

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR NEW CASTLE COUNTY

Mary Welch and James :
Welch, :
 :
Plaintiffs, :
 :
 :
v. : C.A. No. N12C-11-140(CHT)
 :
Leo Rasis, M.D. and :
First State Orthopaedics :
 : TRIAL BY JURY OF
 : 12 DEMANDED
 :
Defendants. :

ORDER REGARDING AFFIDAVIT OF MERIT

This 14th day of March 2013, the Court has reviewed *in camera* the Plaintiff's Affidavit of Merit pursuant to 18 *Del. C.* § 6853(d). Having done so, the Court finds:

1. The affidavit is signed by an expert witness.
2. The affidavit is accompanied by a current *curriculum vitae*.

3. Furthermore, the affiant states all opinions contained in the affidavit with reasonable medical probability.
4. The affidavit contains an opinion that there has been healthcare negligence committed by each named defendant and that each defendant's negligence was the proximate cause of injuries sustained by Mary Welch.
5. The affidavit establishes that the affiant is currently licensed to practice medicine in the State of Maryland.
6. Moreover, the affidavit establishes that the affiant has been engaged in the treatment of patients and/or teaching in the field of hand surgery for at least three years preceding the alleged negligent act, and the affiant was engaged in the same or similar field of medicine as the Defendants.
7. Lastly, the affidavit contains a statement that the affiant is board certified in the area of

Plastic Surgery with a Certificate of Added
Qualification in hand surgery.

Based on the foregoing, the Court finds that the
Affidavit of Merit complies with the provisions of 18
Del. C. §§ 6853 (a)(1) and (c).

IT IS SO ORDERED.

/s/ Charles H. Toliver
TOLIVER, JUDGE