

# CURTIS, DAWE

Barristers, Solicitors & Notaries

P.O. Box 337  
St. John's  
Newfoundland and Labrador  
Canada A1C 5J9

Fortis Building, 11th Floor  
139 Water Street  
Telephone: (709) 722-5181  
Facsimile: (709) 722-7521

**Peter N. Browne**  
pnbrowne@curtisdawe.nf.ca

March 10, 2008



## WITHOUT PREJUDICE

Mr. Bernard M. Coffey, Q.C.  
Commission Counsel  
Commission of Inquiry on Hormone  
Receptor Testing  
50 Tiffany Lane  
St. John's, NL A1A 4H7

Ms. Sandra R. Chaytor, Q.C.  
Commission Co-Counsel  
Commission of Inquiry on Hormone  
Receptor Testing  
50 Tiffany Lane  
St. John's, NL A1A 4H7

Dear Mr. Coffey, Q.C. & Ms. Chaytor, Q.C.:

### Re: Commission of Inquiry on Hormone Receptor Testing

In respective interviews with Commission Counsel during November and December 2007, the following individuals were asked to provide copies of their CV's, which are enclosed herewith:

- Dr. Donald Cook
- Dr. Gershon Ejeckam
- Dr. Daniel Fontaine
- Dr. Joy McCarthy
- Dr. Nash Denic

In an interview with Commission Counsel on December 3, 2007, Dr. Joy McCarthy was asked to provide a copy of the letter from Ms. Marion Crowley, Quality and Risk Information Coordinator, which we now enclose.

In an interview with Commission Counsel on January 3, 2008, Dr. Laing was asked to provide the following, both of which are enclosed herewith:

- [REDACTED] ER/PR test results for 2007
- Copies of her handwritten notes on the print out lists from Physician Review Panel Meetings

CURTIS, DAWE

March 10, 2008  
Page Two

In an interview with Commission Counsel on December 6, 2007, Dr. Maurice Dalton was asked to provide an outline or list of the various pathologists and the particular time frames in which they worked at the hospital. The following information was received from Dr. Dalton on March 5, 2008:

- Dr. Vincent Falak – May 11, 1993 to July 31, 1998
- Dr. Amrah Pirzada – March 17, 2000 to June 28, 2002
- Dr. Sayid Abedi – October 19, 1998 to September 3, 1999
- Dr. Lisiba Mogotlane – August 11, 2004 to January 27, 2005
- Dr. Shagul Anwar – February 6, 2006 to August 31, 2007

In an interview with Commission Counsel on December 19, 2007, Dr. Nash Denic was asked to provide the following:

- 1) the name of the other Proficiency Test (the College of American Pathologists was the one already mentioned)
- 2) particulars of and the number of cases sent to Cleveland for ER/PR testing
- 3) a copy of the letter to Dr. Ford Elms detailing his appointment and list of duties
- 4) costs of the testing provided by Mt. Sinai
- 5) a copy of a previous slide show presentation
- 6) copies of his previous letters to Government
- 7) a copy of the Eastern Health list of pathologists and patients (re: comparison results – Mt. Sinai), and
- 8) a copy of the Quality Management Program binder.

With respect to Item 1, Dr. Denic advises that the other test referred to is administered by the American Society for Clinical Pathology.

With respect to Item 2, Dr. Denic advises as follows:

“Cleveland didn’t actually do any re-testing per se, but instead re-read the glass slides. Thirty four (34) patients were selected and their charts reviewed. Twenty one (21) of them had pathology reports from one of the pathology departments across the Province and follow-up Cleveland’s reports. Some patients had 2 or 3 reports, depending on the surgical procedure performed. In twenty four (24) cases the final diagnosis was invasive carcinoma. In the remaining cases, the final diagnosis was DCIS with or without micro invasion or benign.”

CURTIS, DAWE

March 10, 2008  
Page Three

"Sixteen (16) of these had ER/PR reported by us.

- Of the 16 with results from us, Cleveland reported ER/PR in 8 cases.
- For ER, in 7 of the 8 reported by Cleveland, there were no discrepancies with our results. For the 1 remaining case, we reported ER of 50% and Cleveland reported ER of 10%.
- For PR, in 7 of the 8 reported by Cleveland, there were no discrepancies with our results. For the 1 remaining case, we reported PR of 65-70% and Cleveland reported 10-20%."

With respect to Item 4, Dr. Denic advises that the cost for a single ER/PR testing per block is \$200.00 (Mt. Sinai) vs. \$30.00 for in-house testing.

With respect to Items 3, 5, 6, 7 and 8, the respective documentation is enclosed herewith.

Trusting this is satisfactory.

Yours sincerely,



PETER N. BROWNE

PNB/ts  
Encls.