

Nevyas, M.D.

- 1 Q. Do you have any recollection of that having
2 happened?
3 A. No.
4 Q. Can you tell me what significance, if any, the
5 fact that the keratome is recorded as having stopped
6 three-quarters of the way on forward and one-quarter of
7 the way on the backward pass?
8 MS. NEWMAN: Objection to form.
9 MS. POST: You can answer.
10 THE WITNESS: The significance is that
11 the microkeratome that was in use at that
12 time, and is still in use pretty widely, had a
13 gear system which could sometimes hang up
14 momentarily, and if the laser hesitates, it
15 could create some unevenness in the cut making
16 the corneal flap. The significance here is
17 that it stopped toward -- I don't know -- the
18 three-quarters was recorded either by the
19 nurse or the optometrist who was assisting,
20 who obviously couldn't be looking in the
21 microscope, but it looked to them as if it
22 hesitated when it was pretty well through the
23 pass, and, therefore it would have no
24 significance really, except to, you know, we
Simpkins Court Reporting (215) 676-4921

Nevyas, M.D.

- 1 note everything that happens in the procedure.
2 No clinical significance.
3 BY MR. KAFRISSEN:
4 Q. Okay. During the course of your treatment of
5 Cheryl and the course of your follow-up visits for her
6 right eye, did you ever record an irregular astigmatism
7 in her right eye?
8 MS. POST: On his visits with her?
9 MR. KAFRISSEN: Right.
10 THE WITNESS: I don't recall that. I'd
11 have to look through all the records again. I
12 don't recall ever -- I don't recall there
13 being an irregular astigmatism. This would be
14 partly a function of the par topography. That
15 would be the only way we really could tell if
16 there's irregular astigmatism. As I recall,
17 the topography looks wonderful. I don't see
18 anything here that would suggest that.
19 BY MR. KAFRISSEN:
20 Q. Okay. Are you reviewing them?
21 A. Yes, I am. I'm just looking to see whether
22 there's anything that I would have noted with regard to
23 any kind of astigmatism, irregular or otherwise. No, I
24 don't have anything that I can see here.
Simpkins Court Reporting (215) 676-4921

Nevyas, M.D.

- 1 Q. Okay. Can the keratome stopping and the
2 procedure being continued cause an irregular astigmatism?
3 MS. NEWMAN: Objection.
4 MS. POST: Objection to form. At what
5 point during the pass and it's on the forward
6 or backward pass? Are you talking under these
7 circumstances where it's noted to be
8 three-quarters of the way through?
9 MR. KAFRISSEN: Yes.
10 MS. NEWMAN: I would object to the form
11 as including three-quarters of the way through
12 measurement because there's been testimony
13 that it was seven-eighths.
14 MS. POST: With that in mind.
15 BY MR. KAFRISSEN:
16 Q. With what is written here.
17 A. If the keratome would hesitate within the
18 center of the pupil, it could affect the vision, whether
19 it would be irregular astigmatism or not. If it
20 hesitates outside of the pupillary area, it would have no
21 effect at all.
22 Q. Okay. You had described the different things
23 that you may do as an assistant prior to the procedure in
24 terms of the centering the beam, the power of the beam,
Simpkins Court Reporting (215) 676-4921

Nevyas, M.D.

- 1 preparing the microkeratome. In terms of the performance
2 of the procedure and the post-op, is there anything that
3 you as an assistant do?
4 MS. POST: When you say post-op, you
5 mean that day as opposed to a post-op visit?
6 MR. KAFRISSEN: Right. Meaning in the
7 operating room after the procedure ends.
8 MS. POST: Okay.
9 THE WITNESS: The procedure is in the
10 hands of the surgeon and there isn't much the
11 assistant does except observe and be there to
12 be called upon should there be any problems.
13 Mostly, we're concerned about mechanical
14 problems, laser problems, that might need a
15 hand, but, no, during the actual procedure
16 itself, there's nothing the assistant would do
17 but stand by.
18 BY MR. KAFRISSEN:
19 Q. Okay.
20 A. Perhaps pass an instrument to the surgeon if
21 the surgeon needed an instrument.
22 Q. At any time did you become aware that the March
23 20 procedure was decentered?
24 MS. POST: Objection to form. You can
Simpkins Court Reporting (215) 676-4921

Nevyas, M.D.

- 1 answer.
2 THE WITNESS: I must say that
3 decentration is a relative thing. Everybody
4 is somewhat decentered and it's a question of
5 whether it's clinically decentered or not.
6 Very seldom are we utterly on zero, but from
7 what I could see looking at the topographies,
8 I would say the centration here was not bad,
9 pretty good, particularly looking at the
10 subtraction topography that shows what
11 Fiorelli's cornea looked like before and after
12 and then subtracting it. From what I can see
13 right here, it looks like a target to me.
14 It's quite centered.
15 BY MR. KAFRISSEN:
16 Q. Can you show me which page you're referring to?
17 A. This was the May 12 topography. There's a
18 subtraction done on that date. The other dates there's
19 no subtraction that I can see but there may be some.
20 There's quite a few topographies.
21 Q. You were referring to one --
22 A. This is the page.
23 Q. Oh, it's a May 12, 1997, number one. There are
24 three...
Simpkins Court Reporting (215) 676-4921

Nevyas, M.D.

- 1 A. That's before, after and subtracted. The upper
2 one is prior; the lower one is that date, and the one on
3 the left is the computer subtracting them to show exactly
4 what was done. This shows exactly how thick the corneal
5 area taken out was and exactly how much was taken out
6 each position.
7 Q. Okay. Now, after the March 21st surgery --
8 MS. POST: March 20th.
9 BY MR. KAFRISSEN:
10 Q. -- March 20th surgery, it looked like you had
11 seen Miss Fiorelli on the 21st for her first post-op
12 visit; is that right?
13 A. Yes.
14 Q. Okay. And when you saw her on the 21st, can
15 you tell me -- well, tell me what you did first.
16 A. I examined her under the slitlamp. I put a
17 drop of fluorozene <TPHRAOU-R> seen in to see if the
18 edges of the ablation were staining, the edges of the
19 flap were staining.
20 Q. And why would you do that?
21 A. To see if the flap had obtained a good
22 adherence.
23 Q. And what did you find for that?
24 A. Everything looked fine.
Simpkins Court Reporting (215) 676-4921