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Steven M. Ostrove, Bar No. 193200
2 FINK & FELDMAN, LLP
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3 Los Angeles, CA 90064
Telephone: (310) 268-0780
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5 Attorneys for Plaintiffs,
DONNA HEAD and RICHARD HEAD
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF LOS ANGELES, NORTHWEST DISTRICT

10 DONNA HEAD and RICHARD HEAD,)
11 Plaintiffs.)

12 v.)

13 MICHAEL VERMESH, M.D., individually)
14 and d.b.a. Center for Human Reproduction)
and d.b.a. The Center for Fertility and)
15 Gynecology; SNUNIT BEN-OZER, M.D.;)
AMI/HTI TARZANA ENCINO, a business)
16 entity, form unknown, d.b.a. Encino/Tarzana)
Regional Medical Center; WEST COAST)
17 CLINICAL LABORATORIES, L.P., a)
limited partnership; and DOES 1 through 50,)
18 Inclusive,)
19 Defendants.)

CASE NO. LC 046 932
PLAINTIFFS' EXPERT WITNESS
DESIGNATION AND
DECLARATION OF STEVEN M.
OSTROVE IN CONFORMITY WITH
CODE OF CIVIL PROCEDURE
SECTION 2034(f)
Complaint Filed: December 30, 1998
Discovery Cutoff: July 7, 2000
Motion Cutoff: July 21, 2000
Trial Date: August 7, 2000

20
21 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

22 Pursuant to the provisions of Code of Civil Procedure section 2034(f), Plaintiffs hereby
23 designate the following persons whose expert opinions they anticipate to offer into evidence at the
24 trial of this action.

25 RETAINED EXPERTS

26 Gil N. Mileikowsky, M.D.
27 436 North Bedford Drive
Suite 300
Beverly Hills, Ca 90210

1 NON-RETAINED EXPERTS

2 Karie McMurray, M.D.
3 1240 S. Westlake Blvd., #219
4 Westlake Village, CA 91361

5 Paul Martin, M.D.
6 10833 Le Conte Avenue
7 Los Angeles, CA 90095

8 Terry Reimann, M.D.
9 5620 Wilbur Ave.
10 Suite 200
11 Tarzana, CA 91356

12 Maurice Gourdgi, M.D.
13 18425 Burbank Blvd.
14 Suite 500
15 Tarzana, CA 91356

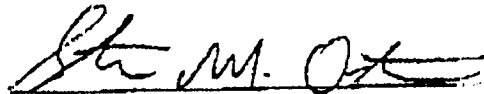
16 Lucian Jacobs, M.D.
17 18425 Burbank Blvd.
18 Suite 500
19 Tarzana, CA 91356

20 Joseph Bahuth, M.D.
21 18372 Clark Street
22 Tarzana, CA 91356

23 DATED: June 6, 2000

FINK & FELDMAN, LLP

24 By



25 Steven M. Ostrove
26 Attorneys for Plaintiffs, DONNA HEAD and
27 RICHARD HEAD

1 DECLARATION OF STEVEN M. OSTROVE

2
3 I, Steven M. Ostrove, declare as follows:

4 1. I am an attorney licensed to practice law in the state of California and am an associate
5 at Fink & Feldman, LLP, attorneys of record herein for Plaintiffs.

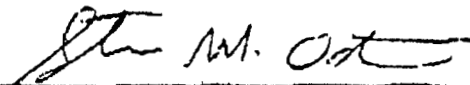
6 2. I have personal knowledge of the facts stated in this declaration. If called upon to do
7 so I could and would competently testify thereto.

8 3. Accompanying this Declaration is Plaintiffs Expert Witness List, identifying retained
9 and non retained witnesses whose expert opinion testimony Plaintiffs will offer at the trial of this
10 action, either orally or by deposition testimony. Gil N. Mileikowsky, M.D. has been retained by
11 Plaintiffs and has agreed to testify at the trial and is sufficiently familiar with the matter to submit
12 to meaningful oral deposition concerning the testimony described below, including his expert opinions
13 and the basis thereof.

14 4. Attached hereto as Exhibit A and incorporated by this reference is a resume of the
15 professional qualifications of Gil N. Mileikowsky, M.D., who is expected to testify regarding the
16 applicable standard of care with respect to the surgical procedures undergone by Donna Head, ectopic
17 pregnancy, informed consent, the invitro fertilization process, and storage of eggs and embryos related
18 thereto. Dr. Mileikowsky customary fee for deposition is \$300.00 per hour and \$500.00 per hour for
19 trial testimony with a half day minimum.

20 I declare under penalty of perjury under the laws of the State of California that the foregoing
21 is true and correct.

22 Executed this 19th day of June, 2000, at Los Angeles, California.

23
24 
25 Steven M. Ostrove

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not
4 a party to the within action; my business address is: 11500 Olympic Blvd., Ste. 316, Los Angeles,
CA 90064.

5 On June 19, 2000, I served the document described as **PLAINTIFF'S EXPERT WITNESS**
6 **DESIGNATION AND DECLARATION OF SEVEN M. OSTROVE IN CONFORMITY WITH**
7 **CODE OF CIVIL PROCEDURE SECTION 2034(f)** on all interested parties in this action as
follows:

8 by placing the original true copies thereof enclosed in sealed envelopes addressed as
follows:

9 Eileen S. Lemmon, Esq.
Nancy McCoy, Esq.
10 LaFOLLETTE, JOHNSON, DeHAAS, FESLER, SILBERBERG & AMES
3403 Tenth Street, Suite 820
11 Riverside, California 92501
fax number: (909) 275-9249

12 Attorneys for: Defendants MICHAEL VERMESH, M.D.; SNUNIT BEN-OZER, M.D.; and THE
13 CENTER FOR HUMAN REPRODUCTION, INC.

14 BY MAIL

15 As follows: I am "readily familiar" with the firm's practice for collection and
16 processing correspondence for mailing. Under that practice it would be deposited with
17 the U.S. Postal Service on that same day with postage thereon fully prepaid at Los
Angeles, California in the ordinary course of business. I am aware that on motion of
the party served, service is presumed invalid if postal cancellation date or postage meter
date is more than one day after date of deposit for mailing in affidavit.

18 BY FEDERAL EXPRESS

19 On this date, I served the persons interested in said action by placing copies of the
20 above-entitled document in sealed Federal Express envelopes in the Federal Express
drop off box located at 11500 Olympic Blvd., Ste. 316, Los Angeles, CA 90064.

21 (STATE) I declare under penalty of perjury under the laws of the State of California that
22 the above is true and correct.

23 Dated: June 19, 2000

24 Cristine Richmond
Cristine Richmond

1 Keith A. Fink, Bar No. 146841
Jennifer L. Nutter, Bar No. 192132
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5 Attorneys for Plaintiffs,
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JUN 28 2000

LOS ANGELES
SUPERIOR COURT

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11 COUNTY OF LOS ANGELES, NORTHWEST DISTRICT

11 DONNA HEAD and RICHARD HEAD,)

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17 Regional Medical Center; WEST COAST)
CLINICAL LABORATORIES, L.P., a)
18 limited partnership; and DOES 1 through 50,)
Inclusive,)

19 Defendants.)
20)

CASE NO. LC 046 932

DECLARATION OF GIL N.
MILEIKOWSKY, M.D. IN SUPPORT
OF PLAINTIFFS' OPPOSITION TO
DEFENDANTS' MOTION FOR
SUMMARY ADJUDICATION

DATE: July 12, 2000
TIME: 9:00 a.m.
DEPT: Z

Complaint Filed: December 30, 1998

Discovery Cutoff: July 7, 2000
Motion Cutoff: July 21, 2000
Trial Date: August 7, 2000

21
22 I, Gil N. Mileikowsky, M.D., declare as follows:

23 1. I have personal knowledge of the facts stated in this declaration, except as otherwise
24 stated, and if called upon to do so I could and would competently testify thereto.

25 2. A summary of my qualifications to render an opinion in this matter is as follows: I am
26 certified by the Board of Obstetrics & Gynecology in the United States and Belgium, and am licensed
27 to practice medicine in California, Texas and Belgium. I obtained a medical degree, Cum Laude,
28 from the Catholic University of Louvain, Belgium in 1979. I then completed four years of residency