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 Trial Attorney
 7 Torts Branch, Civil Division
 U.S. Department of Justice
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11 Attorneys for Defendant United States of
 America

12 UNITED STATES DISTRICT COURT
 13 EASTERN DISTRICT OF CALIFORNIA
 14

15 James M. Grogan,
 16
 17 Plaintiff,
 18 v.
 19 United States of America,
 20 Defendant.
 21

No. 2:15-CV-00562-JAM-KJN

**DECLARATION OF JAMES E.
 ROSENBERG, M.D.**

22
 23 James E. Rosenberg deposes and says under penalty of perjury:

24 1. I am James E. Rosenberg, M.D., a physician licensed to practice medicine in the
 25 State of California. I have been retained by Defendant United States of American in the above-
 26 captioned matter to provide expert psychiatric evaluation services, conduct a psychiatric
 27 independent medical examination (IME) of Plaintiff James M. Grogan, and write a report on my
 28

1 findings concerning his complaints of psychological injuries relating to his January 19, 2013,
2 aircraft accident, including post-traumatic stress disorder (PTSD), depression, and anxiety. A
3 true and accurate copy of the most recent iteration of my *curriculum vitae* is attached hereto as
4 Exhibit A.

5 2. The IME of Plaintiff, which will involve a detailed interview and the completion
6 of various standardized psychological tests, will require 6 to 7 hours, exclusive of breaks, to
7 conduct. In accordance with my standard practice and generally accepted guidelines in my
8 professional field, I have used the same or very similar examination procedures in hundreds of
9 cases over a span of more than 20 years.

10 3. My detailed psychiatric interview of Plaintiff will elicit information regarding his
11 relevant background areas and psychiatric history, the circumstances and emotional impact of
12 Plaintiff's January 19, 2013, aircraft accident, and the chronology of his emotional injuries and
13 how they may or may not have changed over time to the present. A true and accurate copy of a
14 more comprehensive description of the IME process, including the interview portion, is attached
15 hereto as Exhibit B, of which I am the author.

16 4. The IME also includes the MMPI-2 (Minnesota Multiphasic Personality
17 Inventory - 2) or MMPI - 2 - RF (Minnesota Multiphasic Personality Inventory - 2
18 Restructured Form), Personality Assessment Inventory (PAI), Mini-Mental State Examination
19 (MMSE), and the Trauma Symptom Inventory - 2 (TSI - 2), which are generally accepted and
20 widely used standardized psychological tests and cognitive screening assessments. These are
21 also addressed in Exhibit B.

22 5. It is my usual and customary practice to record the examination with a non-
23 intrusive, compact and noiseless digital audio-recording device, measuring approximately 5
24

EXHIBIT A

FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.

JAMES E. ROSENBERG, M.D.

CURRICULUM VITAE

Summary of Qualifications

Doctor of Medicine
UCLA School of Medicine

Postgraduate Residency Training in Psychiatry
UCLA Neuropsychiatric Institute

Fellowship in Forensic Psychiatry -- Dr. Philip Resnick
Case Western Reserve University School of Medicine

Board-Certified in Psychiatry (lifetime) by American Board of Psychiatry
& Neurology, Inc.

Added Qualifications in Forensic Psychiatry by the American Board of
Psychiatry & Neurology, Inc. (1996 - 2016)

Formerly, Assistant Clinical Professor of Psychiatry (1992-2008)
David Geffen School of Medicine at UCLA

Formerly, Chief of Psychiatric Intensive Care and Assistant Director of Mental Health
West Los Angeles VA Medical Center

Consulting expert in psychiatry to multiple agencies and organizations

Pro bono expert to Public Counsel in matters of public mental health

Formerly, consulting expert in psychiatry (2000-2007)
TV show *Law & Order: Special Victims Unit*

Multiple areas of specialized expertise, including employment litigation, posttraumatic
stress disorder, detection of malingered mental illness, neuropsychiatry and
psychopharmacology

Experience in over 1,000 forensic cases; consulting expert to both plaintiff and defense in
civil litigation; provides clinical patient care and teaching on a regular basis

CLINICAL AND FORENSIC PSYCHIATRY - NEUROPSYCHIATRY - PSYCHOPHARMACOLOGY

21900 BURBANK BLVD., THIRD FLOOR, WOODLAND HILLS, CA 91367

TEL (818) 865-2978 FAX (818) 698-6400 JROSENBERGMD@GMAIL.COM

Address and Telephone

Office address: 21900 Burbank Blvd.
Third Floor
Woodland Hills, CA 91367

Tel: (818) 865-2978
Fax: (818) 698-6400
E-mail: JRosenbergMD@gmail.com

Consultations available at sites throughout California and other states by arrangement, as appropriate.

College Education

1979-83 Bachelor of Arts in Philosophy
University of California, Berkeley

Medical Education

1984-88 Doctor of Medicine
UCLA School of Medicine, Los Angeles, CA

Postgraduate Training

1988-89 Transitional Intern
Medicine, Surgery, Neurology and Pediatrics
Virginia Mason Hospital, Seattle, WA

1989-91 Resident in Psychiatry
UCLA Neuropsychiatric Institute

1991-92 Chief Resident in Forensic Psychiatry
Senior Resident in Consultation-Liaison Psychiatry
and the Mood and Anxiety Disorders Program
UCLA Neuropsychiatric Institute

FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.
JAMES E. ROSENBERG, M.D.

- 1993-94 Fellow in Forensic Psychiatry with Dr. Philip Resnick
Case Western Reserve University School of Medicine
- 1997 Hostage and Crisis Negotiation
VA Federal Law Enforcement Training Center
Little Rock, Arkansas

Honors and Fellowships

- 1979-83 Dean's Honor List
University of California, Berkeley
- 1983 Graduated with Distinction in General Scholarship
University of California, Berkeley
- 1985 Summer Research Fellowship
National Institute of Mental Health
- 1988 UCLA School of Medicine O'Malley Prize in Medical History
"Electroconvulsive Therapy: Its Place in the Mainstream"
- 1992 Milla Alihan Fellowship
Society for Clinical and Experimental Hypnosis
- 2000 Who's Who in Medicine and Healthcare

Academic Appointment

- 1992-2008 Assistant Clinical Professor of Psychiatry
UCLA School of Medicine
- 1994-2004 Faculty, UCLA Forensic Psychiatry Fellowship
- 2012 Mentorship in forensic psychiatry for
UCLA resident in psychiatry

**FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.
JAMES E. ROSENBERG, M.D.**

Board Certification

- 1989- Diplomate
National Board of Medical Examiners
- 1994- Diplomate in Psychiatry
American Board of Psychiatry and Neurology, Inc.
- 1996-2016 Added Qualifications in Forensic Psychiatry
American Board of Psychiatry and Neurology, Inc.

Employment

- 1989-92 Staff Physician, Urgent Care Clinic
Hawthorne Community Medical Group (HCMG)
Hawthorne, CA
- 1991-92 Staff Psychiatrist, Methadone Maintenance
West Los Angeles Treatment Program
- 1992-93 Consulting Psychiatrist
Myron L. Nathan Medical Corporation
Beverly Hills, CA
- 1993-94 Staff Psychiatrist
General and Conditional Release Programs
Neighborhood Counseling Service
Cleveland, OH
- 1994 Associate Unit Director
Department of Psychiatry
Los Angeles County Olive View - UCLA Medical Center
- 1994-98 Chief, Psychiatric Intensive Care Units
Department of Psychiatry
West Los Angeles VA Medical Center
- 1994-98 Forensic Consultant
Department of Psychiatry
West Los Angeles VA Medical Center

**FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.
JAMES E. ROSENBERG, M.D.**

- 1995-98 UCLA Forensic Psychiatry Faculty Group
- 1996-97 Assistant Director of Mental Health Services
West Los Angeles VA Medical Center
- 1997-00 Clinical and Forensic Consultant
Department of Corrections
State of California
- 1998-99 Consulting Psychiatrist
Mental Health Section, Superior Court
County of Los Angeles
- 1998-06 Consulting Psychiatrist
Ventura County Sheriff's Department
Ventura, CA
- 1998- Consulting Expert in Psychiatry
California Medical Board
- 2000- Staff Psychiatrist
San Fernando Valley Community Mental Health Center, Inc.
- 2000-07 Consulting Psychiatrist
Law & Order: Special Victims Unit (TV show)
- 2006-08 Consulting Neuropsychiatrist
Sports Concussion Institute
www.sports-concussion.com
- 2015- *Pro bono* expert to Public Counsel in matters of public mental health

Committees and Panels

- 1991 Reviewer in Post-Traumatic Stress Disorder
Archives of General Psychiatry
- 1991-92 Chair, Administrative Board of Investigation
West Los Angeles VA Medical Center

**FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.
JAMES E. ROSENBERG, M.D.**

- 1991-92 Human Subjects Subcommittee
West Los Angeles VA Medical Center
- 1992-93 Ethics Committee
Southern California Psychiatric Society
- 1992-93 Peer Review Committee
Southern California Psychiatric Society
- 1993-95 Vice Chair, Ethics Committee
Society for Clinical and Experimental Hypnosis
- 1993-95 Executive Council
Society for Clinical and Experimental Hypnosis
- 1993-94 Medical Review Committee
Department of Psychiatry
Case Western Reserve University
- 1995-96 Chair, Psychiatry Section
Program Committee
American Academy of Forensic Sciences
- 1995-96 Continuing Medical Education Committee
American Academy of Forensic Sciences

Mental Health Expert Witness Panel Los Angeles
County Superior Court

Director, Forensic Psychiatry Core Curriculum UCLA
Neuropsychiatric Institute
Dept. of Psychiatry, UCLA School of Medicine

- 1996-98 PART (Professional Assault Response Training)
Instructor, Co-Chair of Task Force
West Los Angeles VA Medical Center
- 1996-98 Patient Rights Task Force
West Los Angeles VA Medical Center

FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.
JAMES E. ROSENBERG, M.D.

- 1998-99 Mental Health Expert Witness Panel
Los Angeles County Superior and Municipal Courts
- 2003-05 Doctoral Supervisor and Dissertation External Reader:
Michelle Conover, Ph.D., Pacifica Graduate Institute
"A Cross-Ethnic Comparison of Behavioral and Psycho-
logical Symptoms in Community Dwelling Alzheimer's
Disease Patients"

Publications

- Morgenstern L, McCafferty L, Rosenberg J, Michel SL: Hamartomas of the Spleen. *Archives of Surgery* 119: 1291-3, 1984.
- Morgenstern L, Gleischman SH, Michel SL, Rosenberg JE, Knight J, Goodman D: Relation of Free Silicone to Human Breast Carcinoma. *Archives of Surgery* 120: 573-7, 1985.
- Morgenstern L, Rosenberg J, Geller SA: Tumors of the Spleen. *World Journal of Surgery* 9: 468-76, 1985.
- Rosenberg JE, Towers B: The Practice of Empathy as a Prerequisite for Informed Consent. *Theoretical Medicine* 7: 181-94, 1986. Reproduced in Turner GP,
- Mapa J (eds.): *Humanistic Health Care*. Ann Arbor, Michigan, Health Administration Press, 1988.
- Wirshing WC, Van Putten T, Rosenberg J, Marder S, Ames D, Hicks-Gray T: Fluoxetine, Akathisia, and Suicidality: Is There a Causal Connection (letter)? *Archives of General Psychiatry* 49: 580-81, 1992.
- Rosenberg JE: Drug Therapy in Psychiatric Disorders. In Goldsmith LS (ed.): *Medical Malpractice: Guide to Medical Issues*, Eighth Edition, Matthew Bender & Co, Inc., 1994.
- Mills MJ, Rosenberg JE: Psychopharmacology and the Law. In Barchas J, Berger P, Ciaranello R, Elliott G (eds.): *Psychopharmacology: From Theory to Practice*, Second Edition, Oxford, 1994.

FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.
JAMES E. ROSENBERG, M.D.

- Rosenberg JE, Eth S: Post-Traumatic Stress Disorder in Children: Clinical and Legal Issues. In Rosner R (ed.): *Forensic Psychiatry: Principles and Practice*, Chapman and Hall, 1994.
- Rosenberg JE: Attorney Evaluates Plaintiff. In Lewis ME, Sadoff RL (eds.): *Courtroom Medicine: Psychic Injuries*, Volume 12, Matthew Bender & Co., Inc., 1995.
- Rosenberg JE, Eth S: Ethics. In Kaplan HI, Sadock BJ (eds.): *Comprehensive Textbook of Psychiatry*, Sixth Edition, Williams & Wilkins, 1995.
- Mills MJ, Rosenberg JE: Ask the Experts: Confidentiality and Peer Review. *American Academy of Psychiatry and the Law Newsletter*, 1995.
- Rosenberg JR: Invited Book Review: "Patient or Pretender: Inside the Strange World of Factitious Disorders." *Psychiatric Services*, 1996.
- Rosenberg JE: Invited Chapter: "Malpractice Prevention in Inpatient Psychiatry." *Directions in Psychiatry: Psychiatric Malpractice Risk Management*, Hatherleigh Press, 1996.
- Rosenberg JE, Resnick PJ: "Post-Concussive Syndrome." *Directions in Psychiatry*, Hatherleigh Press, 1996.
- Deirmejian J, Ishikawa S, Rosenberg J, Hinkin C: The Detection of Malingered Depression. American Academy of Forensic Sciences (Abstract), presented at February, 1998 annual meeting.
- Rosenberg JE: Malpractice Liability Prevention in Hospital Psychiatry. In Flach F (ed.): *Malpractice Risk Management in Psychiatry*, Hatherleigh Press, 1998.
- Rosenberg JE: Forensic Aspects of PTSD in Children and Adolescents. *Annual Review of Psychiatry*, American Psychiatric Press, 2001.
- Rosenberg JE, Eth S: Post-Traumatic Stress Disorder in Children: Clinical and Legal Issues. In Rosner R (ed.): *Forensic Psychiatry: Principles and Practice*, Second Edition, 2003.
- Wrosch, M, Rosenberg, JE: Custody Staff and Posttraumatic Stress Disorder. In Coleman S (ed.): *Prison Break* (newsletter), January, 2013.

FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.
JAMES E. ROSENBERG, M.D.

Presentations

- 1993 Opening Address: Human Art of Extremes (serial murderers)
Sponsored by the Cleveland Institute of Art, Cleveland, OH
- 1993 Grand Rounds: The Detection of Malingered Mental Illness
Cleveland Psychiatric Institute
- 1994 Presentation of the Ethics Committee of the American Academy
of Psychiatry and the Law: Should Psychiatric Inpatients be Criminally
Prosecuted for Assault? (Annual Meeting, Maui)
- 1995 The Detection of Malingered Post-Traumatic Stress Disorder
American Academy of Forensic Sciences (Annual Meeting, Seattle)
- 1995 Seminar: Overview of Psychiatric Disorders
Social Security Administration
- 1995 School Terrorists: Psychological Profiles
Psychological Trauma Center
Affiliated with the Cedars-Sinai Medical Center
- 1995 Assessment of Dangerousness Dept. of
Psychiatry Grand Rounds West Los
Angeles VA Medical Center
- 1996 Panel: Lessons in Scientific Certainty - Sexual Harassment
American Academy of Forensic Sciences
- 1996 Panel: Lessons in Scientific Certainty - Post-Concussive Syndrome
American Academy of Forensic Sciences
- 1996 Workplace Violence
Dept. of Psychiatry Grand Rounds
West Los Angeles VA Medical Center
- 1996 Seminar: Workplace Violence
Department of Psychology
Camarillo State Hospital and Developmental Center

FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.
JAMES E. ROSENBERG, M.D.

- 1996 Death Penalty Workshop: Workplace Violence
Office of the Los Angeles County Public Defender
- 1997 Relationship of Psychosis to Stalking Behavior
Dept. of Psychiatry Grand Rounds
West Los Angeles VA Medical Center
- 1997 Mass Murder, Serial Murder, and Bombings
Learning Tree University
Woodland Hills, CA
- 1997 The Detection of Malingered Mental Illness
Department of Corrections
State of California
- 1997 The Assessment of Dangerousness
Department of Corrections
State of California
- 1997 Psychiatric Evaluations of Post-Traumatic Stress Disorder
Fifth Annual Conference on Behavior, Neurobiology,
Substance Abuse and Culture
Charles R. Drew University of Medicine & Science
- 1998 Mental Illness: A Primer for Criminal Attorneys
California Public Defender's Association
El Segundo, CA
- 1998 The Assessment of Suicide Risk Dept.
of Psychiatry Grand Rounds West Los
Angeles VA Medical Center
- 1998 The Assessment of Dangerousness
Edmund Edelman Center
Department of Mental Health
County of Los Angeles
- 1998 The Detection of Malingered Mental Illness
Department of Corrections
State of California

FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.
JAMES E. ROSENBERG, M.D.

- 1998 Workplace Violence
Learning Tree University
Agoura Hills, CA
- 1998 Mental Illness: A Primer for Criminal Attorneys
Office of the Riverside County Public Defender
Riverside, CA
- 1999 Detection of Malingered Mental Illness
Encino-Tarzana Regional Medical Center
Encino, CA
- 1999 Alcohol and Domestic Violence
In conjunction with the Ventura County Sheriff's Dept.
Hispanic American Police Command Officers Association
Burbank, CA
- 1999 Psychiatric Evaluations in Civil Litigation
Seventh Annual Conference on Behavior, Neurobiology,
Substance Abuse, and Culture
Charles R. Drew University of Medicine & Science
- 2000 Psychiatric Treatment of Traumatic Brain Injury –
Issues in Civil Litigation
Section on Neurobehavioral Sequelae of Traumatic Brain Injury
Eighth Annual Conference on Behavior, Neurobiology,
Substance Abuse, and Culture
Charles R. Drew University of Medicine & Science
- 2000 Psychopharmacology in Dual Diagnosis Patients
San Fernando Valley Community Mental Health Center, Inc.
- 2001 Dangerousness Assessment During Suspect Confrontations
Professional Diversion Intelligence Network (DEA, other agencies)
Eleventh Annual Training Conference
Newport Beach, CA
- 2001 Post-traumatic Stress Disorder in Law Enforcement
Professional Diversion Intelligence Network (DEA, other agencies)
Eleventh Annual Training Conference
Newport Beach, CA

FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.
JAMES E. ROSENBERG, M.D.

- 2001 Forensic Aspects of PTSD in Children and Adolescents Review of Psychiatry: PTSD in Children and Adolescents American Psychiatric Association Annual Meeting, New Orleans
- 2001 Psychiatric Treatment of Traumatic Brain Injury Patients Section on Neurobehavioral Sequelae of Traumatic Brain Injury Eighth Annual Conference on Behavior, Neurobiology, Substance Abuse, and Culture Charles R. Drew University of Medicine & Science Los Angeles, CA
- 2002 Psychiatric Treatment of Traumatic Brain Injured Patients Ninth Annual Conference on Behavior, Neurobiology, Substance Abuse and Culture Charles R. Drew University of Medicine & Science Los Angeles, CA
- 2003 The Detection of Malingered Depression Tenth Annual Conference on Behavior, Neurobiology, Substance Abuse and Culture Charles R. Drew University of Medicine & Science Los Angeles, CA
- 2006 WebMD: Bipolar Disorder
- 2007 Moderator: Concussion and Its Effects on Children and Families The National Concussion Summit Marina Del Rey, CA

Licensure

- 1989 - California Medical Board No. G 66980
- 2002-2009 Nevada State Board of Medical Examiners No. 10302
- Drug Enforcement Agency (identification number available upon request)

**FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.
JAMES E. ROSENBERG, M.D.**

Organizational Memberships and Affiliations

American Psychiatric Association
California Psychiatric Association
Southern California Psychiatric Society
American Academy of Psychiatry and the Law
American Medical Association
American Academy of Sleep Medicine
American College of Sports Medicine

Areas of Special Interest and Expertise

Forensic psychiatry; psychopharmacology; substance-induced disorders; neuropsychiatry; mood, anxiety and psychotic disorders.

Areas of expertise in neuropsychiatry include traumatic brain injury, stroke, tumors, infections, seizures, carbon monoxide and other toxin exposures, multiple sclerosis and other auto-immune conditions.

Highlights of Qualifications and Practice

Completed fellowship in forensic psychiatry with Dr. Phillip Resnick at Case Western Reserve University School of Medicine.

Board-certified in psychiatry and added qualifications in forensic psychiatry by the American Board of Psychiatry and Neurology, Inc.

Assistant Clinical Professor of Psychiatry at UCLA School of Medicine for 16 years. Teaching experience includes UCLA medical students, psychology interns, psychiatry residents, and forensic fellows. Dr. Rosenberg was formerly in charge of the forensic psychiatry core curriculum at the UCLA Neuropsychiatric Institute for several years.

**FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.
JAMES E. ROSENBERG, M.D.**

Dr. Rosenberg has been providing teaching to mental health staff at the San Fernando Valley Community Mental Health Center, Inc. for many years, and provides forensic psychiatry teaching on an intermittent basis to practicing psychiatrists, residents and fellows.

Served approximately four years as Chief, Psychiatric Intensive Care at the West Los Angeles VA Medical Center, a UCLA affiliated teaching hospital in psychiatry, until February, 1998. Most patients had primary diagnoses of PTSD, schizophrenia, bipolar disorder, major depression, or substance-induced disorders, often with relevant associated general medical or neurologic histories.

Served as Assistant Director of Mental Health and Forensic Consultant during tenure at the West Los Angeles VA. Dr. Rosenberg provided teaching and supervision to psychiatrists, psychologists and other staff and trainees.

Extensive experience in substance-related disorders in criminal, civil, and clinical settings, including substance-induced mood and psychotic disorders.

Current clinical practice involves general outpatient psychiatry in a non-profit mental health clinic.

Pro bono expert to Public Counsel in matters of public mental health.

Forensic consultant in over 1000 cases involving a wide variety of criminal, civil and administrative matters. Dr. Rosenberg consults on both plaintiff and defense cases in civil litigation.

A significant portion of Dr. Rosenberg's experience in civil litigation involves employment-related matters, including claims of sexual harassment, discrimination, retaliation, wrongful termination and ADA-related claims.

Serves or has served in recent years as a consultant to multiple agencies and organizations, including the U. S. Department of Justice, U.S. District Court - Central District, State of California Office of the Attorney General, Medical Board of California, California Department of Corrections and Rehabilitation, and various public defender and law enforcement agencies.

Dr. Rosenberg has qualified as an expert in psychiatry in numerous state courts in California and other states, administrative courts, special masters, and U.S. District Courts.

**FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.
JAMES E. ROSENBERG, M.D.**

Consulting psychiatrist to *Law & Order SVU* and other TV shows.

Specific expertise in civil rights matters involving law enforcement, including use-of-force and false confessions.

Last updated December 2016.

**FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.
JAMES E. ROSENBERG, M.D.**

EXHIBIT B

FORENSIC NEUROPSYCHIATRY MEDICAL GROUP, INC.

JAMES E. ROSENBERG, M.D.

Description of Psychiatric Examination

The purpose of the psychiatric examination is to assist counsel and the trier of fact in understanding the origin, nature, and severity of plaintiff's alleged mental health injuries, and in turn, prognosis and future treatment needs, if applicable.

In accordance with my reasonable and customary practice, the psychiatric examination will span approximately 6-7 hours, excluding breaks. It will consist of a detailed interview, mental status examination, and appropriate, generally accepted standardized psychological testing and screening cognitive assessment. The testing will include, as time permits, the MMPI-2 or MMPI-2-RF, Personality Assessment Inventory (PAI), Mini-Mental State Examination (MMSE), and the Trauma Symptom Inventory - 2 (TSI-2).

The psychiatric interview covers a variety of relevant topics, including background information; the reported circumstances of onset of the alleged emotional injury or injuries; and how those symptoms have unfolded over time to the present, including any other assessments, treatment, or functional impairment. A detailed evaluation of this type is important in differentiating between emotional complaints that may be pre-existing and not related to the alleged actions of the defendants; complaints that were pre-existing but may have been exacerbated by the alleged actions of defendants; complaints that arose concurrently but unrelated to alleged actions of defendants; complaints that arose as a result of defendants' alleged conduct; complaints that are actually due to substance use or medications; complaints that are due to an underlying general medical disorder; or complaints that arose subsequent to the alleged actions of defendants and were unrelated.

Pertinent areas of inquiry with regard to plaintiff's background include developmental history, education, employment, social and marital history, legal history (such as disability claims, if any), general medical history, prior psychiatric history, substance use, and family history. I will elicit from plaintiff a detailed account of the onset and course of his/her emotional problems related to the alleged conduct of the defendants, culminating in a review of current psychiatric and physical complaints.

In addition to my notes, I will memorialize the psychiatric examination with a digital audio-recording. The Plaintiff may also voice-record the examination, but no one else may be present in the room during the evaluation. See *Toyota Motor Sales, U.S.A., Inc. v Superior Court of Los Angeles County*, Case No. B226902 (CA Dist. 2 Ct. App., Nov. 9, 2010).

CLINICAL AND FORENSIC PSYCHIATRY - NEUROPSYCHIATRY - PSYCHOPHARMACOLOGY

21900 BURBANK BLVD., THIRD FLOOR, WOODLAND HILLS, CA 91367

TEL (818) 865-2978 FAX (818) 698-6400 JROSENBERGMD@GMAIL.COM

I furthermore do not permit video-recording of the examination, and it is my understanding that videography is not supported by either the California Code of Civil Procedure or the Toyota Motor Sales case.

The psychiatric evaluation will not involve any physical examination. There will be no blood tests or other intrusive medical studies or procedures. The examination will be conducted at my office located at 21900 Burbank Blvd., Third Floor, Woodland Hills, CA 91367, unless other arrangements are made. My office phone number is 818 865 2978. I provide validated parking. The examinee should please bring with him/her any glasses or hearing aids that he/she will need for the oral interview and written testing.