examination on 2/27/2023 but was unwilling to provide identification and/or sign-in accordingly.

Physician's Representative

Representative's Title

Date

Examinee was accompanied during the examination by:

- \_\_\_\_ No others in attendance      \_\_\_\_ Case Manager
- \_\_\_\_ Family Member      \_\_\_\_ Attorney
- \_\_\_\_ Friend      \_\_\_\_ Other (please indicate) \_\_\_\_\_
- \_\_\_\_ Translator

### Examinee Verification

I am here for an Independent Medical Evaluation by a doctor who is not my personal doctor.

The doctor will evaluate me and report his/her opinion of my current condition to the person or office who requested my evaluation. I understand the doctor will not discuss the results of my evaluation with me and will not render any medical advice or treatment to me.

I also understand that the doctor will not replace my personal doctor or accept responsibility for ongoing direction of my care, nor does this constitute a doctor/patient relationship. I further understand there will be no charge to me for this evaluation.

Examinee Signature

Date

Physician Signature

Date

**Edward M. Decter, M.D., FACS**

4 Becker Farm Road, First Floor  
Roseland, New Jersey 07068  
973-669-9767  
Fax 973-669-2968

May 23, 2023

Paul Daly, Esq.  
Hardin, Kundla, McKeon & Poletto  
673 Morris Avenue  
PO Box 730  
Springfield, NJ 07081

Re: Juan Gando Amat  
Claim No.: AB220-300528  
Case No.: 21975226  
Date of Incident: 11/23/20

Dear Mr. Daly:

The following is an addendum to my original orthopaedic independent medical examination report on the above individual. Please refer to my prior correspondence to you dated 2/27/23.

I have reviewed the following imaging studies that have been forwarded to me.

Review of Radiographic Studies

1. An MRI of the lumbar spine dated 3/14/22 from Community Medical Imaging Union Turnpike shows no evidence of any discal herniations. There is a slight bulge seen at L4-5. It is noncompressive. There is facet hypertrophy. No spondylolysis or fractures are noted.
2. An MRI of the cervical spine dated 3/14/22 from Community Medical Imaging Union Turnpike shows a bulge at C5-6 that is noncompressive. There is associated hard disc osteophyte associated with this. There is also an anterior osteophyte and degeneration of the disc. This appears to be chronic. There is no compromise of the spinal cord. There are hard disc degenerative osteophytic complexes seen that impress the thecal sac at C5-6 and C6-7. They do not create an abnormal signal in the spinal cord.
3. I reviewed an intraoperative photograph from Hudson Regional Hospital dated\* with an endotracheal tube in place. This individual had an anterior cervical discectomy and fusion at the C5-6 level. I am questioning the surgical indication based upon the MRI film that I saw.

Re: Juan Gando Amat

May 23, 2023

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*At the end of this report, I am attaching an example of an MRI of the cervical spine that shows what significant discal herniations would look like that would have clinical implications and neurological implications that would warrant surgery. I believe the findings seen on the cervical MRI are chronic, progressive and longstanding and are not acute.*

4. An x-ray of 12/31/20 at University Orthopaedics shows a comminuted fracture of the mid shaft of the left clavicle.
5. The fracture of the left clavicle is identified seen on 11/24/20 x-rays done at Jersey Shore University Medical Center. It is comminuted and displaced.
6. An MRI of the cervical spine dated 2/10/21 from Middle Village Diagnostics again shows evidence of the degenerative hard disc osteophyte at C5-6 with narrowing of the disc where the plaintiff underwent surgery on this degenerative disc. There is only mild effacement of the thecal sac. No abnormal signal is seen in the spinal cord. There is uncinat process hypertrophy. Again, I believe this is a chronic longstanding degenerative condition.
7. An MRI of the lumbar spine dated 2/10/21 from Middle Village Diagnostics shows no herniated disc, no spondylolysis or spondylolisthesis.
8. An MRI of the right knee dated 6/7/21 shows the iliotibial band and fibula collateral ligament are intact. The medial collateral ligament is intact. The ACL is intact. The PCL is intact. No tear is seen in the medial meniscus or the lateral meniscus. There is a grade I signal in the posterior horn of the medial meniscus. This is not a very good film. The patella is well within the trochlea groove. The medial patellofemoral ligament is not torn. In looking at the MRI of the knee, I am going to read this as a partial tear and thinning of the anterior cruciate ligament. I do not believe that there is a grade III meniscal tear of either the medial or lateral meniscus.
9. An MRI of the right shoulder was done on 6/7/21 at Middle Village Radiology. It is a little perplexing as to why it is not labeled. I am presuming this is the right shoulder. There is some mild hypertrophy of the AC joint. There is some AC joint hypertrophy. There is no fracture or edema. There is proximal migration of the humeral head. There appears to be a full-thickness tear of the rotator cuff.
10. X-rays of the cervical spine done at LHR-Kew Gardens Jerome Prosper show a spacer and plate at the C5-6 level on 8/17/22. Thus, the surgeon chose to do an anterior cervical discectomy and fusion on a degenerative disc.
11. X-rays of the lumbar spine on 10/25/22 are negative. No spondylolysis or spondylolisthesis is noted.
12. Postop x-rays of 1/13/23 from Mars again show the spacer and plate in place at C5-6. An extension view shows no instability. Flexion views show no instability at the level above. There is a large osteophyte at the level above at the

Re: Juan Gando Amat  
May 23, 2023  
Page 3

C4 vertebral body. Also, the electrodiagnostic studies did not show any evidence of cervical radiculopathy.

#### Impression

I believe if the surgeon chose to operate on this individual and that he had degenerative discogenic disease and a hard disc osteophyte at the C5-6 level. Dr. Gerling chose to do an elective surgery. I cannot conclude within a reasonable degree of medical certainty that the plaintiff's cervical spine surgery was causally related to the accident in question. The findings were preexisting, and he may have had some pain that resulted from this accident, but I certainly do not believe that surgery was necessary or indicated, and if the surgeon chose to do it, it was elective in nature and clearly not casually related to the accident in question.

The plaintiff had some diminution of range of motion of the left shoulder, and I believe that this individual had a torn rotator cuff as well as a fractured left clavicle. I believe the fracture of the left clavicle is causally related to the accident in question and as a result some decrease of range of motion of the left shoulder. The left clavicle that was treated conservatively which is a proper way to treat this.

The plaintiff had surgery on the knee. I do believe that there is some partial thickness tearing of the anterior cruciate ligament, but I do not believe that the menisci were torn. I would like to see the color intraoperative photographs of the surgery that was performed on this individual's right knee. Please provide these to me for my review. *It is also well supported in the orthopaedic literature that doing arthroscopic surgery on a degenerative knee and doing meniscectomies is fraught with bad results.* I would like to see Dr. Goldman's color glossy printed or the digital color JPEG images of the intraoperative photographs. These are of utmost importance for me to review and correlate with the MRI films.

Upon review of the requested color intraoperative photographs from Dr. Goldman, I will issue a supplemental report to you with my definitive medical opinion regarding the right knee.

I reserve the right to amend this report following my review of any films and or records.

I, Edward M. Decter, being a doctor duly licensed to practice medicine in the State of New Jersey, hereby affirm under the penalties of perjury that the statements contained herein are true and accurate. I declare that the information contained within this document was prepared and is the work product of the undersigned and is true to the best of my knowledge and information. As is customary, I am being paid for my time

Re: Juan Gando Amat  
May 23, 2023  
Page 4

reviewing the medical records provided to me in preparation of this report, as well as for any future services which may be required such as review of additional records and/or future legal services referable to the above case.

The above are my opinions expressed within a reasonable degree of medical certainty.

If I can be of further assistance to you regarding this matter, please feel free to contact me.

Sincerely yours,

  
/S/ EDWARD M. DECTER, M.D., FACS

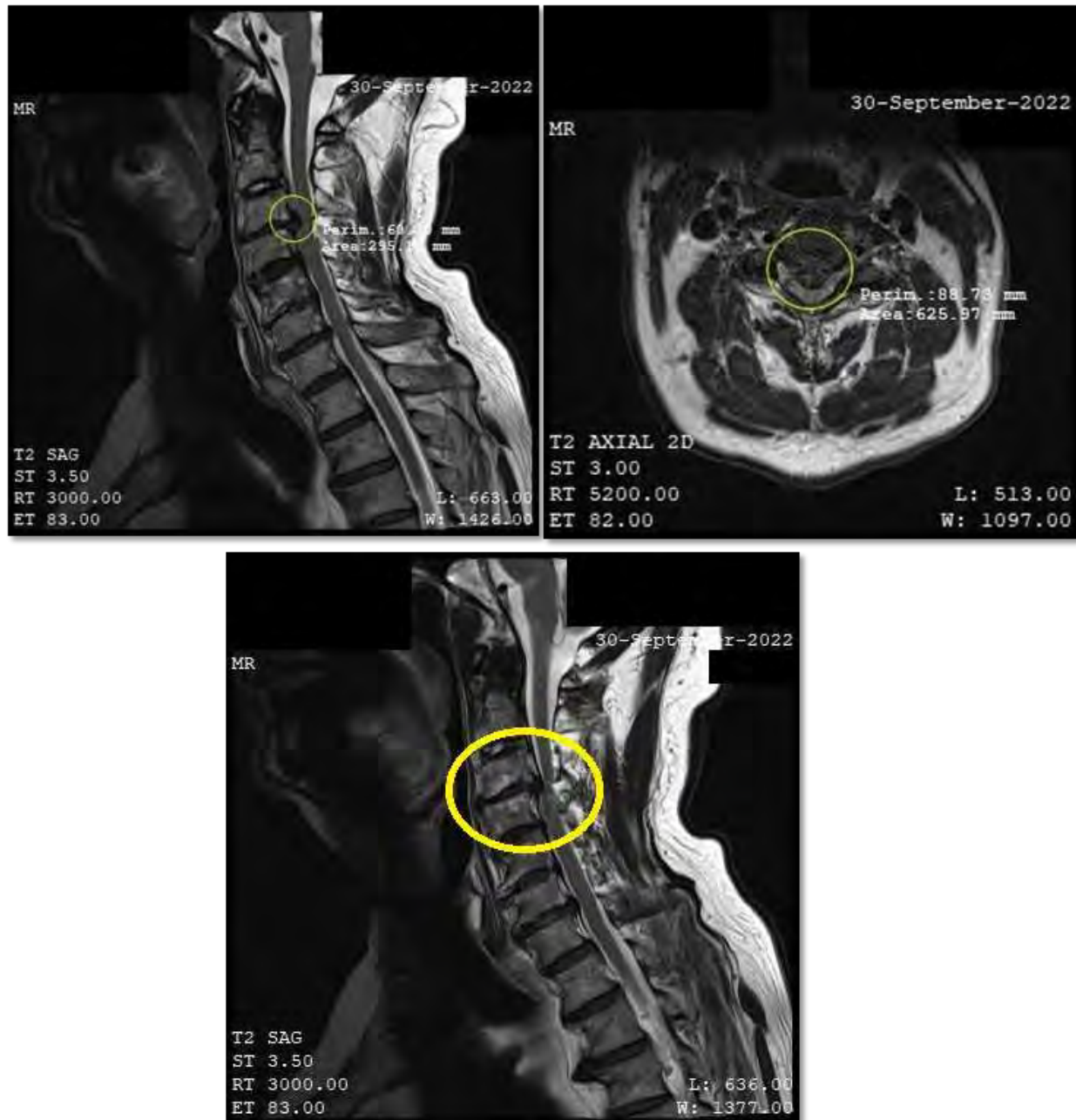
EMD:fmr/vp

Enclosure: MRI example of the cervical spine on page 5.

Re: Juan Gando Amat  
May 23, 2023  
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### Cervical Spine MRI

An example of an MRI of the cervical spine that shows what significant discal herniations would look like that would have clinical implications and neurological implications.



**Edward M. Decter, M.D., FACS**

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Roseland, New Jersey 07068  
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June 30, 2023

Paul Daly, Esq.  
Hardin, Kundla, McKeon & Poletto  
673 Morris Avenue  
PO Box 730  
Springfield, NJ 07081

Re: Juan Gando Amat  
Claim No.: AB220-300528  
Case No.: 22034651  
Date of Incident: 11/23/20

Dear Mr. Daly:

This is an orthopaedic addendum report that you have requested of me on the above-named plaintiff. Please refer to my prior correspondences.

Review of Records

I have reviewed the following records:

1. Records from Arnold Goldman, MD. These were follow-up records of 5/17/22 until 7/14/22. He had right knee arthroscopy done on 2/9/22. He stated he was slowly improving. The assessment was status post right knee arthroscopy, left knee derangement, bilateral shoulder derangement, cervical spine derangement, lumbar spine derangement.
2. Records from Englinton Medical Center in Woodhaven, New York. It was a consultation for medical clearance. X-ray taken of the chest showed moderate degenerative spondylosis of the thoracic spine, old fracture deformities of the posterior left 4<sup>th</sup> through 8<sup>th</sup> ribs.
3. Right knee color arthroscopy

Review of Imaging Studies

I have personally reviewed the following x-rays:

1. X-rays of the right shoulder taken on 1/6/22 show no evidence of any fracture. There is some mild arthritis of the acromioclavicular joint.

Re: Juan Gando Amat  
June 30, 2023  
Page 2

2. X-rays of the left shoulder done on 1/6/22 show a bayonet apposition of a clavicle fracture. The rib fractures look healed, as well, on the left side.
3. X-rays of the thoracic spine done on 1/6/22 show no destructive bony lesions. Some anterior osteophytes are noted.
4. X-rays of the knee taken on 1/6/22 show no evidence of any fracture.
5. X-rays of the left shoulder taken on 3/15/22 show the residual from the clavicular fracture with overlap.

The plaintiff had a transforaminal interlumbar fusion from L4 to S1 and anterior cervical discectomy and fusion at C5-6.

Dr. Goldman operated on the plaintiff's right knee with a post-operative diagnosis of medial and lateral meniscal tears, multicompartamental hypertrophic synovitis, multiple loose bodies, chondromalacia grade III to IV of the patella and distal femur, osteochondritic and osteonecrotic fracture of the medial femoral condyle. He had synovectomy, partial medial and lateral meniscectomy, resection of loose bodies. Drilling and debridement of osteochondritic and osteonecrotic fractures of the right knee. Please send me the intraoperative photographs on this plaintiff's right knee surgery. They are very important for me to review.

#### Medical Opinion

My opinions have been set forth regarding the spinal surgery that was performed on this plaintiff.

I am also not of the opinion that any type of spine surgery was necessary or indicated in this case.

The plaintiff had a rotator cuff tear, fractured left clavicle causally related to this accident, as well as rib fractures and intraabdominal injuries.

The surgeons chose to operate on the spine. I do not believe that there was any evidence based upon the MRIs that I reviewed that would be an indication and causally related to this accident.

The above opinions are expressed within a reasonable degree of medical certainty.

I, Edward M. Decter, being a doctor duly licensed to practice medicine in the State of New Jersey, hereby affirm under the penalties of perjury that the statements contained herein are true and accurate. I declare that the information contained within this document was prepared and is the work product of the undersigned and is true to the best of my knowledge and



Re: Juan Gando Amat  
June 30, 2023  
Page 3

information. As is customary, I am being paid for my time reviewing the medical records provided to me in preparation of this report, as well as for any future services which may be required such as review of additional records and/or future legal services referable to the above case.

If I can be of further assistance to you regarding this matter, please feel free to contact me.

Sincerely yours,

  
/S/ EDWARD M. DECTER, M.D., FACS

EMD:jaa/vp

**Edward M. Decter, M.D., FACS**

4 Becker Farm Road, First Floor  
Roseland, New Jersey 07068  
973-669-9767  
Fax 973-669-2968

September 29, 2023

Paul Daly, Esq.  
Hardin, Kundla, McKeon & Poletto  
673 Morris Avenue  
PO Box 730  
Springfield, NJ 07081

Re: Juan Gando Amat  
Claim No.: AB220-300528  
Case No.: 22139024  
Date of Incident: 11/23/20

Dear Mr. Daly:

The following is an addendum to my original orthopaedic independent medical examination report on the above individual. Please refer to my prior correspondence to you dated 2/27/23, 5/23/23 and 6/30/23.

I have now been provided with the following records to review.

Review of Records

1. Records from the Center for Musculoskeletal Neurological Care at the Gerling Institute dated 8/1/23. Please see if we can obtain the intraoperative photographs on this case. This report is by Dr. Michael Gerling. He opined that the plaintiff had myelopathy. I respectfully disagree with that. He says the upper extremity sensation was grossly intact from C5 to T1 and from L3 to S1. He does not identify any weakness of the deltoids, biceps, wrist extensors, triceps and grip, left and right. He has no positive findings on his physical examination that would be consistent with a myelopathy. Then, he says there is a lumbar disc herniation with radiculopathy.
2. A CT scan was done of the cervical spine at Lenox Hill Radiology on 9/6/23 showing a disc osteophytic complex with bilateral uncovertebral hypertrophy and left facet arthropathy at C4-5, C5-6 and C6-7. He says there is evidence of loosening of the screws. The plaintiff had an anterior cervical discectomy and fusion. He had multilevel spondylosis and facet arthropathy. Now, we have a situation where there

Re: Juan Gando Amat  
September 29, 2023  
Page 2

- are loose screws and an operation which I believe should not have been done.
3. X-rays of the cervical spine of 9/6/23 show an anterior cervical fusion at C5-6 with disc space narrowing and osteophytic ridging at C6-7.
  4. Records from New York City Medical and Neurological Offices where the plaintiff was diagnosed with a traumatic brain injury and post-concussion syndrome, and a neuro-optometric examination was noted. This is not orthopaedic in nature.

Impression

The opinions I have set forth in my prior correspondence to you are not being altered.

I, Edward M. Decter, being a doctor duly licensed to practice medicine in the State of New Jersey, hereby affirm under the penalties of perjury that the statements contained herein are true and accurate. I declare that the information contained within this document was prepared and is the work product of the undersigned and is true to the best of my knowledge and information. As is customary, I am being paid for my time reviewing the medical records provided to me in preparation of this report, as well as for any future services which may be required such as review of additional records and/or future legal services referable to the above case.

The above are my opinions expressed within a reasonable degree of medical certainty.

If I can be of further assistance to you regarding this matter, please feel free to contact me.

Sincerely yours,



/S/ EDWARD M. DECTER, M.D., FACS

EMD:fmr/vp

ExamWorks, LLC.  
4 Becker Farm Road  
Roseland, NJ 07068



October 25, 2023

PAUL DALY  
HARDIN, KUNDLA, MCKEON & POLETT  
673 MORRIS AVENUE  
PO BOX 730  
SPRINGFIELD, NJ 07081

RE: Re-Evaluation  
Examinee: Juan Gando Amat  
DOI: 11/23/2020  
Claim #: AB220-300528  
Case #: 22160119  
File ID:

Dear Paul Daly:

The following independent examination has been scheduled at your request in connection with the above matter.

<b>Date and Time:</b> 11/27/2023 1:30 PM	<b>At the following location:</b>	<b>187 Millburn Avenue Suite 103 REAR OF BLDG Millburn, NJ 07041</b>
	<b>Using the facility of:</b>	<b>Pain Medicine Physicians</b>
	<b>*With Examiner:</b>	<b>Dr. Edward Decter</b>
	<b>Specialty:</b>	<b>Orthopaedic Surgery</b>

Please note that this appointment has been confirmed. Please be advised, if there is a need to change or cancel this appointment, you must contact the ExamWorks, Inc. administrative office immediately (but in no event less than 3 business days prior to the scheduled appointment) by calling the telephone number listed above between 8AM – 4PM. **Failure to either give proper notice or to attend this appointment may result in a “no-show” fee. Please note that if excessive records are received for this examination, the doctor may be required to review these records prior to the exam and will charge for the review of records even if it does result in a “no show”. This fee will depend on the complexity of the case, hours spent by the doctor, review of medical records / films, which cannot be determined prior to the examination.**

- 1) The examinee should plan on arriving at the examiner's office at least 15 minutes prior to the scheduled time of the examination. This will give him/her the time needed to sign in and complete any necessary paperwork.
- 2) We request that the examinee bring a photo ID. The examinee should be aware that he/she may be required to sign an authorization permitting us to release the results of the examination back to you or any other third party before the examination is conducted.
- 3) Also be advised that if the examinee takes a muscle relaxer or narcotic within 8 hours of the examination, the doctor may choose not to perform the exam.
- 4) It is hereby requested that should parties agree to a recording of the examination, or to have a 3<sup>rd</sup> party observer present, ExamWorks must be advised in writing and made aware of same prior to the examination. The doctor reserves the right to cancel the examination if proper notice is not given prior to the examination, and further reserves the right to cease the examination should the physician discover, during the examination, that a party is recording same.
- 5) In addition, please have the examinee bring all imaging studies, both pre and post-accident, with him/her to the exam. Duplicates are preferred over originals. If time permits and appropriate technology are available at the time of the exam, the doctor will review these imaging studies OR may ask to have them left with him/her for later review. Please note that an additional fee may apply for film review.
- 6) If the examinee does not speak English, he/she MUST arrange to bring a **QUALIFIED** English interpreter with them. ExamWorks is now providing Interpreter Service, please contact the office to arrange for an Interpreter. If an Interpreter Service has been confirmed, and the claimant is a no-show you will be billed for the interpreter fee.

**\*\*\*ALL MEDICAL RECORDS MUST BE SENT TO EXAMWORKS AT THE ABOVE ADDRESS OR EMAIL TO:**

**med\_records@examworks.com. This appointment is subject to cancelation if records are not received three weeks prior\*\*\***



**Edward M. Decter, M.D., FACS**

4 Becker Farm Road, First Floor  
Roseland, New Jersey 07068  
973-669-9767  
Fax 973-669-2968

January 15, 2024

Paul Daly, Esq.  
Hardin, Kundla, McKeon & Poletto  
673 Morris Avenue  
P.O. Box 730  
Springfield, NJ 07081

Re: Juan Gando Amat  
Claim No.: AB220-300528  
Date of Loss: 11/23/20  
Case No.: 22160119  
Date of Re-Examination: 1/15/24 (Millburn)

Dear Mr. Daly:

The following is a medical re-evaluation on the above-named plaintiff.

Please refer to my prior evaluations and reports of 2/27/23, 5/23/23, 6/30/23, 9/29/23, and 10/31/23.

Review of Records

At the time of preparation of this medical report, I have reviewed the following documents:

1. Answers to Interrogatories which were commented on by me in my prior correspondence.
2. Records from Dr. Mehrdad Golzad of New York City Medical Neurology Office dated 6/20/23. Epidural optometric examination was done which was not orthopaedic in nature.
3. Records from Dr. Anne Reuter dated 6/29/23.
4. Records from Dr. Michael Gerling, Center for Musculoskeletal Neurological Care of the Gerling Institute dated 8/1/23. The plaintiff was a passenger in the backseat of a car that sustained a rear-end impact by a tractor-trailer. The main finding was status post discectomy on the right at L4-5, lumbar facet syndrome, status post anterior discectomy and fusion at C5-6 on 7/27/22 related to traumatic cervical disc herniation with myelopathy and radiculopathy, right knee derangement status post arthroscopy.