

# SMP FAMILY MEDICINE & HOMECARE

NICOLA RILEY, M.D.

801-747-0922 Tel./Appt.

801-747-0924 Fax

St. Marks Hospital, Central Medical Bldg.  
1220 East 3900 South, #4A  
Salt Lake City, Utah 84124

From: Nicola Riley, M.D.  
SMP Family Medicine  
1220 East 3900 South, Suite 4A  
Salt Lake City, Utah 84124

To: Jeri Warhaftig, Deputy Attorney General  
NJ Office of the Attorney General  
Division of Law  
124 Halsey Street, 5th Floor  
Newark, NJ 07701  
(973) 648-7487 (Tele)  
(973) 648-7782 (Fax)

Date September 1, 2010

Reference: Dr. Steven Brigham (Bureau File #10-3717-10-1097)

To Whom It May Concern:

The following information was requested on August 31, 2010 by Mr. Lizzano via a notarized certification:

1. Your identification and licensure in Maryland.

I, Nicola I. Riley, MD am a licensed, board certified family medicine physician, in the state of Maryland.

License #: D71213

Issued: 07/20/2010

Expire: 06/30/2011

2. A description of the procedures you performed on patients D [REDACTED] B [REDACTED], SD (25 weeks), NC (18.4 weeks) at Dr. Brigham's office in Elkton, MD on August 13, 2010.

The procedure on D [REDACTED] B [REDACTED] is enclosed in my abortion log and three page procedure note addendum, exhibit #1. Procedures on patients SD and NC were similar but without any noted complications. All original charts are at the New Jersey clinic location in possession of the attending physician, Dr. Brigham. I do not possess copies of these charts.

3. Identify all medications provided to these patients (pre-medication), where that was given and by whom.

I can only identify premedication given to D [REDACTED] B [REDACTED] (i.e. doxycycline and Tylenol #3) at the New Jersey clinic location prior to transport to the Maryland clinic on August 13, 2010. It is on that date that had initial contact with the patient and their family, chart review and verbal patient consult/review with Dr. Brigham on the prior visits at the New Jersey location. Please see my copy of D [REDACTED] B [REDACTED] chart, exhibit #2. All other charts are in the possession of Dr. Brigham.

Case: 2011-0118

August 22, 2010

To whom it may concern,

I, Nicola Riley MD, am a contracted employee of The American Women's Services, cooperate offices located in Voorhees, New Jersey. I performed a voluntary 2<sup>nd</sup> trimester D & E on the patient, D [REDACTED] B [REDACTED] on August 13<sup>th</sup>, 2010 at the Elkton, Maryland clinic location. Her initial work-up, care (laminaria/ultrasound/labwork, surgical & informed consent, and fee payments were performed/ collected on August 12, 2010 at The American Healthcare Services, PC. Clinic in Voorhees, New Jersey. (Enclosure #1, #2, #3, #4)

The procedure was initiated and performed at the Elkton, Maryland clinic on August 13<sup>th</sup>, 2010 by myself, the attending physician. I introduced myself and then consulted the patient and her family in attendance (mother and boyfriend). I reviewed the chart before commencement of the procedure and assessed the patient's vital signs and physical exam. The patient was in stable condition and once again I informed the patient of the risk (Enclosure #5, abortion record). Patient was allowed to ask questions before anesthesia was administered on August 12<sup>th</sup>, 2010 at approximately 11:00 AM (CORRECTION: APPROXIMATELY 12:00 PM.). Patient agreed to proceed forward with the D& E.

As noted in the procedure note (Enclosure #6, three page progress note), the procedure was stopped when extra uterine tissue was noted in the vaginal vault. The family was notified that we would be transporting the patient to the nearby ER, two blocks away. The patient was dressed, IV access attempted and immediately transported via POV with Dr. Brigham, the consulting physician on duty and myself in attendance to the nearby hospital two blocks away. I was in telephone contact during the 3-5 min drive the nearby emergency room with Dr. Gill, the on call doctor. The patient's family followed in their POV. The patient was being monitored by portable vital sign equipment by the accompanying medical assistant. The patient history and possible complication was reported to Dr. Gill upon arrival to the ER.

The patient was then further stabilized by the ER staff and I instructed the patient's mother to retrieve insurance information for the ER intake clerk. Once the patient was stabilized by the ER staff, I then returned to the Elkton clinic to finish procedures on the remaining patient. At approximately 2-3 pm, I was contact by Dr Islam, the Union hospital Ob/GYN that the patient had a uterine perforation and was being transported to John's Hopkins hospital.

#1

Corrected Copy

Case: 2011-0118

Later that evening I was contacted by Dr. Kratz from John's Hopkins hospital that the patient had successfully undergone a small bowel resection with anastomosis by Dr. Christiansen and posterior uterine repair. I filled Dr. Kratz in on the specifics of my initial part in the pregnancy termination procedure.

Afterwards, I followed up with the patient and her mother via telephone contact within the next 48 hours. The patient's mother had concerns of hospital cost and refund of the initial fees. I directed her to the administration offices at the initial patient intake clinic in New Jersey and the hospital social/insurance case manager. Further follow up was then done by the New Jersey, clinic supervising staff and physician. I then was contacted by Dr. Elizabeth Purcell, on follow paperwork for the fetal demise certificate, which she agreed to complete

Please see enclosed procedure notes/records and informed consent.

Please contact me at [REDACTED] for further questions.

Nicola Riley, MD

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4. Please explain "fetal demise" determination prior to beginning your procedure.

Fetal demise was determined by reviewing the charts prior to the abortion procedure, i.e. was fetal cardiac heart beat was observed on previous day ultra sound at the New Jersey clinic or if Digoxin was administered the previous day at the New Jersey clinic by the attending physician.

5. Please provide a physical description of patients SD & NC.

Pt SD was an Indian woman (i.e. from India, not American Indian) accompanied by her husband. NC was of Mexican or Hispanic origin and accompanied by another female family member.

6. Identify who was present during these procedures and who was in possession of the medical charts for these patients upon completion of the procedure on August 13, 2010. Include a copy of your contract with Dr. Brigham.

Dr. Brigham was in consultation during all three procedures as well as two of the New Jersey clinic medical assistants. As stated during the initial previous questioning by Mr. Lizzano; all charts are property and kept at the New Jersey clinic, where each patient received their initial workup, fetal demise initiated, consent obtained and final follow up care given. My contract with Dr. Brigham is included as exhibit #3.

Please contact me at 801-747-0922 if further clarification is needed.

Nicola Riley, MD

*Nicola Riley* 9/1/10

CC: Richard Lizzano, Investigator  
NJ Office of the Attorney General  
DCA Enforcement Bureau  
2201 Route 38, Suite 201  
Cherry Hill, New Jersey 08002  
Tel: (856) 482-4360  
Fax: (856) 482-7618