

SAMPLE EUO REPORT



zrperdiem.com

Premier Per Diem Attorney Service

To: Law Group PC

Date: September 27, 2018

Re: PLAINTIFF vs. DEFENDANT

Location: Diamond Court Reporting
89-00 Sutphin Boulevard, Suite 206
Queens, NY 11435

Court Reporter: NAME, Diamond Reporting

Interpreter: NAME, SpeakEasy Services

Counsel: M, Esq.
D, Esq.

Date of Accident: June 15, 2018

EUO REPORT

Attorney Work Product

The EUO of the Plaintiff, C was held.

Mr. C presented to the examination in casual attire. He testified in a forthright manner, and though he had poor to moderate recall, he testified with confidence in his answers. He came across as personable and credible, and would likely make a good witness on his own behalf.

Mr. C resides at Street, 2nd floor, in Elmhurst, where he has lived for about two years and two months with his brother-in-law, P, his wife, L, and his 21 month old son. His date of birth is, and his Social Security Number ends in . He was born in Ecuador and came to the US on 9/11/15. He has graduated high school in Ecuador, and has a NYS driver's license, which was valid at the time of the accident. He has health insurance through Fidelis, but he does not have a primary care physician, and has not treated with one for the subject injuries. He has never previously been in a motor vehicle accident, and has never previously made a claim for any other kind of accident. He has never applied for social security disability or NYS disability.



Mr. C is presently employed by a glass company called at Avenue in Maspeth, but is presently on medical leave due to his surgery. He has worked for for three months, including at the time of the accident, as an assistant for window installations. As a result of the subject accident, he has missed a month and six days from work, and is claiming lost wages. He works full time, working forty hours per week Monday through Friday, making \$9 per hour paid weekly. The subject accident did not occur in the course of his employment, and he was not paid for the time missed from work. He has no other source of income.

Mr. C testified he was in a car accident on 6/15/18 while he was driving a 2007 Mazda 3, which he has owned for about four and a half months. The accident occurred on a Friday at about 7:00 PM. The weather at the time was clear and dry, and the accident occurred on Boulevard near Avenue. He was heading towards Avenue, which was ahead and to his right. Boulevard is a two-way street with two moving lanes in each direction. Immediately before the impact as he approached a traffic light, he was driving 15 to 20mph. He was coming from his house and heading to his in-laws' house, and had stopped on Avenue. The accident occurred about 15 minutes after he left his house, and his wife and son were in the car at the time. His wife was in the front passenger seat, and his son was in the back. At the time of the accident, Mr. C and his passengers were wearing their seat belts. Mr. C testified that the accident occurred when he approached the red traffic light with four to six cars ahead of him. He started to slow down and had nearly come to a gradual stop when he felt a heavy impact from behind. Mr. C testified he never saw the other vehicle before it rear-ended his car. As a result of the accident, his left shoulder, back, neck, and knees impacted the interior of his vehicle. No airbags deployed. After the accident, his wife asked what had happened and if the baby was alright. His wife did not state she was injured.

Mr. C testified that he got out of the car a minute after the accident, and saw the other driver who he described him as a thick African American male who was about 1.87 meters (6'1") tall. He did not observe any passengers in the other vehicle, and is not aware of any witnesses to the accident. As a result of the accident, he injured his neck, back, left shoulder, and both knees. Immediately after the accident, he was not experiencing pain, and the pain did not start until two days after the accident. Mr. C called the police, and they arrived at the scene about an hour and a half later. While waiting, he was not approached by anyone at the scene. When the police arrived, his wife spoke to them, and his wife reported to the police that she was experiencing some pain, but did not request an ambulance. He took photos at the scene of the accident.

Mr. C testified that after the accident, he returned to his home, and did not go to the hospital due to the subject injuries. The day after the accident, he started to feel pain in his knees, and then started feeling pain elsewhere that Sunday, though he still did not go to the doctor. He first sought medical attention on 6/18/18 at therapy center on Street and Boulevard, which is a 12 minute walk from his home, though he gets there by car. He had never treated there before, and learned about it from his mother-in-law's friend.



He was examined by a therapist, acupuncturist and chiropractor on his first visit, with acupuncture going first. He described the acupuncturist as an Asian woman, and he was also given a movement test. He does not recall how long the examination lasted, but he received acupuncture on his lower back on the first visit. He also received electrical stimulation. The acupuncture lasted for about 20 minutes, but he does not recall if it was accompanied with a heat lamp, and the needles were not adjusted during the therapy. Mr. C has continued to receive acupuncture about three times per week, and the acupuncture treatment also included cupping on every visit when his back was treated. He also received acupuncture treatment to his knees for about 20 minutes, but this was not accompanied by electrical stimulation or adjustment of the needles. The acupuncturist would leave during the course of treatment and return at the end. He is still receiving acupuncture three times per week, with his last treatment having been on 9/25/18, and his next appointment on 9/28/18. Acupuncture never lasted more than 20 minutes.

Mr. C testified that on his first visit, he saw the physical therapist next, and described them as an Asian female who also administered a movement test to him. On the first visit, he was given hot and/or cold packs, electrical stimulation to his lower back, and massage by machine, but he does not recall if there were exercises. He started a course of physical therapy three times per week on the same days he received acupuncture, and his therapy was the same every time. The hot/cold packs were placed for about 20 minutes on his lower back, and massage would last three to five minutes. His last visit was on 9/25/18, and his next visit is on 9/28/18. He also saw a chiropractor he described as a white male in his mid-60s, who examined him and cracked his back and neck on the first visit. His initial complaints to the chiropractor were of pain in his neck and back, and he began a course of treatment for the same three times per week as acupuncture and physical therapy. The chiropractor never gave him a diagnosis, but his visits are always for the back and neck. Mr. C testified that he would sign in on every visit to , and he filled out entry paperwork on his first visit which included his personal information and authorizing treatment.

Mr. C testified that he was referred for diagnostic testing by the primary doctor from . He went for bilateral knee MRI to Radiology, though he does not recall where it is located, and his appointment was made by the receptionist at . The results were reviewed by another African American female doctor in her mid-50s at , who told him the MRIs showed an inflammation in his right knee, and a torn meniscus in his left knee. He then had a second MRI taken of his neck, shoulders, and was told to receive physical therapy for his neck. Therapy included electrical patches on his neck and either hot or cold packs. He has been receiving physical therapy and acupuncture on his neck for about a month and a half. The acupuncture on his neck included electrical stimulation, and would last about 20 minutes.

Mr. C testified that he also received nerve testing at by another doctor who might be independent from . He does not recall when the nerve test was done, but it consisted of electrified rods placed behind his knees and under his right armpit, and needles with cables attached to a machine and which was a bit painful. This test



was administered by the doctor following an examination. The electrical needles were also applied beneath both armpits. He does not know why the nerve test was done because the doctor did not speak Spanish to explain it to him. The nerve test results were reviewed with him and he was told everything was alright. He only had the nerve test performed once. He also had testing that included electrodes on his hands and fingers, but he does not recall when that was. It was also performed at _____, and he had to tell the doctor if he felt it when they pinched the tips of his fingers with the metal electrode. He was told that the test showed his nerves were fine. He also had testing done at _____ where he had to hold a metal bar for strength testing administered by a tall Russian woman. He would pick the bar up and lift it as high as he could, and then repeat with a reversed grip, three times with each grip, and the test lasted about 15 minutes. He does not know the results of that test.

Mr. C _____ testified that he received Durable Medical Equipment in the form of a back and neck brace, a knee brace and a massage machine. All these devices were provided by _____. The braces were not specially fitted for him before being provided, and he still has all of these devices, though he no longer uses the back, neck or knee brace. Mr. C _____ testified that during the course of treatment he was prescribed declofenate cream and pain medication. He received the cream from _____, though he does not recall who prescribed it. He uses the cream on his knees. He did not fill the prescription for his pain medication, and is not taking anything for the pain.

Mr. C _____ testified that he has received injections at Dr. _____ clinic, though he does not recall where that is located. He was referred to Dr. _____ by _____, though he does not recall when he first treated with Dr. _____. He has received one plasma injection, though he is not sure when that was. The treatment consisted of taking blood from his arm and then putting it into a machine and processing it before injecting it back into his inflamed knee. Another doctor in the office performed the procedure. Dr. _____ told Mr. C. _____ that he was receiving this treatment to address the inflammation, and it did help.

Mr. C _____ testified that Dr. _____ also recommended he undergo surgery for his left knee to repair the torn meniscus. The surgery was performed on 8/24/18 at a location in New Jersey by Dr. _____. Mr. C _____ was provided transportation to the surgical center, and he was examined by Dr. _____ and an African American male anesthesiologist about 1.8 meters (5'10") tall before the surgery was performed. He was put completely under and believes the surgery took about 30 minutes. Immediately following the surgery he was evaluated by a nurse, and he had a follow-up examination with Dr. _____ sometime later. At present he is still undergoing therapy, and is experiencing left knee pain at a 6-7/10, down from a 7/10 before the surgery. Mr. _____ testified that he saw Dr. _____ twice before the surgery, and once after the surgery. Before the surgery, no one did a blood test and he does not recall if a urine test was taken. He has a scheduled appointment with Dr. _____ on 11/5/18.

Mr. C _____ testified he was not referred to any kind of therapist. After the accident, Mr. C. _____ was limited in his ability to perform work. He cannot sit for prolonged periods, and has difficulty lifting weights higher than 30lbs. He does not have trouble driving, and at present he



does not have any appointments scheduled outside his therapy treatment. Mr. C testified that he has not been involved in any subsequent accidents. Since his surgery he was given a knee brace at the facility in New Jersey independent of the one provided by . The knee brace provided by Dr. ran from his upper thigh down to his ankle, and he stopped wearing that knee brace after five days.

That was the sum and substance of the testimony of the Plaintiff, C, in connection with this matter.

As always, thank you for choosing ZR Per Diem for your coverage needs. If you require coverage for any further depositions or for IME's, we can handle! Kindly email us with your coverage request.

ZR Per Diem
zrperdiem.com