

Q. Okay. And if – if you had become aware of the fact that the standard time was 15 to 20 minutes and Dr. Desai was doing it in 2 or 3 minutes, would that concern you?

MS. ANDRESEN: Objection, speculation.

THE WITNESS: I would – it would make me want more information.

BY MR. KEMP:

Q. Okay. So you wouldn't vote – if you just had that information, you would not be able to vote yes without further information.

A. I would want more information.

Q. And the answer to my question?

A. Yes.

75:22-76:10

Q. All right. Now, there has been testimony by Dr. Cohan that Dr. Fayad set up a meeting with someone at HPN where he made the materials we have in Exhibit 3 available to him – to them –

A. This whole thing?

Q. Yeah. I'm just – I'm just setting it up.

A. Okay.

Q. Okay?

Now, if you go through the summary and the documents – and you can spend as much time as you want, but I'll represent to you that basically it breaks into a couple of areas.

One, Dr. Cohan alleges that Dr. Desai was engaged in false advertising because he was – he was saying in the Yellow Pages that all the gastros were board certified and they weren't. There's – there's Yellow Pages listings in there.

Two, Dr. Cohan alleges that 33 different patients Dr. Desai claimed to have physically seen and he really didn't really physically see them, and there's affidavits of 16 or 17 patients confirming that.

Three, Dr. Cohan has four cases of alleged medical malpractice that – that he investigated where Dr. Desai allegedly failed to diagnose tumors in the colonoscopies, and all the medical records for those four cases are in there.

And the fifth and last thing is Dr. Cohan claims that Dr. Desai altered a medical record at Sunrise Hospital to cover up one of the medical malpractice cases.

Okay. So all this is in here, and this is Dr. Cohan's summary. Okay. First question: Would I be correct that you have never seen Exhibit 3 before?

A. If it's as described, as you stated, no.

Q. Okay. Now, if you had known that Dr. Fayad's partner, Dr. Cohan, was making these types of allegations about Dr. Desai, would I be correct that you would not have voted to approve Dr. Desai until these allegations were answered?

A. We would need more information, yes. Yes, more information.

Q. So until you got more information to answer these types of allegations, you would not vote yes; correct?

A. Correct.

80:14-82:11

Q. If you had to do it over again, now that I've shown you Exhibit 1, Mr. Cohan's document – Dr. Cohan's documents Exhibit 7, Exhibit 8, the quality assurance Exhibit 2, the malpractice cases Exhibit 4, now that I've shown you all this, would you agree with me that if you had had all this information at the credentialing meeting, you would not have credentialed Dr. Desai; correct?

MS. ANDRESEN: Objection, speculation

THE WITNESS: In hindsight, you're probably correct.

BY MR. KEMP:

Q. 'Cause there's just too much; right?

A. There is quite a bit.

105: 8-21