

Car Trouble

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Whistleblowing doctors weird saga continues

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published: August 24, 2006



Fitzgibbons: No more coincidences. Photo by Amy Theilig

Sometimes the human brain finds patterns in seemingly unrelated phenomena. Sometimes random coincidences pile up and suddenly seem not coincidental at all. Just ask Dr. Michael Fitzgibbons. On July 21, his wife's right front tire suddenly went flat; she replaced the tire. At about 8 p.m. that evening, the couple's 23-year-old daughter was driving Fitzgibbons' 1996 Honda Accord eastbound in the far left lane of the 22 freeway. Suddenly, the right rear tire blew, shredding down to the rim.

The car flipped. Miraculously, all three girls in the car walked away with only bruises and whiplash. At first his daughter thought someone had hit their vehicle from behind. But there was no evidence of any rear-end impact—just a severely torn tire and damage from the car's subsequent crash.

"My daughter"—Fitzgibbons asked us not to print her full name—"wanted to know why this happened," he says. "[She] kept saying, 'How can you have two flat tires in one day?'"

Fitzgibbons no longer believes in coincidences. He believes that somebody intentionally sliced the tire.

You could forgive him for seeming paranoid. The outspoken physician at Santa Ana's Western Medical Center recently won a lawsuit filed against him by the hospital's owners charging him with slander and interfering with the company's business, thanks to an e-mail he wrote last year describing the hospital's financial outlook as "ominous." In the process, he alienated many people, including some of the hospital's doctors. On June 28, just two weeks after his court

victory, police arrested Fitzgibbons at the hospital in connection with a bizarre road rage incident. They claimed two unidentified witnesses saw him wearing gloves and waving a gun during a traffic altercation that day. When Fitzgibbons allowed them to search his brown Toyota Camry in Western Med's parking lot, the cops retrieved a gun and a pair of black gloves.

Prosecutors refused to file charges against Fitzgibbons and sent the case back to police for further investigation (see "[Can I Get a Witness?](#)," July 27). Meanwhile, Fitzgibbons claims he's never owned a gun, that the black gloves weren't his, and is certain someone planted the evidence in his car. "I knew my car had been broken into and I wanted to prove it," he says. So he hired Forrest Folck, a San Diego forensic investigator. Folck refused to discuss the results of his investigation, but Fitzgibbons says Folck concluded that someone used a slim-jim to unlock the car.

"The inner surface of the car door's weatherstripping has a natural dust trail where dust on the window is caught," Fitzgibbons says. "On the passenger side, near the door handle, it was obvious that the dust trail had been violated by something that had been probed several times through the door, and this matched two fresh scratches on the outer side of the door." According to Fitzgibbons, Folck also found scratches that matched the smudges in the dust trail, as well as marks on the door lock consistent with a professional break-in.

After his daughter's crash, Fitzgibbons hired another forensic investigator, Ken Zion, to examine that car. Zion did not return telephone calls seeking his comment, but Fitzgibbons says Zion told him that the tire had been intentionally sliced. "He said it was a three-centimeter clean cut, not caused by a road hazard, on the outer tread of the tire," Fitzgibbons says.

On Aug. 9, Fitzgibbons sent a letter to the California Highway Patrol detailing Zion's findings, telling them that someone sliced the tire and that this act was "related to the adjudication of a lawsuit against" him. "I believe the Honda was sabotaged while it was in my driveway on July 21 or shortly before [my daughter's] trip," he wrote. "I urge you to investigate these matters, establish the identity of the perpetrator(s) and protect me and my family from individuals who have sought to harm us."

So far, Fitzgibbons hasn't heard from either the Irvine police or the Highway Patrol. He's worried that whoever is out to get him isn't finished. "It's obvious that someone wishes to discredit, humiliate and harm me [and] my family," he says. "It's obvious to me that someone has paid to have these things occur to me."

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