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July 29, 2015

**Via Fax: (201) 798-1393**

Christian C. Lopiano, Esq.  
 Lopiano, Kenny & Stinson  
 50 Harrison Street - Suite 315  
 Hoboken, NJ 07030

**RE: Mark Cava vs. Elizabeth Saimson**  
 Docket Number: BER-L-8823-13  
 Our File Number: LA359-021162643-0003

Dear Mr. Lopiano:

Enclosed please find the report of Jeffrey L. Lakin, M.D., dated July 21, 2015. Please be advised that Defendants, Elizabeth Saimson and Janice Saimson, intend to rely upon Jeffrey L. Lakin, M.D., as an expert to be called at the time of Trial. Defendants hereby amend their answers to Interrogatories to name Jeffrey L. Lakin, M.D. as an expert witness. If this informal method of amendment is not acceptable to you, please advise immediately. If this report is served after the discovery end date, I certify, subject to punishment, that due diligence was used to obtain the report, but it was otherwise unavailable until after said date.

The attached expert's report is not adopted by Defendants as their own statements and shall not be deemed as admissions pursuant to the case Skibinski v. Smith, 206 N.J. Super. 349 (App. Div. 1985). Defendants' experts will not be limited to the contents of their reports and may testify to matters outside the contents of their reports.

If I do not hear from you within ten (10) days from the date of this letter, I will assume you have no objection to this informal method of amendment. Thank you for your attention to this matter.

Very truly yours,

/s/ *Nghia H. Nguyen*  
 Nghia H. Nguyen, Esq.

NHN/bas  
 Enc.

LAW OFFICES OF VISCOMI & LYONS

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973-538-2930  
Attorneys for Defendants,  
Elizabeth Saimson and Janice Saimson

MARK CAVA, JR.,

Plaintiff,

-vs-

ELIZABETH SAIMSON, JANICE  
SAIMSON, JANE DOE 1-10 (fictitious names  
representing unknown individuals/entities),  
MARY MOE 1-10 (fictitious names  
representing unknown individuals/entities),  
ABC Company 1-10 (fictitious names  
representing unknown individuals/entities), and  
DEF Company 1-10 (fictitious names  
representing unknown individuals/entities), and  
XYZ Company 1-10 (fictitious names  
representing unknown individuals/entities),

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: BERGEN COUNTY  
DOCKET NO.: BER-L-8823-13

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CIVIL ACTION

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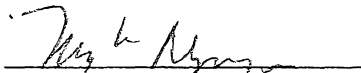
**CERTIFICATION**

Nghia H. Nguyen, Esq., of full age, hereby certifies:

1. I am an attorney at law in the State of New Jersey, associated with the Law Offices of Viscomi & Lyons, attorneys for Defendants, Elizabeth Saimson and Janice Saimson, and as such, I am familiar with this matter.
2. The information contained in Defendants', Elizabeth Saimson and Janice Saimson, amendment made on July 29, 2015, was not readily available or discoverable by the exercise of due diligence prior to the discovery end date or within 20 days thereof as required by R. 4:17-7.

I hereby certify that the foregoing statements made by me are true. I am aware that, if any of them are willfully false, I am subject to punishment.

LAW OFFICES OF VISCOMI & LYONS  
Attorneys for Defendants,  
Elizabeth Saimson and Janice Saimson

  
\_\_\_\_\_  
Nghia H. Nguyen, Esq. *per*

Dated: July 29, 2015

Jeffrey F. Lakin, M.D.  
4 Becker Farm Road, First Floor  
Roseland, New Jersey 07068  
973-669-9767  
Fax 973-669-2968

July 21, 2015

Nitasha Bansal  
Liberty Mutual Insurance Company  
399 Campus Drive  
Somerset, New Jersey 08873

Re: Mark Cava  
Claim No.: 2116264303  
Date of Incident: 11/18/11

Dear Ms. Bansal:

Below is an addendum as requested by your correspondence, dated 7/16/15.

Review of Records

Submitted for my additional review was my independent medical evaluation, dated 9/9/14, and my addendum dated 7/7/15.

Also submitted to my review were notes of Dr. Dauhajre, dated 6/30/15.

Conclusion and Summary

After reviewing the exam of Dr. Dauhajre from 6/30/15, my opinion remains unchanged from my independent medical evaluation that the examinee sustained no permanent injuries as a result of the motor vehicle accident of 11/18/11, just the strain/sprains to the cervical, lumbar, and sacral spines.

Again, this opinion is expressed within a reasonable degree of probability.

Again, Dr. Dauhajre's examination is similar to mine, in that he found no evidence of any Spurling's test in the cervical spine, and also noted to have no neurological deficits in the upper

Re: Mark Cava  
July 21, 2015  
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extremities with motor and sensory grossly within normal limits. Deep tendon reflexes were +1 and symmetrical.

Again, the exam of the lower extremities found L4 to S1 motor and sensory grossly within normal limits. Deep tendon reflexes were 1+ and symmetrical. He just found the straight leg raising on the right.

Again, I personally reviewed the MRI films of the lumbar spine from the date of 1/14/12, at the time of my exam and did not find any disc herniations. The examinee was neurologically intact on my examination and essentially has a similar examination by Dr. Dauhajre. Therefore, my opinion remains unchanged. Based upon additional records submitted to my review, there was a significant pre-existing accident as noted in notes of Dr. Dauhajre. The examinee was noted to have a prior incident on 1/20/09 with lower back pain. It should also be noted that the examinee's present work is general contractor apprentice.

Based on my examination, the examinee is neurologically intact and has no permanent injuries of the cervical or lumbosacral spine, and working as a general contractor apprentice at the time of my independent medical evaluation. My opinion is unchanged based upon the additional records submitted to my review.

This opinion is made with reasonable medical certainty, that the examinee sustained no permanent injuries as a result of the motor vehicle accident of 11/18/11, he sustained sprain to of cervical, lumbar, and sacral spines.

All the above opinions are expressed within a reasonable degree of medical certainty.

I, Jeffrey F. Lakin, declare that the information contained within this document was prepared and is the work product of the undersigned and is true to the best of my knowledge and information. As is customary, I am being paid for my time examining the examinee and reviewing the medical records when provided to me in preparation of this report, as well as for any future services, which may be required such as review of additional records, and/or future legal services referable to the above case.

Re: Mark Cava  
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If I can be of further assistance to you regarding this matter,  
please feel free to contact me.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Jeffrey F. Lakin". The signature is written in dark ink and is positioned above the typed name.

/S/ JEFFREY F. LAKIN, M.D.

JL:et/gt/kf