

DECLARATION OF DR. ARTHUR GORDON

I, DR. ARTHUR GORDON, hereby declare:

1. I have firsthand, personal knowledge of the facts stated herein, and if called upon to do so, I could and would testify competently thereto.

2. I submit this Declaration in lieu of oral testimony pursuant to Code of Civil Procedure sections 2009 and 2015.5; *Reifler v. Superior Court* (1974) 39 Cal. App. 3d 479; and *Marriage of Stevenot* (1984) 154 Cal. App. 3d 1051.

3. I am a medical doctor and licensed to practice medicine in the State of the California. I have been practicing medicine as an Internist since 1978. My office is located in Sherman Oaks, California.

4. During the afternoon of January 8, 2010, Respondent arrived at my office for an appointment she had scheduled with me earlier that day. This was the first time I had ever met or treated Respondent. When I inquired as to the reason for Respondent's visit that day, she told me that she was hit in the head the day before and that since that time she had been suffering from nausea, headaches and dizziness, as well as "aches all over." She would not identify who had hit her, however, she told me that the same person had broken her front teeth during the same incident the day before.

5. Based upon Respondent's presented symptoms, I performed a neurological examination of her, including, without limitation, a tracking of her eye movement. Specifically, I directed Respondent to follow my finger with her eyes, as I stood in front of her and moved my finger towards her left and right ears. My examination revealed that Respondent was suffering from abnormal tracking in her right eye.

6. Respondent's abnormal right eye tracking, coupled with her presented symptoms, led me to conclude that Respondent had suffered a concussion from the hit she sustained to her head the day before.

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7. As with any serious head injury, my immediate concern was whether Respondent had a subdural hematoma (i.e. bleeding in the layer between the skull and brain), which is diagnosed by a CAT Scan. Thus, I encouraged Respondent to go to the emergency room to have a CAT Scan performed. I further instructed Respondent to rest and take it easy.

8. On January 11, 2010, I attempted to contact Respondent by telephone to follow-up with her. I did not speak with her that day, but I left a voice mail message for her.

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

Executed this ___ day of July, 2010, at Sherman Oaks, California.

SEE FACSIMILE SIGNATURE
ON ATTACHED PAGE

DR. ARTHUR GORDON, Declarant

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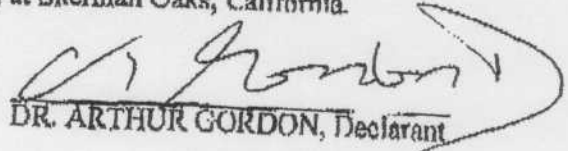
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Executed this 9 day of July, 2010, at Sherman Oaks, California.


DR. ARTHUR GORDON, Declarant