

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
J. FREDERICK MOTZ
UNITED STATES DISTRICT JUDGE

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August 14, 2015

MEMO TO COUNSEL RE: Matthew Healy v. McCagh and Roberts, M.D. et al.
Civil No. JFM-14-988

Dear Counsel:

I have reviewed the memoranda submitted in connection with plaintiff's motion to strike and for sanctions.

The motion (document 49) is denied. It is, of course, extremely unfortunate that Dr. Apostolo took x-rays. To the extent that his opinion is based upon the x-rays, it will be excluded. However, it appears to be that Dr. Apostolo's opinion is based upon his physical examination of C.H.

Despite the informal nature of this letter, it should be flagged as an opinion and docketed as an order.

Very truly yours,

/s/

J. Frederick Motz
United States District Judge