

Transcription of:

Teleconference held July 27, 2005 at 10:40 a.m.

Prepared for:

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**Court Ordered Teleconference of Six Doctors,
Including Drs. Goethe and Leatherman, Court Appointed
Physicians, Both of Whom Stated Lillian Glasser was Being
Subjected to Psychological Torture**

(emphasis added)

Recorded message: Just a reminder, today's conference is being recorded.

HELMAN: Hello, did ya'll hear that?

SPEAKER: Yeah, we're being recorded.

SPEAKER: Yes.

HELMAN: I think since your time availability is limited, maybe what we ought to do since Dr. Freedman can hear you

SPEAKER: All right.

HELMAN: I've got a number of questions that I think I would like to direct to you Dr. Lichtenstein since you're going to be gone at about 11:15 and then, the other doctors can then discuss kind of what you have said and kind of bounce it among themselves. And I understand that you have already conferred with Dr. Freedman this morning?

DR. LICHTENSTEIN: Yeah. Dr. Freedman and I met at 8:00 o'clock. We conferred for about forty-five minutes, talking about the case, going over it. Then we went up and saw Mrs. Glasser in her apartment from about 8:45 to 10:15 and then we talked about what our assessment was like. And we are ready for the call.

HELMAN: All right. And do you feel comfortable that after you have to leave and get back to your other patients that Dr. Freedman will be able to kind of present your views on the issues that I have described in my letter?

DR. LICHTENSTEIN: Yeah. Dr. Freedman and I agree on all the issues.

HELMAN: Okay. Now, let me just go down my list of folks who are supposed to be here this morning and make sure we've got everybody on. I know Dr. Lichtenstein, you're here right?

DR. LICHTENSTEIN: Correct.

HELMAN: Dr. Freedman's there, he can hear us but we can't hear him.

DR. LICHTENSTEIN: He can't hear you now because I'm on the . . . I've got the receiver to my ear. When we put it on speaker, the speaker doesn't work.

HELMAN: Okay. But he can hear you?

DR. LICHTENSTEIN: He can hear me.

HELMAN: And when you leave, you can give the phone to him.

DR. LICHTENSTEIN: I will give the phone to him.

HELMAN: All right. And I understand that Dr. DeLong is on the line?

DR. DELONG: Right here.

HELMAN: Dr. Leatherman?

DR. LEATHERMAN: Yes good morning.

HELMAN: Dr. Goethe?

DR. GOETHE: Hello.

HELMAN: And then Julie Wolff is on the line.

DR. LICHTENSTEIN: We've got another phone that's been brought in, but we need to disconnect from this phone and then we'll dial back in.

HELMAN: Uh huh.

DR. LICHTENSTEIN: Can you give us a minute to do that so that everybody can hear everything?

HELMAN: You bet.

DR. LICHTENSTEIN: Okay. We're hanging up. Bye.

HELMAN: Bye.

DR. KASOFF: Mr. Helman?

HELMAN: Dr. Kasoff?

DR. KASOFF: I'm here.

HELMAN: Hello, how are you this morning?

DR. KASOFF: Very good.

HELMAN: Well, let me tell you who's on the line with you. You've got . . .

DR. KASOFF: I heard. I heard your roll call.

HELMAN: Okay. All right. So everybody's here and we're going to try and get Dr. Lichtenstein and Dr. Freedman back on. Let me remind everybody if you would, when you say something or if you ask a question, if you would try to keep in mind that nobody can see anybody else. If you would just try to indicate who you are. Just state your name before you ask a question or before you make a comment so that when we go back and try to transcribe this recording, we'll be able to keep track of exactly who asked what questions and exactly who provided what particular answers. (long pause) Is anybody else involved in this conference call, or is anybody else present with any party other than the people that I've identified? This is Jody Helman talking.

DR. LICHTENSTEIN: Hello, this is Mike Lichtenstein.

HELMAN: Yes.

DR. LICHTENSTEIN: Can you hear us now?

HELMAN: Is Dr. Freedman on?

FREEDMAN: Yes. Both of us are on now.

HELMAN: I think we've got everybody on the line. Drs. Freedman and Lichtenstein, I just reminded everybody else, if you would please be kind enough to say your name when you ask a question or provide an answer that would make it a lot easier to keep

track of what goes on when we try to transcribe this recording. I think since Dr. Lichtenstein . . . and this is Jody Helman. . . since Dr. Lichtenstein's time is limited today, what I had hoped to do was to ask him a number of questions to try to address the issues that I had raised in my letter and allow him to provide his views. Hopefully, we will have some time if anybody wants to ask him questions about those things and I understand that Dr. Lichtenstein and Dr. Freedman have conferred this morning. They are in agreement with respect to what they are going to say here today and that when Dr. Lichtenstein has to leave at about 11:15, then Dr. Freedman is going to come in and pinch hit for him. Is my understanding about that correct?

DRS. LICHTENSTEIN AND FREEDMAN: Yes it is.

HELMAN: All right. I think that was both Dr. Lichtenstein and Dr. Freedman that answered?

DR. LICHTENSTEIN: This is Dr. Lichtenstein. Correct. It was both of us responding.

HELMAN: Okay. One thing that I want to say before we get going is I'm going to be using the term "incapacitated" throughout this conference call this morning and I want to let ya'll know what the definition of that term is so that we will hopefully be on the same wave length when that term is used. In Texas, for guardianship law purposes, an adult person like Mrs. Glasser, is considered to be an incapacitated person if as a result of either a physical or a mental condition, she is substantially unable to provide food, clothing or shelter for herself, to care for her own physical health, or to manage her own financial affairs. So, when I use the term "incapacitated" this morning, that's the definition that I'm referring to. Let me direct some questions to Dr. Lichtenstein first of all, and I'm going to ask all the doctors when they have examined Mrs. Glasser, over

Ms. Glasser, she discussed her years of volunteering for families. She was her most articulate and most interesting. I think that she would greatly appreciate the opportunity to talk with old friends and familiar people with whom she's had such great relationships and relay a few of her personal stories. I don't think that . . . I've seen so many patients with dementia who placed in the midst of people that they feel comfortable with, that they are familiar with and that love them, that they blossom. And in other situations that we think are benign are quite frightening to them. That's my comment about that.

HELMAN: And do you believe that there are any reasons that would prevent her from going back and living in New Jersey if that's what she wants to do, or traveling to Florida if that's what she wants to do? As long as we are able to arrange suitable assistance and care for her?

DR. GOETHE: I see no reason why she can't do that. Her situation in San Antonio I would describe as a form of psychological torture frankly.

DR. LEATHERMAN: This is Dr. Leatherman. I think that I very much want Mrs. Glasser to participate in the awards ceremonies and the interview or videotaped history. Unfortunately, because she is in such an extremely stressful situation right now, I don't think Dr. Goethe is overstating it to call it psychological torture. If you really look at the definition of that, you know, putting somebody in a position where there's no out, where they're completely powerless, they're isolated from everything they've ever known and essentially in a new reality that's not defined in any way by their ability to act on it. In this situation, I think that going back for an awards ceremony and to have a video tape would be very difficult. Ideally, what I would like to see is, Mrs. Glasser return to her home, preferably with a single loving care giver, if that could be worked out logistically.