

KENNEDY, HOLLAND, DELACY & SVOBODA

R. A. SKOCHDOPOLE
THOMAS R. BURKE
C.E. HEANEY, JR.
LYMAN L. LARSEN
WILLIAM T. OAKES
WILLIAM M. LAMSON, JR.
JEFFREY D. TOBERER
ROBERT J. MURRAY
ROBERT F. CRAIG
JON S. REID
DANIEL P. CHESIRE
WILLIAM R. JOHNSON
NEIL B. DANBERG, JR.
MICHAEL J. DUGAN
PATRICIA A. ZIEG
DIANE C. SONDEREGGER
FRANK M. SCHEPERS
STEVEN D. JOHNSON
KAREN M. SHULER
PATRICK G. VIPOND

ATTORNEYS AT LAW
KENNEDY HOLLAND BUILDING
10306 REGENCY PARKWAY DRIVE
OMAHA, NEBRASKA 68114
FACSIMILE (402) 397-7824
(402) 397-0203

RAYMOND E. WALDEN
JAMES L. SCHNEIDER
MICHAEL A. HARSH
MARK E. NOVOTNY
DONALD L. ERFTMIER, JR.
JOHN A. CHELOHA
DAVID J. SCHMITT
JAMES E. MCGILL II
WILLIAM R. SETTLES
CONAL L. HESSION
JENNIFER W. JERRAM

OF COUNSEL
JOE P. CASHEN
FRANK J. BARRETT
DAVID A. SVOBODA
1928-1992

April 13, 1993

The State of Kansas Board of Healing Arts
235 S. Topeka Blvd.
Topeka, KS 66603

Re: Reich v. Carhart, M.D.

Dear Sir:

This letter is written on behalf of Leroy Carhart with regard to a lawsuit presently filed against him entitled, Patricia Reich, Personal Representative of the Estate of Albert James Reich v. Missouri Valley Associates, P.C., Bellevue Health and Emergency Clinic, Inc., Leroy H. Carhart, M.D., Joseph A. Stangl, P.A., Jane Doe, real name unknown, and John Doe, M.D., real name unknown.

Dr. Carhart and the above named defendants are insured by Medical Liability Mutual Insurance Company of Nebraska. The occurrence took place in March of 1989. The names of the claimants and individuals involved are as named above.

The incident did not occur within an institution and took place at Dr. Carhart's office. We represent Dr. Carhart and the other defendants.

The matter is still pending and scheduled for trial on May 24th. There has been no settlement at this point. The caption is as noted above with the case number of Doc. 9167, No. 438 and is located in the District Court of Sarpy County, Nebraska.

It is alleged by the plaintiff that Dr. Carhart's physician assistant and Dr. Carhart were negligent in not diagnosing a myocardial infarction when a patient complained of chest pain. It is alleged that with the symptoms reported by the patient that referral to an emergency room or a specialist in the area of cardiology was required.

The patient reported to Dr. Carhart's offices and was seen by Joe Stangl, P.A., who ran an electrocardiogram which was interpreted as normal. According to the Mr. Stangl the patient refused to participate in any further work up of his medical

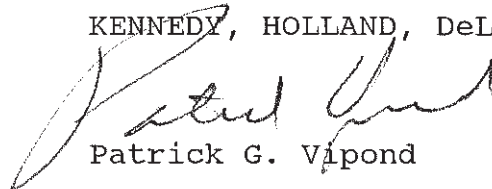
RECEIVED
APR 14 1993
KANSAS STATE BOARD OF
HEALING ARTS

condition and left the office. He was told to return if he had any other reports of symptoms and to return for the follow up medical tests. Mr. Reich did not do so and died two months later of a myocardial infarction.

If you need any other information with regard to this incident please let us know.

Very truly yours,

KENNEDY, HOLLAND, DeLACY & SVOBODA



Patrick G. Vipond

PGV/lr

cc: Leroy Carhart (via fax and mail)

RECEIVED

JUL 19 1993

KANSAS STATE BOARD OF
HEALING ARTS