
The following is a letter I sent in September 2003 to the president judge of the Philadelphia courts including what I sent to the arbitrator who ruled in my case:

Hon. Frederica Massiah-Jackson

Common Pleas Court

Room 386

City Hall

Philadelphia, PA 19107

July 15, 2003

Honorable Frederica Massiah-Jackson,

My name is Dominic Morgan. I have been a plaintiff in a (Phila. Civil) medical malpractice lawsuit (docket #000402621) against Herbert J Nevyas and Anita Nevyas-Wallace of Nevyas Eye Associates, located in Bala-Cynwyd.

I had lasik surgery in April 1998, with very disastrous results. From all of the (corneal) specialists I've seen (and I've seen many) since having surgery, I was told I should never have been a candidate for this procedure, due to my retinopathy of prematurity (ROP- I was born 2 ½ months premature) and my best corrected visual acuity. The procedure was done using an experimental laser not approved by the Food and Drug Administration (FDA). The performing surgeons overlooked standards of care, their own, as well as federal guidelines, and have advertised extensively for a non-approved device (not allowed).

All of this information, as well as my medical information were submitted to the court system. Judge Papalini basically ripped my case apart, either lacking information in this field, stupidity, or just

not understanding (not that he should). Anything of importance was dismissed, and it seems extreme prejudice was given to the performing surgeons. My case was pretty much forced into a binding high/low arbitration. Be it due to the medical malpractice issues currently in Pennsylvania and the rest of the country, or the reputation of the surgeons involved, I feel the courts were very partial to these doctors and it seems they wanted nothing to do with my case. These doctors are no strangers to the courts, having been defendants in medical malpractice cases 11 times since 1998. Why is it the courts cannot put two and two together? It is apparent these doctors have been in front of the same judges numerous times. Do they not even care what these doctors are doing to people? I thought the legal system was about truth, justice and having a fair trial. How could this have ever been a fair trial for me if everything that was important in my case was dismissed? It seems as though the courts did not want to handle this trial. The surgeon who owns the practice, and who oversees everything that goes on their told me to "deal with it".

Your Honor, I certainly mean you no disrespect. I am now on social security disability. I used to earn almost \$50,000.00 a year, and was quite happy with my lifestyle. Now I am legally blind. I live with fluctuating vision every day. I have total loss of night vision. I'm only 42 years old, for god's sake. Stupidity or greed on the doctor's part and ignorance on everyone else's, why should I have to suffer living like this?

It is bad enough having to live with the visual problems I've had since having had the lasik 5 years ago, but it is even worse knowing the courts, the state, and the insurance companies allow these "doctors" to ruin more peoples' lives. Money cannot buy what we have lost. We have to live like this the rest of our lives. How can you honestly justify allowing these people to remain in practice, and continue to offer them sanctuary by siding with them? This is entirely not fair to the people damaged, nor is it fair to the legal system or the taxpayers. Below link of the Philadelphia Civil Docket system web site has a listing of their cases:

<http://fjdwebserver.phila.gov/> (hit accept & enter nevyas' last name)

I have recently marked my 5th year since having had lasik surgery. Five long, frustrating years trying to “deal with it”. My life has been ruined, as well as others’ lives, and yet they continue to thrive in their business without a care as to how they damage people. They hire cutthroat lawyers to lie and degrade the people who trusted them, as well as make a mockery of the legal system. For those of us who had lasik surgery, that was \$5000.00 out of our own pockets. The money can be replaced, the vision cannot.

I have lost any remaining respect for the legal system, and intend to relate the happenings of this whole ordeal on my website (www.lasiksucks4u.com), as well as the news media. I also intend to lodge complaints against the Nevyas’ to the Medical Boards of Pennsylvania and New Jersey as well (though I feel nothing will be done about it). A petition outlining changes has been sent to the FDA (and copies to news media also) in hopes of changing the guidelines for refractive surgery. Too many people are getting hurt and NOTHING is being done about it.

I find it pathetic that the power of god (basically) allows people with power to truly rip the life out the average person just trying to get by in life. There is no justification for what they’ve done to me, there is no fairness except to them, and there certainly is no forgiveness for what they’ve done to me. My life has been a living nightmare since this surgery, and I still have the rest of my life to “deal” with. It has never been about financial gain, just what I’ve lost in, and of life.

I strongly feel that Judge Papalini erred in his decision to dismiss what was important. He has absolutely no understanding of how my life has been (I wish these people could walk in my shoes to see the hell I do). The wrong people are given too much power, and lack common sense.

Below is what I have sent to Thomas Rutter, the arbitrator who ruled ‘no causation’ in my case. The defendants as of July 11, 2003 finally settled the arbitration agreement. As was agreed by the lawyers on both sides they had 10 days from date of decision, not a

month). Again, the Nevyas' and their lawyers walk all over the legal system, and seem to be able to do whatever they want, and get away with it.

I do not understand any of this. I'm the one who has been hurt, and this is for the rest of my life. How is it they walk away only to hurt somebody else?

Your Honor, I most sincerely thank you for your time.

Respectfully,

Dominic J Morgan

Thomas Rutter, Esquire

Arbitrator

ADR Options, Inc.

Two Commerce Square, Suite 1100

Philadelphia, PA 19103-7044

Re: Morgan v Nevyas-Wallace

June 26, 2003

Mr. Rutter,

It is with deep sorrow hearing your decision based on the above case. I am shocked and dismayed at your decision for several reasons, as listed:

You based your decision without using all of the facts, in that the experts we used were 2 of the most respected in their field. I went to them as well as all of the others (most top-notch respected), with hopes to have my vision corrected to what it was prior to lasik.

You have absolutely no ideal the hell I've lived these past 5 years, and from what I was told several weeks ago, that this is permanent. I live with this everyday and believe me sir this is certainly no picnic. My life revolves around how much light is used, and whether or not anything can be seen. Forget the nighttime vision, it's gone. There is no clarity regardless, day or night.

You allow these people to continue damaging others without punishment. From the insurance companies' perspective, you are to be commended.

I have since been told the end result of the arbitration agreement will not be released (what gives them the right not to abide by arbitration agreement – 10 days) until I sign a release stating the Nevyas' were not at fault. There is NO WAY I will sign that. They took my sight. They will not take the truth!

Their history to include their investigational device shows at least 11 cases of medical malpractice. From first hand experience with these people, they are not the people they represent themselves to be. They are ruthless, uncaring, and greedy.

I thought the legal system would see through the tactics these people used, and I see now I was grossly mistaken. There is no justice for the average person, so now I have to make do for myself what the legal system could **not** do. People need to be informed about these doctors, and I damn well will be telling them. Effectively, I will be updating my website (www.lasiksucks4u.com) in detail to include all facts relating to my surgery and litigation, as well as reporting them to state medical boards (if you find the time, please check on this site in about a month's time). **Everything** will be posted on my site so that I may offer an open invitation for all to see on how your decision was in error.

You stated no causation. Sir, there was! They ruined my vision and they ruined my life. **They did this to me!** I was completely happy prior to and none of this was present **prior to the lasik surgery**. I **TRUSTED** these people. They made empty promises to fulfill a now empty life, and I can never forgive nor forget, not that I ever could.

Sir, there are **MANY** lasik casualties out there other than myself. The legal system needs to be aware that these doctors are getting away with quite a bit. It never really was about the money, it's about how they ruined our lives, and how they walk all over the system, just as they did you. Even if this case had no financial bearing, you sir was wrong in your decision, and I am living proof of that.

Respectfully,

Dominic J Morgan

In addition to the above, complaints were sent to the Federal Trade Commission (FTC), the Food and Drug Administration (FDA), the Philadelphia County Medical Society, various state reps from Pennsylvania and New Jersey, and others. Major governmental agencies have visited this website, and it seems nothing is being or has been done about what's happened to me, in that there was irreparable damage caused, that I was misled into believing I was a candidate, or the fact the Nevyas' laser was investigational and heavily advertised for, and the FDA did absolutely nothing about.

The response I received from the president judge in October stated a packet was to be sent to my attorney explaining why plaintiff was unable to establish causation in the litigation (I have yet to see this packet)...Never mind the fact my vision has been ruined since having Lasik, I would

think that's causation enough. There was no response from the arbitrator, as I really did not expect any. It is what it is, just as all the facts presented on paper. Not only my case, but many others. So again key questions are...**Why are the majority of Lasik lawsuits being lost? And, why is nothing done about it?**

Seems like a cover-up...**YES, it really does!**

LasikSucks4U.com

► Nevyas' Excimer Laser

[Home](#)

The following are reports submitted to the FDA by the Nevyas' regarding their "**black box**" (laser used for investigational surgery). This is information they **DO NOT** want the public to know...

** First line states "A sponsor, investigator, or any other person...shall not promote or test market an investigational device until FDA has approved device for commercial distribution". I couldn't even begin to tell you how many times I've heard their advertisements on radio stations for lasik surgery.



LasikSucks4u.com



► Are you a Candidate?

Lasik surgery has been hailed as the wonder cure for those who have myopia and astigmatism. For many, it is a blessing. Many patients have said, "I can see...without my glasses." The decision to have Lasik is, for some people, almost instantaneous. But before you decide, educate yourself first. Almost certainly, there are many things that you do not know about Lasik.

If you are considered a "Good Candidate," and have less than 20/40 best-corrected visual acuity (BCVA) then:

- Second and third opinions are a must. Most doctors are reluctant to do surgery on people with less than 20/40 BCVA. Most have protocols and standards by which they abide. Beware of surgeons that seem all too eager.
- Make sure the surgeon is reputable. Plaques and diplomas do not necessarily show the true person. Certainly there are those that do care, but there are also those that give their clients books and other literature that makes them seem like pioneers. There are companies that print books with the surgeon's name apparently as the author, when the



"LASIK is not all it seems to be...in fact, a considerable number of people have adverse reactions"

If a procedure is done

"experimentally," more than likely the surgeon is using a device not yet approved by the Food and Drug Administration (FDA).

Even so, **FDA approval is no guarantee of safety.**

surgeon had nothing to do with the writing of the book.

- If the procedure is going to be done "experimentally," more than likely the surgeon is using a device not yet approved by the Food and Drug Administration (FDA). Since other devices are already approved, this is rarely to your advantage.
- Most importantly, no one can guarantee long-term effects. Remember, Lasik is relatively new!
- Federal Law requires that every patient who is about to undergo a refractive surgery be given a Patient Information Booklet, published by the manufacturer of the laser used in their surgery. If your surgeon does not give you the patient information booklet, this is a violation of federal law, and your surgeon can be charged with not providing you with full informed consent. Abuse of this FDA mandate is widespread. Most patients have never seen a Patient Information Booklet, because it contains warnings that your surgeon does not want you to see. The FDA Mandate can be found at <http://www.fda.gov/cdrh/>

My petition to the FDA...and will anything be done?

LasikSucks4u.com

► My Experience

My name is Dom Morgan, and I am a "Lasik casualty". My Lasik experience started in 1998. I'd been hearing about Lasik surgery for some time, and after wearing thick glasses for thirty years, I decided to look further into laser vision correction. In March, 1998, I went for my initial consultation at Nevyas Eye Associates in Bala Cynwyd, Pennsylvania. I thought they were considered reputable, and they were advertising extensively (for Lasik...with an FDA unapproved laser) . At over four hours, the pre-op exam seemed very long, but was not complete, due to my prior history of 'retinopathy of prematurity' or ROP (I was born two and one-half months early, and received too much oxygen in the incubator, thereby damaging some retinal nerves). Dr Anita Nevyas-Wallace (who performed my Lasik surgery) stated she foresaw no problems and thought me to be a good candidate. Two weeks later, my initial evaluation was complete, and I was reassured I was to be a good candidate for this Lasik procedure. I was NOT told that a change in prescription gave me better than the 20/50 Best Corrected Visual Acuity (BCVA) I ever had, and that instead of the Lasik, the new



"Informed consent does not tell the whole story of risk...there are many people who are depressed and suicidal because of their results from LASIK. But the medical profession does not want you to know this."

prescription would have worked just as well if not better than what I was seeing (refracted to 20/40 -2 according to my records).

Because of the retinopathy, I went to see a retinal specialist to determine whether this would cause any problems in connection with Lasik. I was told there would be no contraindications (problems), and again reassured that it would be okay to have surgery. I did not ever expect to have 20/20 vision, and was happy with the 20/50 (or maybe a line better, 20/40) prediction, since the 20/50 was my best correction with glasses. I was elated at the thought of not having to wear glasses anymore, and with the very promising outcome predicted, and being told several times I was a good candidate, decided to have surgery.

Two weeks later, I had surgery on my left eye, and a week after that, on my right eye. The day after, looking through the plastic shield was probably the best vision I ever had in each eye without glasses, but during the daytime only, and not lasting. My night vision was filled with halos, starbursts, glare, and ghosting. My vision was still way off, and fluctuated severely, depending on light levels. I was told that as my corneas healed, my vision should improve, and the severe night problems would stop, usually in about three to six

Why is it that mental disorders are epidemic among Lasik casualties, and why is this being kept from the public?

On July 26th, 1999, the surgeon who runs the laser center told me "Deal with it...people lose their sight every day. I'll see you in eight months. I was livid!!!

I have been to over sixty doctors'

months. Later I was told this could take up to one year. After the first year, Anita just kept adding on time, finally stating the problems I was experiencing could be permanent. Five and a half years later, I still have these same problems.

At one day post-op and four days post-op, each cornea looked okay according to Dr Nevyas-Wallace, but I was still experiencing problems. About two weeks after surgery, I was fitted for soft contacts to determine whether the problems could be eased while my eyes healed. I went through three different prescriptions in as many months. The third month, I was fitted for gas-permeable hard contact lenses, because of continued problems. Consequently, I decided to see another ophthalmologist for another opinion, as I was getting more and more upset with the way I was seeing and what I was being told.

This is my nineteenth visit since my initial consultation five months ago. These visits have been averaging between two to eight hours, with about 15-20 minutes with the surgeon. Yes, I'm getting more disgusted by now, especially after hearing what my second opinion doctor told me, that "I would not have done the surgery," and that, given my history, "You were not a candidate". After five more visits, the surgeons at Nevyas Eye decided that the

visits...every Lasik casualty can tell you that going from one doctor to another is paid for the course. Many patients never find out what is truly wrong with their eyes.

With all of the patients who have been damaged by lasik surgery losing their cases in court is it possible there is a cover-up?

problems were retinal due to the ROP.

After three more months and three more visits, I felt like I was getting the perpetual run-around. More gas perms and the same results, So I went to another specialist, this time at Wills Eye Hospital, and still no answers (and that's number twenty four!).

The year 1999 (med records) brought even more distressing results. Five more retinal evaluations, three more corneal evaluations, and on July 26th, 1999, Anita's father Herbert Nevyas told me "Deal with it...people lose their sight every day. I'll see you in eight months." I was livid!!! (This comment was included at deposition and at medical malpractice arbitration hearing)

The following month, I had a low vision evaluation. My prescription was changed again, but not with better results. I then ventured to John Hopkins' Wilmer Eye Institute in Baltimore. After a thorough corneal exam, it still was not known whether the problems were due to Lasik. After another visit to the laser center where I had surgery, and another visit to a low vision specialist, it was decided that glasses and contacts would not work. I was fitted for bioptic and mirage lenses. How fitting it is to have Lasik surgery and not be dependent on glasses (due to the

fluctuation of vision and constant focusing of these glasses, they were essentially useless)! How I looked like a freak with these things on, and boy, how people stare at what they do not understand!

Two more visits and I ended the year 1999. How pathetic this is...over eighteen months and thirty four visits to doctors and hospitals, and still nothing. I was determined to find out what happened. I know that something happened, because I did not have these problems prior to Lasik.

In the year 2000 (med records), things did not get any better. Same problems, no answers. On my third visit this year, it was determined that my problems "could be a result of cataracts." The fourth visit was even more charming according to the same surgeon again: "Maybe it's psychological, or maybe you didn't look at the laser correctly when we did the surgery (also noted at deposition and hearing)". Wrong answer, pal!! Again I ventured back and forth between doctors to find out the cause of my visual problems. Eight more visits to end the year 2000, for a total of forty six visits to doctors and hospitals. The answers: NONE.

I am pretty much done with the doctors now, because NOTHING CAN BE DONE. I've had three visits in 2001, and five in 2002. Of the visits in 2002, I saw Dr. James

Salz in California (who afterwards became one of my experts for my medical malpractice lawsuit), one of the (if not THE) foremost authorities in this field. Another top Doctor I saw was Dr Terrence O'Brien at John Hopkins. Bottom line is after reviewing ALL of my records since having had Lasik, I cannot be corrected because some of the damage was due to increased pressure from the suction cups used to lift the corneal flaps. Dr. Salz stated I SHOULD NOT HAVE EVER BEEN CONSIDERED A CANDIDATE FOR LASIK and submitted to my attorney these reports.

I can only hope and pray that somebody out there will be able to help us, and if you're still not convinced of the risks:

Other horror stories: www.surgicaleyes.org, www.lasikdisaster.com, www.lasiksos.com, www.lasikcourt.com, www.lasikmemorial.com, which are listed at <http://www.es CRS.org/eurotimes/March2003/primesite.asp> also, as well as many others. There are casualties out there who have not posted sites, as well as many others who were offered out of court settlements, and not brought their cases to light due to confidentiality.

Right now, there are many Lasik casualties worldwide struggling to...



- **Cope with depression and suicidal ideation, medical disease syndromes not explicitly mentioned on their informed consent.**
- **Cope with the symptoms of post-traumatic stress (PTSD) and other anxiety disorders.**
- **Cope with their surgeons telling them that nothing is wrong with their eyes.**
- **Cope with "second opinions" designed to protect their surgeon from legal problems.**
- **Find a hard contact lens to fit their irregular corneas, often spending thousands and thousands of dollars hunting for a suboptimal solution.**
- **Cope with the possibility of losing their jobs, homes, or spouses because of sudden, permanent visual loss.**
- **Cope with three, four, or five complications at the same time.**
- **Cope with the need to put drops in**

Although the marketing of LASIK focuses on quality of life, informed consent does not. Instead, the real risks are hidden in medical jargon that never mentions their true effects, particularly severe depression and suicidal ideation.

With all of the

their eyes every few minutes, to stop a burning that will NOT go away.

- **Cope with the need to drive (provided you still can) while looking at multiple images of traffic and people (or even as a passenger).**
- **Cope with the need to work, while being barely able to read for long periods, or even read at all.**
- **Cope with pressure from their loved ones who don't understand to "shape up."**
- **Cope with intense feelings of guilt and self-blame because they trusted their doctors.**
- **Cope with not knowing what the future holds for them or their vision.**

**Email us: LasikSucks4u@yahoo.com,
or AOL Instant Messenger s/n:
lasiksucks4u**

***** Requests and/or
messages *****

This site is updating regularly. If you notice any errors or links not working, please notify webmaster at above email.

Thank You

patients who have been damaged by Lasik surgery losing their cases in court, is it possible there is a cover-up?

Is the use of FDA non-approved lasers such as this one an even greater risk to Lasik patients?

Based on my experience and that of many others who were not candidates, or have had complications, your decision

Use

Terms of

**to have Lasik
should be a
WISE ONE!!!**

Please visit:

www.LasikMemorial.com - This site is dedicated to those whose lives have been damaged or destroyed by refractive surgery.

www.VisionSimulations.com - See the world as we see it...or simulate your own vision.

EXHIBIT 3

Dominic Morgan
4/23/98
67256

SAIRB APPROVED
Date: August 20, 1997

PATIENT INFORMATION AND CONSENT FORM

Study Title: LASIK with an Excimer Laser in the Surgical Treatment of Refractive Errors: Myopia with or without Astigmatism

Protocol No.: NEV-97-001

Investigators: Herbert J. Nevyas, M.D.
Anita Nevyas-Wallace, M.D.

Location: Nevyas Eye Center
333 East City Line Avenue
Bala Cynwyd, Pennsylvania 19004

Telephone: (610) 668-2777

EXHIBIT

Morgan - 1
DN 5/7/01

Do not sign this form until you have read it fully and understand what it says. You may take as much time as you wish and are encouraged to ask any questions you may have at any time.

INTRODUCTION

Before agreeing to participate in this research study, it is important that you read and understand the following explanation of the proposed procedures. This statement describes the purpose, procedures, benefits, risks, discomforts and precautions of the study. It also describes the alternative procedures that are available to you and your right to withdraw from the study at any time. No guarantees or assurances can be made as to the results of the study.

If you are not completely truthful with your doctor regarding your health history, you may harm yourself by participating in this study.

BACKGROUND

This information is given to you so that you can make an informed decision about having surgery for your refractive error (vision problem of nearsightedness, with or without astigmatism) and participating in a clinical study. The procedure is called **Laser In situ Keratomileusis** or **LASIK**. The procedure combines the use of a device known as a microkeratome and a laser to reduce your nearsightedness, farsightedness, and/or astigmatism.

While we have made every effort to inform you of the risks, benefits, and alternatives to LASIK, the decision to have it performed is ultimately yours. It is never "necessary" to have LASIK. LASIK is a purely elective procedure. There is no emergency condition or other reason which requires or demands that you have LASIK surgery. You could continue wearing contact lenses

or glasses and have adequate sight. There is no urgency for you to make your decision, and you may decide not to make any decision concerning this surgery. You should take as much time as you wish to study this and other information before making your decision about signing this informed consent document and undergoing LASIK surgery.

The information presented in this document, plus any video and printed material you view or read, is vital to your process of making an informed decision about this surgical treatment. **ALTHOUGH LENGTHY, IT IS IMPORTANT THAT YOU READ, UNDERSTAND AND CONSIDER ALL THE INFORMATION PRESENTED. FEEL FREE TO ASK ANY QUESTIONS AT ANY TIME.**

This informed consent describes the complications or risks that occur most commonly with LASIK. There may be other possible complications that occur infrequently or are unknown at this time. You may want to consult with your family doctor or other persons or other references for further information before making your decision.

PURPOSE

This laser and others similar to it are under study in the United States for use in changing the shape of the cornea in an attempt to correct nearsightedness, farsightedness, and/or astigmatism. This laser is being used for Laser Intrastromal Keratomileusis (LASIK), a surgical technique for correcting vision problems that uses the combination of a microkeratome (a special instrument for cutting the cornea which is the clear covering on the front of the eye) and a laser (a focused cold laser beam) to perform the procedure.

The overall purpose of these studies are to determine if the Nevyas Excimer Laser used in the LASIK procedure is safe and effective for treating the vision problems of nearsightedness, farsightedness, and/or astigmatism. The Nevyas Excimer Laser is an investigational device which means it hasn't been approved by the FDA. Other excimer lasers are under investigation for LASIK and other types of eye surgery. However, this laser was developed by Dr. Nevyas specifically for performing LASIK and is only available for use by approved investigators at this site.

You have been asked to be in one of the studies listed above because you have nearsightedness, with or without astigmatism and want to have your vision improved by laser refractive eye surgery. Which study you participate in is determined by the type of vision problem you have. If you agree to participate in one of the studies, you will be one of several hundred patients enrolled at Nevyas Eye Center. No other sites are participating in this particular study.

The following study procedures have been explained by Dr. Nevyas or Dr. Nevyas-Wallace and/or the staff.

1. Your diagnosis is: Myopia with or without astigmatism (nearsightedness)
2. The Surgeon intends to **surgically lift** the front portion of your cornea (called the "flap" or "cap") with the keratome, remove a portion of the exposed inner cornea using the investigational excimer laser device, and then replace the cap onto its original position.
3. The purpose is to improve uncorrected vision by **reducing the refractive error**. Additional retreatment procedure(s) for astigmatism or residual nearsightedness or farsightedness may be needed at a later date.
4. Eye drops will be placed in your eye before the surgery to numb it. Antibiotic eye drops will also be placed in your eye before and after surgery to reduce the risk of infection. You will also be given eye drops to use in your eye after the surgery along with specific instructions for their use.
5. Your eye may be patched after surgery and the patch should only be removed at the visit after your surgery.
6. You may be given a sedative at the time of your surgery. You agree to arrange for somebody to drive you home after your procedure and to not drive until you are comfortable with your vision both day and night.
7. You will return for follow-up care and eye examinations at 1 day, 1 week, 1 month, 3 months, 6 months (9 months if the 6 month is missed), 1 year, (18 months if the 1 year is missed) and 2 years. You must understand that keeping your follow-up visits is an important part of data collection for the study. Most of the eye tests that were done before the surgery will be repeated at some or all of these visits.
8. It is important to follow all pre- and post-operative instructions and to keep all scheduled appointments. You should also call or visit the office anytime you have any concerns.

THE MATERIAL RISKS OF LASIK CAN BE DIVIDED INTO TWO CATEGORIES:

I. Vision Threatening Complications.

1. It is possible that there could be a loss of some or all useful vision. This could be caused by an eye infection (internal or external) that could not be controlled by antibiotics or other means.

2. Irregular healing, swelling, or scarring of the cap could result in a distorted corneal surface (*irregular astigmatism*) which would not allow eye glasses or contact lenses to correct your vision to what was possible before your LASIK.
3. It is possible that an unintended perforation of the cornea could require suturing to close the perforation, could possibly require a full-thickness corneal transplant, or could even cause a cataract to form.
4. The cap of the cornea could be irreversibly damaged in which case it would be necessary for donor corneal tissue be used to restore useful vision.
5. The cap of the cornea could become loose after surgery resulting in distorted vision and/or astigmatism. This may require additional surgery to either reposition or replace the cap. Replacing the cap would require donor corneal tissue from an eye bank. It is possible that even with this further surgery your best corrected vision may not be restored to what it was before surgery.
6. It is possible that the cap on the cornea may be completely removed during the procedure. If the cap comes off, the surgeon may elect to do the laser procedure with the cap off and then place the cap back into position.
7. The Microkeratome could malfunction, causing the procedure to be stopped before completion. The procedure may be able to be repeated at a later date or additional surgery may be needed.
8. The investigational excimer laser could malfunction and cause the procedure to be stopped before completion. The laser could malfunction causing an unintended adverse result, including the possibility of loss of useful vision in the eye.
9. Other possible complications and risks include, but are not limited to, corneal swelling, corneal failure, retinal detachment, hemorrhage, blood vessel blockage, glaucoma, cataract formation, total blindness and even the loss of the eye.

II. Non-Vision Threatening Complications. Everybody experiences at least some of these for at least a short period of time.

1. You may become over-corrected. This over-correction may be permanent.
2. You may not get full correction from you LASIK or it could cause astigmatism not present before the surgery. This could require future surgical enhancement such as another LASIK procedure, Radial Keratotomy or Astigmatic Keratotomy, or, (if the surgeon feels this would be unwise) the use of contact lenses or eye glasses.

3. There may be an increased sensitivity to light, glare, and a fluctuation in the sharpness of vision. These conditions usually persist only during the normal stabilization period of one to three months, but they may also be permanent.
4. At night, there may be a "halo" effect around lights. This usually diminishes with time, but could be permanent. Vision may not seem as sharp at night as during the day and that you may need to wear glasses at night.
5. There may be a **"balance" problem** between your two eyes after LASIK has been performed on one eye, but not the other. This phenomenon is called **Anisometropia**. This could cause eyestrain and make judging distance or depth perception more difficult. Surgery for the second eye usually can be performed whenever you and the doctor agree that it is advisable. However, it might be several months before your eyes are visually comfortable and sufficiently stabilized. The decision to have LASIK on the second eye, however, will be yours to make along with the surgeon's approval.
6. The eye may be more fragile to trauma from an impact. Protective eye wear is strongly recommended for activities that could result in eye trauma, such as racquetball, tennis, softball, and karate. A severe blow to the eye could result in loss of the eye.
7. You may experience a worsening of vision initially after the LASIK procedure, and it may take several weeks, or in some cases months, for your vision to stabilize.
8. There is a natural tendency of the eyelids to droop with age and eye surgery may hasten this process.
9. There may be pain, particularly during the first forty-eight hours following surgery.
10. You may not be able to see as well in situations with low illumination and low contrast as you see during the day; these situations may include, but are not limited to, nighttime, fog, dimly lit rooms. It is possible that you may have difficulty driving at night. You should be careful until you know if you can see well enough to drive or perform other activities that require you to see well under these conditions. It is also possible that your eyes will become more tired than usual toward the end of the day.

The eye drops used during the surgery and afterward could cause side effects; you should call the doctor if you notice any persistent itching, burning, redness, or sudden changes in your vision.

As in all surgery, there is the possibility of other complications due to anesthesia, drug reactions, or other factors which involve other parts of the body which cannot be fully described in this document.