

**EXHIBIT B TO ZIEGLER AFFIRMATION -
DEPOSITION TRANSCRIPT OF PLAINTIFF ADINA RASO,
DATED MARCH 14, 2014 [19 - 81]**

1 SUPREME COURT OF THE STATE OF NEW YORK

2 COUNTY OF SUFFOLK : PART 7

3 ADINA RASO,

4 Plaintiff,

5 - against -

INDEX NO.
30497/2007

6 SACHIN JAMDAR, DDS. & SUFFOLK ORAL
7 SURGERY ASSOCIATES, LLP.,

8 Defendants.

9 March 11, 2014
10 Riverhead, New York

11 B E F O R E: HON. WILLIAM B. REBOLINI
Supreme Court Justice

12 M I N U T E S O F: TESTIMONY OF ADINA RASO

13 **A P P E A R A N C E S:**

14
15 THE LAW OFFICES OF JOEL J. ZIEGLER, P.C.
For the Plaintiff
16 199 East Main Street - Box 829
Smithtown, New York 11787
17 BY: JOEL J. ZIEGLER, ESQ.

18
19 CUOMO, LLC.
For the Defendants
20 9 East 38th Street - 3rd Floor
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21 BY: ROBERT A. ROSENFELD, ESQ.

22
23
24 REPORTED BY: Stephen P. Salerno, SCR
25

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1 MR. ZIEGLER: The plaintiff calls Adina
2 Raso.

3 COURT OFFICER: Right over here, remain
4 standing, face the Clerk of the Court.

5 COURT CLERK: Raise your right hand.

6 **ADINA RASO**, having been first duly sworn
7 by the Clerk of the Court, testified as
8 follows:

9 THE WITNESS: I do.

10 COURT CLERK: Please be seated. State
11 your name and address for the record.

12 THE WITNESS: My name is Adina Raso, 578
13 Terry Road, Hauppauge, New York, 11788.

14 COURT CLERK: Thank you.

15 THE COURT: What is your date of birth?

16 THE WITNESS: July 19th, 1990.

17 THE COURT: Thank you. Would you like
18 to proceed, Mr. Ziegler?

19 DIRECT EXAMINATION

20 BY MR. ZIEGLER, ESQ.:

21 Q. Ms. Raso, with whom do you reside?

22 A. I live with my parents.

23 Q. And you indicated your date of birth. How
24 old are you?

25 A. I'm twenty-three.

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1 Q. In April of 2005 did the defendant Dr. Jamdar
2 extract your two lower wisdom teeth?

3 A. Yes.

4 Q. How old were you at the time the extraction
5 was performed?

6 A. I was fourteen years old.

7 Q. At the time of the extractions were you a
8 student in school?

9 A. I was. I was a student in middle school.

10 Q. And were you involved in extracurricular
11 school activities at the time?

12 A. I was. I played a lot of sports. I was a
13 basketball player, played tennis, volleyball and I
14 also sang in jazz choir.

15 Q. Did you ever suffer any injury to your head,
16 your face or your neck as a result of any of your
17 sporting activities?

18 A. No.

19 Q. Did you also play instruments?

20 A. Yes, I played violin and piano.

21 Q. And did you participate in any activities
22 related to your musical instruments?

23 A. Yes. I would participate in recitals and
24 also NYSSMA yearly.

25 Q. Can you tell the jury what NYSSMA is?

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1 A. NYSSMA is done through New York State, it's
2 their music association and it's done in all the
3 public schools and basically you perform your
4 instrument in front of a judge and they give you a
5 grade and a medal depending on how well you did.

6 Q. After high school did you continue your
7 education?

8 A. Yes.

9 Q. Where did you go?

10 A. I went to Stony Brook University.

11 Q. While you attended college have you been
12 employed?

13 A. Yes.

14 Q. What did you do?

15 A. I am. I was a piano teacher and I still am a
16 piano teacher.

17 Q. Did you graduate from Stony Brook?

18 A. Yes, I did.

19 Q. And what degree did you get?

20 A. I received my bachelor of arts in English.

21 Q. Are you currently in school?

22 A. Yes, I'm receiving my MAT in English.

23 Q. And that's for purposes of teaching?

24 A. Yes, it's a Masters of Art in teaching
25 English.

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1 Q. And are you also currently employed as you're
2 going to school?

3 A. Yes, I work as a piano teacher.

4 Q. Who do you work for?

5 A. For Dennis Contis Lessons At Home.

6 Q. Let me bring you back to the extraction of
7 your wisdom teeth. Prior to your seeing Dr. Jamdar
8 did another dentist recommend that you have your
9 lower wisdom teeth extracted?

10 A. Yes, my orthodontist Dr. Gilman recommended
11 that I have my lower two wisdom teeth extracted.

12 Q. Did you have braces at that time?

13 A. I did. I was getting them. I'm not sure. I
14 think I did have braces.

15 Q. Okay. And what was your understanding of the
16 reason that he recommended you to have the lower
17 wisdom teeth removed?

18 A. Basically Dr. Gilman said that if I didn't
19 have any lower wisdom teeth removed that all of my
20 teeth would become crooked, the teeth that were
21 corrected by braces. So it was recommended that I
22 have them removed.

23 Q. And these teeth, were they impacted, do you
24 understand what that means?

25 A. Yes. They were below the gumline. They had

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1 not yet emerged. They were impacted.

2 Q. Prior to seeing Dr. Jamdar in April of 2005
3 had you ever had any other teeth extracted?

4 A. No.

5 Q. And how did you come to see Dr. Jamdar?

6 A. Well, basically Dr. Jamdar was not
7 recommended to us by Dr. Gilman. I know that he said
8 that yesterday but that's false. We actually saw two
9 other doctors prior to him. Dr. Gilman recommended a
10 Dr. Stein to us. We saw him and we saw another
11 doctor but my mom wanted to go with someone who had
12 had surgery done to them. She wanted a
13 recommendation from a friend who had had surgery done
14 to them and had had a successful wisdom tooth
15 surgery. So a friend of my mom recommended Dr. Jonke
16 who at the time was also in Dr. Jamdar's office. Dr.
17 Jonke was out at the time for some medical reason so
18 we ended up seeing Dr. Jamdar and that's how we came
19 upon him.

20 Q. And was your first appointment with Dr.
21 Jamdar for a consultation?

22 A. Yes.

23 Q. Do you recall if Dr. Jamdar looked in your
24 mouth at that time?

25 A. I think so. I'm not sure.

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1 Q. Did you bring an X-ray from Dr. Gilman with
2 you to that appointment?

3 A. Yes.

4 Q. And did Dr. Jamdar look at the X-ray?

5 A. Yes.

6 Q. And was your mother present with you at the
7 consultation?

8 A. Yes.

9 Q. And did your mother ask Dr. Jamdar questions?

10 A. She did.

11 Q. Do you recall the discussion that took place
12 between Dr. Jamdar and your mother?

13 A. Yes, partially. My mom asked him, basically
14 questioned his credentials as an oral surgeon and she
15 wanted to know how much experience he had and she was
16 nervous for me. She asked. I believe that he said
17 that he had eight years experience and as we learned
18 yesterday he was only board certified --

19 MR. ROSENFELD: Objection.

20 THE COURT: Sustained. We'll strike the
21 portion of the answer beginning with as we
22 learned yesterday. Jury will disregard. Not
23 responsive to the question. Go ahead, please.

24 A. Okay, now --

25 THE COURT: No. The attorney will ask

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1 follow-up.

2 THE WITNESS: Sorry.

3 Q. I asked you if you can recall the discussion
4 between your mother and Dr. Jamdar?

5 A. Sorry. Yes.

6 Q. Can you recall the discussion with regard to
7 questions that were raised and answers that were
8 given?

9 A. Again, she questioned his credentials. She
10 said that he looked young. She just wanted to be
11 reassured, I guess, and he responded confidently. I
12 remember that he was confident and he said that
13 basically, you know, there are risks. Just as in
14 this surgery there are risks, every doctor says that
15 to you and that --

16 MR. ROSENFELD: Objection.

17 THE COURT: Okay, sustained. We'll
18 strike the portion that says every doctor
19 says that to you. The jury will disregard.
20 You may continue.

21 Q. Can you recall specifically what he said
22 about risks?

23 MR. ROSENFELD: Objection, your Honor.

24 THE COURT: Basis?

25 MR. ROSENFELD: That claim has been

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1 withdrawn from the lawsuit and therefore the
2 question --

3 THE COURT: No, no, maybe you didn't
4 hear it. He asked what did he say about
5 risks.

6 MR. ROSENFELD: Okay.

7 THE COURT: Go ahead, please.

8 A. I don't remember the specific risks that he
9 stated. I just know that it was a general statement
10 that there are risks involved and I felt comfortable,
11 I did not feel like my, I would walk out of his
12 office with permanent damage, did not feel that way.
13 I trusted his professional opinion and that's really
14 all I can remember from that conversation.

15 Q. As you recall this did he make any effort to
16 reassure your mother?

17 A. Yes. I believe that he was reassuring
18 because he was confident in himself.

19 Q. Now, while you were in his office and in his
20 reception room or anyplace in his office did you read
21 any pamphlets or any literature concerning wisdom
22 teeth extractions?

23 A. No, no.

24 Q. Okay. Did anyone in his office show any
25 videos or give you any information about wisdom teeth

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1 extractions?

2 A. No, I never saw a video of the surgery, no.

3 Q. So let's talk about the extraction surgery
4 done by Dr. Jamdar. Do you recall anything that
5 caused you concern during the surgery, during the
6 actual surgery?

7 A. No. Basically it was just traumatic. I was
8 not put under completely. I had, I guess, a local
9 anesthetic. I wasn't knocked out so I was awake for
10 it and I just remember a lot of pressure and I could
11 hear the drill drilling through my tooth, cracking
12 the tooth, smelling the, I guess the tooth residue
13 and smelling the blood and I remember just being very
14 nervous. It's not a pleasant experience at all.

15 Q. Okay. After the surgery was completed where
16 did you go?

17 A. I went to the recovery room.

18 Q. And what was your physical condition at that
19 point?

20 A. At that point I was swollen. My mouth was
21 completely swollen. I think I had gauze stuffed into
22 the backs, the back of my mouth and I was numb from
23 the anesthesia still and I had a horrible throbbing
24 headache and I remember that the throbbing just kind
25 of emanated into my jaw and it was very painful and I

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1 was kind of dizzy and disoriented a little bit.

2 Q. After you left the recovery room were you
3 aware of the anesthetic that was administered wearing
4 off?

5 A. When I left no, not immediately. It did not
6 wear off immediately after the surgery. We actually,
7 my mom took me to Carvel and I had a strawberry
8 milkshake and the milkshake went all over my clothes
9 because I couldn't feel anything at that point. I
10 couldn't feel my lips, I couldn't feel my tongue.
11 Everything was just numb and I couldn't really eat.
12 I was miserable.

13 Q. Okay. Did the anesthesia from the surgery
14 eventually begin to wear off at some point?

15 A. Yes. The anesthesia did wear off throughout
16 the week, more noticeably on the right side and I was
17 a little bit concerned. I guess I thought that maybe
18 the left side was taking a little bit longer than it
19 was supposed to so I didn't outright panic at the
20 beginning. I was just like all right, well maybe
21 this takes a little bit of time.

22 Q. Okay. At some point did you become concerned
23 about the left side?

24 A. Yes.

25 Q. What happened?

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1 A. Basically as the week passed I realized that
2 the left side of my tongue and the left side of my
3 gums were still numb. The anesthesia had not worn
4 off so at that point I was fourteen, I didn't really
5 know or understand anatomically what was happening
6 inside of my jaw, inside of my mouth, my tongue. I
7 just know that it was still numb and now I have this
8 problem and I didn't understand why.

9 Q. Did you complain to your mother about this
10 problem?

11 A. Yes, I told my mom.

12 Q. And at some point did you return to Dr.
13 Jamdar's office after the surgery?

14 A. We did. We returned to his office.

15 Q. And when you returned to his office did you
16 speak directly to Dr. Jamdar about any complaints?

17 A. Yes.

18 Q. What did you tell him?

19 A. Basically I told him that I still had
20 numbness in the left side of my mouth.

21 Q. Did you complain of any particular pains?

22 A. I had pain because it was I think like a week
23 after the surgery, it was recent, right after the
24 surgery so I had pain because my wounds were still
25 healing.

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1 Q. How about taste sensation, did you have any
2 complaint about that?

3 A. I did not have taste on the left side of my
4 tongue. I had no taste.

5 Q. What about your speech, was your speech
6 affected by this?

7 A. Yes. Immediately after the surgery my speech
8 was affected by this because half of my tongue was
9 numb so I would kind of, I would bite on my tongue a
10 lot. I actually bit my tongue once during dinner and
11 I was bleeding and didn't know because I couldn't
12 feel it. And also I would kind of slur my speech
13 because it was difficult, it was strange having half
14 of your tongue totally numb and then the other side
15 just being normal. So it was like a new, it was a
16 new unpleasant feeling that I had to cope with.

17 Q. Did you tell Dr. Jamdar about this?

18 A. Yes, yes.

19 Q. What, if any, response did he make?

20 A. He was pretty calm and he -- I can't really
21 recall. I just remember him being very calm
22 throughout the entire ordeal. He didn't really panic
23 when I told him that the left side of my tongue was
24 numb. He just kind of said give it some time and my
25 mom really wanted us to see another doctor so he

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1 recommended that we see Dr. Monasebian.

2 Q. How about the right side of your mouth?

3 A. Right side of my mouth was completely normal.

4 There was nothing wrong with it.

5 Q. And you had a wisdom tooth extracted on the
6 right side as well?

7 A. Yes.

8 Q. Now, did you continue to go to Dr. Jamdar for
9 follow-up appointments after that first occasion?

10 A. Yes.

11 Q. At any of the follow-up appointments do you
12 recall any conversation you had with him?

13 A. I don't. I don't remember.

14 Q. Well, do you recall telling him about the
15 condition of your mouth at that time?

16 MR. ROSENFELD: Objection, your Honor.

17 THE COURT: Basis?

18 MR. ROSENFELD: Foundation.

19 THE COURT: Overruled. You may answer.

20 A. Do I remember telling him anything?

21 Q. Anything about the condition of your mouth,
22 was it the same, was it improved, was it different?

23 A. I mean the general -- what happened was the
24 numbness persisted so while the numbness persisted
25 and then suddenly I had shooting pains that started

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1 happening.

2 Q. Can you describe those pains?

3 A. Yeah. Basically it would feel like an
4 electric shock just emanating from the back of your
5 tongue to the tip of your tongue and it would be like
6 a pulse and it would happen sporadically. I wouldn't
7 know when to expect it, but the pain was intense and
8 very noticeable and it would happen throughout the
9 day and I would never know when.

10 Q. At some point did those shooting pains that
11 you described, did they subside or did they remain
12 the same for a period of time?

13 A. It remained the same for a period of time.
14 In-between the sporadic electrical shocks I would
15 have numbness which was strange because I couldn't
16 taste and I didn't have sensation, but then I would
17 get these horrible shocks and that would, that
18 happened like the first couple of months I want to
19 say and then it slowly started to subside, the pain
20 started to subside and then I was just left with no
21 sensation basically.

22 Q. You indicated I think that your mother made
23 an appointment with Dr. Monasebian?

24 A. Yes.

25 Q. And where was Dr. Monasebian at that time,

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1 where did he see you?

2 A. Dr. Monasebian, I believe we went to the city
3 to see him.

4 Q. Was he also in Dr. Jamdar's office?

5 A. To my knowledge he shared the space with him.

6 Q. Okay. So how was it that you went to the
7 city rather than to his office in Stony Brook?

8 A. I don't know.

9 Q. Okay. What, if anything, do you recall about
10 seeing Dr. Monasebian?

11 A. Basically Dr. Monasebian does not specialize
12 in nerve repair.

13 MR. ROSENFELD: Objection.

14 THE COURT: Sustained. We'll strike the
15 answer. No foundation. Jury to disregard.

16 Q. Okay. The question I asked you was what you
17 recall about the appointment with Dr. Monasebian?

18 A. Oh, I don't really recall conversation.

19 Q. Okay. After that appointment did you see any
20 other doctors before the next few months?

21 A. Yes.

22 Q. Can you tell us who you saw or what type of
23 doctor you saw?

24 A. I saw the head of the children's neurology
25 department at Stony Brook University. I saw her and

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1 I saw Dr. Ruggiero.

2 MR. ROSENFELD: Objection, your Honor.

3 I move to strike the portion that was never
4 previously disclosed in this lawsuit.

5 THE COURT: Is that a talking objection?

6 MR. ROSENFELD: Sorry, your Honor.

7 THE COURT: We'll have a sidebar in the
8 hallway, please. Excuse me, members of the
9 jury.

10 (Side-bar conference.)

11 THE COURT: Members of the jury, we are
12 going to take a recess. Please do not discuss
13 the case among yourselves or with anyone else
14 outside your presence. You're not allowed to
15 accept any type of payment or consideration in
16 exchange for supplying any information.
17 Promptly report to the Court if anyone
18 improperly attempts to influence any member of
19 jury, and let's try for 10:55 please to
20 return, okay?

21 COURT CLERK: All rise as the jury
22 exits.

23 (The jury left the courtroom.)

24 THE COURT: So we had a conversation off
25 the record about the doctor that was testified

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1 to and if we could place the ultimate result
2 here on the record now, please?

3 MR. ROSENFELD: Yes, your Honor. I did
4 go through my deposition transcript and it
5 indicated that I did have that information and
6 I therefore withdraw my objection.

7 THE COURT: Okay. And if you would
8 then, we'll pick up from there but if I can
9 have the reporter read back the last few
10 questions and answers?

11 (Record read.)

12 THE COURT: If you can come forward
13 we'll go back on the record and I remind you
14 that you're still under oath, you understand?

15 THE WITNESS: Yes.

16 (The witness resumed the stand.)

17 COURT OFFICER: Jury entering.

18 COURT CLERK: All rise.

19 THE COURT: All right, members of the
20 jury, welcome back. Please be seated. The
21 objection has been withdrawn by Mr. Rosenfeld
22 so if you would like to continue, Mr. Ziegler?

23 Q. Ms. Raso, when we broke for, when we just
24 took a break just before that you had told us that
25 you had seen the head of the children's neurology

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1 department at Stony Brook University?

2 A. Yes.

3 Q. Did you make any complaints to her about your
4 problem?

5 A. Yes, I told her that I was experiencing
6 numbness on the left side of my tongue.

7 Q. Did you tell her anything about any taste
8 problems?

9 MR. ROSENFELD: Objection, leading.

10 THE COURT: Sustained. We'll strike the
11 question. Jury to disregard. You may re-ask
12 another question.

13 Q. Were there any other complaints you made
14 other than numbness?

15 A. Yes, the lack of taste sensation on the left
16 side of my tongue.

17 Q. Anything else?

18 A. The pain that I was experiencing at the time.

19 Q. These are the shooting pains that you
20 described?

21 A. The shooting pains that I mentioned, yeah.

22 Q. Did you mention anything to her about weight
23 loss?

24 MR. ROSENFELD: Objection, your Honor.

25 THE COURT: Sustained. We'll strike the

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1 question. Leading.

2 Q. Had you experienced any weight loss at that
3 point?

4 A. At that point I can't put in an exact date on
5 it but I remember during the month after surgery I
6 could not eat solid foods for basically the whole
7 month because it was very painful to chew and I could
8 not open my jaw wide enough to chew solid food. So
9 like steak or chicken, that was out. I was eating
10 mostly like chicken noodle soup, applesauce, jello,
11 mashed bananas, potatoes, very soft foods and I
12 wasn't eating very much of it. I actually dropped
13 twenty pounds within a month to two months and that
14 was not normal and it was because not only could I
15 not chew the food but I also was experiencing a lack
16 of sensation on the left side of my mouth. So not
17 only was it painful to eat at the time but it wasn't
18 enjoyable to eat either and so it was a strange
19 feeling when half of your tongue is not like the
20 other half, it's not normal. You don't experience
21 food the same anymore. Foods don't taste the same.
22 They have a distorted taste. And so I basically
23 didn't have an interest in food and I lost twenty
24 pounds of weight. I got pretty skinny that year.

25 Q. You were able to smell food, is that right?

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1 A. Yes.

2 Q. Did the fact that you could taste on the
3 right side of your tongue and you could smell food,
4 did that help you at all in being able to enjoy food?

5 A. No because there is a difference. You know,
6 every person has five senses and the sense of smell
7 and the sense of taste are two different senses and
8 the sense of smell, although it may contribute to
9 taste it's a completely different sensation. I don't
10 want to smell a piece of Lasagna and enjoy the smell
11 of the piece of Lasagna, I want to be able to fully
12 enjoy the taste of the Lasagna. They're different
13 sensations.

14 Q. Well, when you have food in your mouth on
15 your tongue can you describe the difference that you
16 feel from one side of your tongue to the other?

17 MR. ROSENFELD: Objection, leading, your
18 Honor.

19 THE COURT: Basis?

20 MR. ROSENFELD: Timeframe.

21 THE COURT: Timeframe, please, counsel.

22 Q. Why don't you tell us as of the time before
23 the surgery with Dr. Ruggiero?

24 A. Before the surgery with Dr. Ruggiero, before
25 he attempted to fix my tongue I did not experience

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1 taste on the left side of my mouth. I could not
2 distinguish tastes, so that means I could not
3 distinguish between salty or sweet or sour or bitter.
4 There simply was no taste sensation on the left side.

5 Q. What happened after Dr. Ruggiero's surgery?

6 A. After Dr. Ruggiero's surgery for the first
7 month after I had continued I had renewed shooting
8 pains now so I was back, you know, with the pain and
9 slowly as time went on I -- in fact there was a
10 specific moment in time where I bit my tongue at
11 lunch. I was a high school freshman and I bit my
12 tongue at the lunch table and I screamed out and
13 that's the moment I realized oh, my God, I have some
14 sort of returning sensation in the left side of my
15 tongue. So as time went on I began to recover the
16 taste, some of the taste and some of the numbness was
17 not as intense as it had been before my corrective
18 surgery, but the truth is that today my tongue is not
19 normal the way it was before I entered Dr. Jamdar's
20 dentist office, his oral surgery office, and the
21 taste today is still distorted and frankly it
22 probably will never be the same.

23 MR. ROSENFELD: Objection.

24 THE COURT: Basis?

25 MR. ROSENFELD: Lack of expertise.

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1 THE COURT: Overruled.

2 A. I think --

3 THE COURT: You may continue, counsel.

4 Q. Let me ask you this: You described for me
5 eating Chinese food recently. Can you tell the jury
6 what taste sensation you have when you're eating food
7 like that or any other food?

8 MR. ROSENFELD: Objection, leading.

9 MR. ZIEGLER: Just trying to remind her.

10 MR. ROSENFELD: Objection, leading.

11 THE COURT: You want to direct her
12 attention to something?

13 MR. ZIEGLER: No.

14 THE COURT: Counsel, you want to take my
15 cue on that?

16 MR. ZIEGLER: Yes, okay.

17 Q. Let me ask you to recall a conversation in
18 which you told me about eating Chinese food. Can you
19 describe taste sensation in that circumstance?

20 MR. ROSENFELD: Objection.

21 THE COURT: Sustained. Strike the
22 question. Jury to disregard.

23 Q. Can you give the jury an idea of what it
24 feels like now for you to have food in your mouth?

25 MR. ROSENFELD: Objection as asked and

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1 answered.

2 THE COURT: Overruled.

3 A. Yes. Basically more recently because of my
4 upcoming trial, because I'm here today, I wanted to
5 really focus on trying to describe to you what the
6 taste, what my taste sensation is like today, so I
7 would place foods on my tongue and I would try to see
8 how I was perceiving the taste and basically I came
9 to the conclusion that like bananas, on the left side
10 of my tongue it sort of tastes like, it tastes like
11 something sweet resting there but I don't appreciate
12 the depth of flavor. I don't appreciate the full
13 flavor of the banana. I could not tell you that a
14 banana was resting on my tongue. Also when I was
15 eating Chinese food recently, we had takeout and I
16 had roast pork. So when I was chewing on the roast
17 pork and kind of trying to figure out how it tasted
18 it tasted metallic, which it shouldn't taste
19 metallic, but it does. So those are kind of examples
20 of the distortion and taste that I experience today.

21 Q. Okay. Let me take you back to before you
22 were seen by Dr. Ruggiero. Did someone recommend him
23 -- well, let me take you back even further. You were
24 describing your visit to the neurology department at
25 the children's hospital, children's department in

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1 Stony Brook. Were they able to help you at all?

2 A. No. She was not able to help me. She could
3 not identify exactly what had gone wrong because she
4 explained that she had never, she had never heard of
5 something like this happening where there was
6 permanent nerve damage.

7 MR. ROSENFELD: Objection.

8 THE COURT: Sustained. You may ask
9 another question.

10 Q. After your visit to the neurology department
11 at Stony Brook did someone recommend that you see a
12 Dr. Salvatore Ruggiero?

13 A. Yes.

14 Q. How did that come about?

15 A. Well, my mom had been asking around amongst
16 her friends, you know, what kind of a doctor could we
17 go to that would be able to help me.

18 MR. ROSENFELD: Objection.

19 THE COURT: Basis?

20 MR. ROSENFELD: Hearsay.

21 THE COURT: Sustained. We'll strike the
22 question and the answer. You want to ask a
23 more specific question, counsel?

24 Q. How did you come to see Dr. Ruggiero?

25 A. Okay. He was recommended to us.

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1 Q. Okay. I don't care who recommended him but
2 as a result of that recommendation did you go to his
3 office, did you make -- did your mother make an
4 appointment?

5 A. Yes, yes.

6 Q. Okay. What happened on the first occasion
7 that you met Dr. Ruggiero?

8 A. We met with him to sort of, I had to explain
9 to him what my problem was at the time and he
10 conducted a series of tests on my tongue to kind of
11 see, you know, my range of taste, my range of feeling
12 and it was a pretty involved test. He has a box and
13 there are different like, there are different testers
14 and each tester, it's kind of like a string or like a
15 filament and they have different, like, thicknesses
16 and so he would swipe my tongue and see if I could
17 decipher which direction the swipe would go in and I
18 couldn't decipher the direction. Also when he put
19 pressure in certain points I could not identify where
20 the pressure was. And he also tested my sense of
21 taste basically, if I could decipher between sour,
22 sweet and I couldn't. I couldn't decipher any of
23 that. So we actually went forward with the surgery.

24 Q. Do you recall the date of Dr. Ruggiero's
25 surgery?

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1 A. I don't.

2 Q. Would it be, does November 2005 sound
3 familiar?

4 MR. ROSENFELD: Objection, leading.

5 THE COURT: Sustained. Strike the
6 question. Jury to disregard. Is there
7 anything that would refresh your recollection
8 as to the date of the surgery?

9 THE WITNESS: I do know that it was
10 probably half a year after.

11 Q. Approximately six months, seven months?

12 A. Yes.

13 Q. After Dr. --

14 A. Dr. Jamdar operated, yes.

15 Q. Do you know what Dr. Ruggiero did during this
16 course of the surgery?

17 A. He basically, the way he explained it to my
18 parents and I -- well, first of all I had to go under
19 general anesthesia for the first time and he was sort
20 of preparing to go into my ankle to get a nerve out
21 of my ankle to put it into my tongue in case he
22 needed --

23 MR. ROSENFELD: Objection.

24 THE COURT: Basis?

25 MR. ROSENFELD: No foundation.

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1 THE COURT: Overruled. You may continue
2 explaining what he did.

3 A. He was trying to explain to us that if he
4 needed another nerve he would be able to take it.

5 THE COURT: Sustained.

6 MR. ROSENFELD: Objection.

7 THE COURT: Sustained. We'll strike
8 that. Jury to disregard. You want to re-ask
9 a question, please?

10 Q. What do you recall about the surgery?

11 A. Dr. Ruggiero attempted to re-connect the
12 nerve in my tongue to give me back sensation in the
13 left side of my tongue basically.

14 Q. What kind of doctor is Dr. Ruggiero?

15 A. Dr. Ruggiero is a physician and an oral
16 surgeon who specializes in nerve injury, nerve
17 repairs.

18 Q. Where did this surgery take place?

19 A. It took place at a children's hospital I
20 believe, North Shore LIJ.

21 Q. Schneider?

22 A. Yes, that sounds familiar.

23 Q. So you say Schneider Children's Hospital?

24 A. Yes.

25 Q. Long Island Jewish Hospital?

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1 A. Yes.

2 Q. Okay. Now after Dr. Ruggiero's surgery you
3 indicated that there was some improvement that was
4 made, is that accurate?

5 A. Yes.

6 Q. Can you describe the improvement that you
7 experienced?

8 A. Immediately after the surgery I did not
9 experience, I did not experience any sudden recovery
10 and the doctor explained that that wouldn't happened,
11 that it takes time for the nerve to heal itself and
12 to remake that connection and so we were patient and
13 as time passed I slowly began to recover like some
14 sense of sensation on my tongue and some sense of
15 taste on my tongue.

16 Q. It's been eight years approximately since
17 that surgery?

18 A. Yes.

19 Q. Did the progress continue over those eight
20 years or did you achieve maximum improvement at some
21 particular point?

22 A. I believe that, I know I do not experience
23 improvement today and I have not experienced
24 improvement since probably a year after the surgery,
25 the corrective surgery took place. I believe that I

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1 achieved the maximum years ago but --

2 Q. All right. Once you achieved the maximum
3 benefit from the surgery can you describe for the
4 jury what sense of taste you have currently?

5 A. Well today, as I explained before, again the
6 sense of taste is distorted on the left side of my
7 mouth. Also, I mean I can sit here right now and
8 when I touch my tongue it's not the same, it's still
9 numb. It's not a hundred percent. It's not like the
10 mouth that I was born with, you know? I don't have
11 the tongue that I had before.

12 Q. You indicated that you experienced shooting
13 pains after the surgery by Dr. Ruggiero?

14 MR. ROSENFELD: Objection.

15 THE COURT: Sustained. We'll strike the
16 question. Jury will disregard. You want to
17 direct her attention to any particular
18 incident?

19 Q. You testified a few moments ago about
20 shooting pains. Did there come a point when those
21 shooting pains stopped?

22 MR. ROSENFELD: Objection.

23 THE COURT: Overruled.

24 A. The shooting pains gradually diminished over
25 the years. They were very intense at the beginning.

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1 After both surgeries actually. There was sporadic
2 intense pain and I don't know if anyone here has
3 experienced nerve pain but you have no control over
4 it. Basically no matter what you do during the day
5 it will come on and it just happens and it's painful.
6 It feels like fire and tingling. And as the years
7 went by it became less and less until probably a year
8 ago I had started experiencing like a persistent,
9 over the week, a persistent pain on the left side of
10 my mouth and I saw, I went to my dentist, my family
11 dentist, did Dr. Iannello and I told him about it.
12 He couldn't explain it and the pain, it just
13 subsided. So, I mean I feel like it was a similar
14 pain to what I had felt a few years ago when I was
15 experiencing the shooting pains. So again, I really
16 can't tell you when the pain comes because it's
17 sporadic and it doesn't happen consistently.

18 Q. Immediately after the extraction surgeries
19 did that have an impact on your life in terms of
20 school activities?

21 A. Immediately after Dr. Ruggiero's surgery?

22 Q. No, Dr. Jamdar's surgery?

23 A. Oh, well, yes, I couldn't participate in
24 sports at the time for probably a month or two
25 months. I couldn't sing because you need to open,

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1 you need to stretch your mouth wide in order to
2 produce the correct vocal sound. And I couldn't play
3 sports. I was a basketball player and I couldn't
4 play basketball because every time I would run or do
5 any kind of cardiovascular activity the blood would
6 just create this throbbing sensation in my mouth and
7 it was too painful so I was out for a couple of
8 months.

9 Q. Did the numbness in your tongue affect your
10 ability to speak clearly?

11 MR. ROSENFELD: Objection.

12 THE COURT: Sustained. Strike the
13 question. Jury to disregard. Leading.

14 Q. Did you have any problem with your speech?

15 A. Immediately following the surgery, yes,
16 because as I said it's a strange sensation so it's
17 totally new and it's totally strange to have half
18 the, the half of your tongue and half of your gums
19 and everything be numb and then have the other half
20 be totally normal. So you don't -- you can't -- when
21 you speak you use your tongue to create words and
22 because I had trouble locating or feeling my tongue
23 in my mouth it was sort of difficult to articulate my
24 words correctly.

25 Q. Did that improve over time?

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1 A. That improved over time, yes.

2 Q. I just want to make sure I covered
3 everything. Thank you. I have no other questions.

4 THE COURT: Mr. Rosenfeld, cross
5 examination?

6 MR. ROSENFELD: Thank you, your Honor.

7 THE COURT: You're welcome.

8 CROSS EXAMINATION

9 BY MR. ROSENFELD, ESQ.:

10 Q. Morning, Ms. Raso.

11 A. Hello.

12 Q. Ms. Raso, have you ever been convicted of a
13 crime?

14 A. No.

15 Q. And you told us that your orthodontist
16 recommended to you and your mother that you have your
17 wisdom teeth pulled, is that correct?

18 A. My orthodontist, yes.

19 Q. How many oral surgeons did you consult with
20 with your mother before you came to Dr. Jamdar?

21 A. We consulted with two prior to Dr. Jamdar.

22 Q. And I think you told us one was Dr. Stein, is
23 that correct?

24 A. Yes.

25 Q. And was the other Dr. Bogart?

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1 A. That I do not recall.

2 Q. And just forgive me for one second.

3 MR. ROSENFELD: One minute, your Honor.

4 I apologize.

5 (Brief pause.)

6 MR. ROSENFELD: Could we have this
7 marked for identification, please?

8 THE COURT: Certainly.

9 As a courtesy can we also show that to
10 Mr. Ziegler?

11 MR. ROSENFELD: Certainly.

12 COURT OFFICER: Defendant's I marked for
13 identification only.

14 THE COURT: Thank you.

15 Just hold onto it for now. Go ahead.

16 MR. ROSENFELD: Could we show it to the
17 witness, please?

18 THE COURT: Okay.

19 COURT OFFICER: (Handing.)

20 MR. ROSENFELD: Thank you.

21 Q. Ms. Raso, did you receive a copy of this
22 pamphlet from Dr. Stein when you and your mother went
23 to his office for a consultation about the extraction
24 of your wisdom teeth?

25 A. I do not know if I received this or not.

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1 MR. ROSENFELD: Can we please have this
2 marked for identification?

3 COURT OFFICER: Defendant's J marked for
4 identification only.

5 MR. ROSENFELD: Can we please show this
6 to the witness?

7 COURT OFFICER: (Hanging.)

8 Q. Ms. Raso, do you recall being given a
9 loose-leaf binder to review with your mother by Dr.
10 Stein concerning the risks associated with extracting
11 your lower wisdom teeth?

12 A. No, I don't. But it does say that
13 extraction --

14 THE COURT: Excuse me. Not responsive
15 to the question. Strike the last statement.

16 Q. Ms. Raso, did Dr. Stein describe any risks to
17 you and your mother associated with the extraction of
18 your lower wisdom teeth?

19 A. I cannot recall that.

20 Q. And if you, if we assume that Dr. Bogart is
21 the name of the other oral surgeon with whom you
22 consulted before coming to Dr. Jamdar, did Dr. Bogart
23 discuss with you and your mother any of the risks
24 associated with the extraction of your lower wisdom
25 teeth?

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1 MR. ZIEGLER: Objection.

2 THE COURT: Basis?

3 MR. ZIEGLER: She has no recollection.

4 THE COURT: She didn't answer.

5 Overruled, counsel.

6 A. I don't even remember who Dr. Bogart is, I'm
7 sorry.

8 Q. Okay. The second oral surgeon that you saw
9 with your mother, can you recall that second oral
10 surgeon advising you and your mother that the
11 possibility of permanent nerve damage to your tongue
12 could happen from extracting your lower wisdom teeth?

13 A. Well, the second one we went to see Dr.
14 Halibar (spelled phonetically) but I don't think we
15 saw him and no, I don't remember receiving
16 information about permanent damage occurring.

17 Q. Do you remember Dr. Jamdar telling you that
18 one of the risks associated with the extraction of
19 your impacted lower wisdom teeth was the possibility
20 of permanent numbness or a nerve injury to your
21 tongue?

22 A. No, I do not recall that.

23 Q. Ms. Raso, can you bring us to today and do
24 you have any difficulty talking?

25 A. I do not.

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1 Q. Do you have any difficulty going to school
2 and achieving your Master's Degree?

3 A. No, I do not.

4 Q. Do you have any difficulty teaching piano?

5 A. No.

6 Q. Do you have an active social life today?

7 A. Of course.

8 Q. Do you have a boyfriend even?

9 A. Yes.

10 Q. Are you currently engaged in any athletic
11 activities on a regular basis?

12 A. Yes.

13 Q. What are those?

14 A. I currently practice yoga regularly.

15 Q. Do you engage in any martial arts today?

16 A. I do not.

17 Q. Have you ever engaged in martial arts since
18 Dr. Jamdar extracted your lower wisdom teeth?

19 A. Only in recent years.

20 Q. When was that?

21 A. Probably I think since maybe the last two
22 years I want to say.

23 Q. And did you stop because you suffered an
24 injury to your neck?

25 A. Absolutely not.

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1 Q. Did you ever seek medical attention as a
2 result of any injury you believe you received at
3 participating martial arts?

4 A. Absolutely not.

5 Q. Are you still an activity leader for foreign
6 students?

7 A. No.

8 Q. When was the last time you did you that?

9 A. That was last summer.

10 Q. That was after Dr. Jamdar extracted your
11 teeth?

12 A. No.

13 Q. That wasn't after Dr. Jamdar?

14 A. I'm sorry, yes.

15 Q. What did that involve?

16 A. Well, my job involved me basically, we would
17 take these foreign exchange students on excursions in
18 New York City.

19 Q. Did you get paid for that?

20 A. Yes.

21 Q. That was a summertime job?

22 A. It was a summer job.

23 Q. Ms. Raso, you currently consider yourself, in
24 addition to a hopeful teacher in English in the
25 future, you also consider yourself a songwriter,

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1 musician and singer, isn't that correct?

2 A. Yes.

3 Q. Were you served with a subpoena to appear
4 today by my office?

5 A. I believe so.

6 Q. And did that subpoena request that you bring
7 with you any recordings of any kind of you singing or
8 performing?

9 A. Not to my knowledge.

10 Q. Do you have any recordings of you singing or
11 performing since the time that Dr. Jamdar extracted
12 your lower wisdom teeth?

13 A. I do.

14 Q. And do you have them with you?

15 A. I don't.

16 MR. ROSENFELD: At a break, your Honor,
17 I will produce the subpoena that the plaintiff
18 was requested to bring those materials.

19 THE COURT: That's nice but we don't
20 really appreciate the talking colloquies,
21 counsel.

22 MR. ROSENFELD: I apologize, your Honor.

23 THE COURT: When were those songs
24 recorded?

25 THE WITNESS: They've been recorded over

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1 the years. I don't see how this is at all
2 relevant. This is embarrassing.

3 THE COURT: Strike the last response as
4 being unresponsive to my question. Jury to
5 disregard.

6 MR. ROSENFELD: Did we get an answer to
7 your question, your Honor?

8 THE COURT: No, counsel.

9 Q. When did you begin recording on the Internet
10 your singing and performing?

11 A. It's been a few years. I don't remember the
12 exact date.

13 Q. Well, if the procedure by Dr. Jamdar took
14 place in -- what year was that?

15 A. 2005.

16 Q. Did you do any recording in 2005 on the
17 Internet?

18 A. No.

19 MR. ZIEGLER: Your Honor, at this point
20 I'm going to object to the whole line of
21 questioning.

22 THE COURT: We'll have a sidebar.

23 Excuse us, members of the jury.

24 (Side-bar conference.)

25 THE COURT: Excuse me. All right,

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1 counsel, if you would, maybe you can direct
2 the witness to a point in time.

3 MR. ROSENFELD: Yes, your Honor.

4 Q. Did you begin recording on YouTube after you
5 had your tooth extracted by Dr. Jamdar?

6 A. Yes.

7 Q. Did you begin recording on another site
8 called SoundCloud after you had your wisdom teeth
9 extracted by Dr. Jamdar?

10 A. Yes.

11 Q. Did you begin recording on another site
12 called SoundClick after Dr. Jamdar extracted your
13 lower wisdom teeth?

14 A. Yes.

15 Q. Are there any other sites on which you
16 recorded your singing or performing since Dr. Jamdar
17 extracted your lower wisdom teeth?

18 A. No.

19 Q. And about how many songs have you recorded on
20 the Internet since Dr. Jamdar extracted --

21 THE COURT: Excuse me, can we have a
22 timeframe for the singing activities?

23 THE WITNESS: Yes. These have all
24 happened like while I was in college.

25 THE COURT: Can we give a timeframe,

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1 please? That was the question I was asking
2 previously, ma'am.

3 THE WITNESS: I'm sorry. 2009 through
4 the present moment.

5 THE COURT: Okay. Go ahead, counsel.

6 MR. ROSENFELD: Sorry, could we have the
7 last question reread?

8 THE COURT: I asked a timeframe. She
9 said --

10 MR. ROSENFELD: My last.

11 (Record read.)

12 Q. Ms. Raso, from 2009 to the present how many
13 songs have you recorded on the Internet?

14 A. I can't give you an exact number.

15 Q. Approximately?

16 A. But --

17 Q. A dozen?

18 A. Yeah, a dozen or more.

19 Q. Two dozen?

20 A. That really depends on which platform I
21 guess.

22 Q. I'm not limiting it to any platform. How
23 many songs in total or approximately how many songs
24 have you recorded on the Internet on any platform
25 from 2009 to the present?

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1 A. More than a dozen.

2 Q. Do you have any difficulty performing any of
3 those songs on the Internet?

4 A. No, because most of them are instrumental.

5 Q. How many of them are you singing?

6 A. Again, I can't give you an exact but probably
7 less than a dozen.

8 Q. And you had no difficulty performing those
9 vocal performances on the Internet from 2009 to the
10 present, is that correct?

11 A. Yes, that's correct.

12 Q. Ms. Raso, you're not on any medication today
13 for the injuries you claim you suffered in this
14 lawsuit, is that correct?

15 A. That's correct.

16 Q. And you're not currently undergoing any
17 treatment by any physician or dentist of any kind as
18 a result of the injuries you claim you suffered in
19 the lawsuit, is that correct?

20 A. Yes.

21 Q. And is it also correct that today you're not
22 experiencing any pain in your mouth?

23 A. Is that correct?

24 Q. Yeah.

25 A. As I said before I cannot give a definitive

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1 response on that because the pain is sporadic. I can
2 -- it's not consistent.

3 MR. ZIEGLER: Objection, your Honor.

4 THE COURT: Overruled.

5 Q. We are talking about today, Ms. Raso. Are
6 you experiencing any pain right now?

7 A. At this very moment no.

8 Q. Thank you. Do you recall your appointment
9 with Dr. Monasebian?

10 A. I know that I had an appointment with him. I
11 can't recall specific conversation.

12 Q. Was it one appointment or more than one
13 appointment?

14 A. I'm sorry, I can't recall that.

15 Q. Okay. Well, the appointment that you
16 testified to before you told us that that did not
17 take place in Dr. Jamdar's office, is that correct?

18 A. Yes.

19 Q. And do you recall telling Dr. Monasebian that
20 you experienced improvement in the sensation to your
21 tongue as well as your taste sensation over the
22 period of time from the extractions to the time you
23 saw him?

24 A. I don't recall that conversation.

25 MR. ROSENFELD: Can we please show the

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1 witness Defendant's Exhibit H?

2 THE COURT: Certainly.

3 COURT OFFICER: Counsel, so you both
4 know we did receive the subpoena records for
5 this.

6 MR. ROSENFELD: Thank you.

7 COURT OFFICER: (Hanging.)

8 Q. In particular, Ms. Raso, I call your
9 attention to the second and third paragraphs which
10 I'll read to you: "Her history is significant for
11 surgical removal of tooth number seventeen and
12 thirty-two on April 14th, 2005. These were full bony
13 impactions with the crowns of the teeth in close
14 proximity to the nerve. There has been postoperative
15 paresthesia since the extraction. She denies any
16 history of neurologic deficits. She states she has
17 had some return to the anterior portion of the tongue
18 and some return to the lateral aspect. She has no
19 speech, masticatory or swallowing problems. She has
20 protective sensibility. On April 18th, 2005 she
21 reported sensation of one to two out of ten. She
22 reports decreased sensation on the left side.
23 Examination reveals a pleasant woman in no acute
24 distress. She states her subjective feeling as three
25 to four out of ten in the region of the left lingual

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1 nerve distribution. There is decreased sensation in
2 sharp and dull. There is decreased two point
3 discrimination and directional sense. Tinel's sign
4 is mildly positive while palpating over the well
5 healed extraction site. No ulcers or traumatic
6 lesions are noted in the oral cavity. Panorax is
7 unremarkable." Ms. Raso, does that refresh your
8 recollection that you reported to Dr. Monasebian that
9 you experienced pain -- that you experienced
10 improvement, excuse me, after the extractions were
11 performed by Dr. Jamdar?

12 A. It does not refresh my memory.

13 Q. Thank you. Do you recall your appointment or
14 appointments with Dr. Ruggiero?

15 A. Yes, partially.

16 Q. And do you recall telling Dr. Ruggiero on
17 September 25, 2006 about a year after the surgical
18 repair procedure that he performed that you had not
19 experienced any pain in your mouth since that time?

20 A. I'm sorry, I cannot recall these things. I
21 was fourteen.

22 MR. ROSENFELD: Could we please show the
23 witness, I believe it's Plaintiff's Exhibit 3?

24 THE COURT: Certainly.

25 COURT OFFICER: LIJ?

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1 MR. ROSENFELD: Yes.

2 COURT OFFICER: Plaintiff's 3 in
3 evidence. (Hanging.)

4 THE WITNESS: Thank you.

5 Q. There is an entry dated September 25, 2006
6 Ms. Raso which indicates negative pain. Do you see
7 that?

8 A. No, I'm trying to find it.

9 MR. ROSENFELD: If I may hand this up to
10 the witness, your Honor?

11 THE COURT: What is that? Is it an
12 exhibit?

13 MR. ROSENFELD: We can mark it for
14 identification but it's a --

15 THE COURT: You want to direct our
16 attention? Why don't we do this, counsel, you
17 can give that to the court officer please and
18 why don't you turn to the page you would like
19 to direct her attention to.

20 MR. ROSENFELD: Thank you , your Honor.

21 THE COURT: Thank you.

22 COURT OFFICER: (Hanging.)

23 MR. ROSENFELD: I'm unable to find it
24 but when we take a break --

25 THE COURT: I don't plan on taking a

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1 break for an hour, counsel.

2 MR. ROSENFELD: That's okay. I'll get

3 back to it then.

4 Q. Ms. Raso, you told us that your general
5 dentist at some point in time was Dr. Iannello?

6 A. Yes.

7 Q. Is he still your general dentist?

8 A. Yes.

9 Q. Ms. Raso, when you went out after your
10 extractions with your mother and you had a strawberry
11 milkshake were you able to discern that you were
12 tasting strawberry?

13 A. On my right side because there is nothing
14 wrong with it.

15 Q. Thank you. And at some point in time did you
16 regain the twenty pounds that you claim you lost?

17 A. Yes, I achieved normal weight again, yes.

18 Q. Is it currently painful for you to eat?

19 A. No.

20 Q. You told us that you performed some
21 experiments on yourself with bananas and Chinese
22 food. How did the banana taste on the right side of
23 your tongue?

24 A. It tastes like a normal banana.

25 Q. How did the roast pork taste on the right

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1 side of your tongue?

2 A. Normal.

3 Q. When you're normally eating do you place food
4 one side of your tongue or do you just put it into
5 your mouth and it spreads out over your tongue?

6 A. It spreads out over obviously.

7 Q. Thank you.

8 A. But you -- sorry.

9 MR. ROSENFELD: Could we please have the
10 enlargement of Defendant's Exhibit C?

11 COURT OFFICER: Defendant's C-1 for
12 demonstrative purposes only.

13 THE COURT: Mr. Ziegler, feel free to
14 move if you need to see.

15 COURT OFFICER: Can you see that?

16 THE WITNESS: Yes.

17 Q. Mrs. Raso, do you recall going to Dr.
18 Iannello on October 7th, 2008?

19 A. No.

20 MR. ROSENFELD: Officer, if we could
21 please show her the second page?

22 COURT OFFICER: Defendant's C-2 for
23 demonstrative purposes only.

24 Q. Ms. Raso, the middle right side of the second
25 page has a signature in two places and a date of

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1 10/7/08. Is that your signature?

2 A. Yes.

3 Q. And is that in your handwriting, the date?

4 A. Yes.

5 Q. Does this refresh your recollection of that
6 appointment you had at Dr. Iannello's office on that
7 date?

8 A. No, I don't remember this but it's obvious
9 that it happened.

10 Q. How old were you on October 7th, 2008?

11 A. Eighteen.

12 Q. And were you there without your mother?

13 A. I don't know if I was or wasn't.

14 Q. But you were no longer a minor so you were
15 able to complete this form yourself, is that correct?

16 A. Yes.

17 Q. And if I call your attention to the section
18 five where it says dental history, first of all how
19 long after the extractions was this appointment?

20 A. Three years.

21 Q. And how long after the repair procedure
22 performed by Dr. Ruggiero was it?

23 A. I suppose three years.

24 Q. Now again, calling your attention to the
25 fifth section called dental history, the second

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1 question says: "Are you currently in pain?" Do you
2 see that?

3 A. Yes.

4 Q. What did you respond?

5 A. I responded no to the current situation.

6 Q. Thank you. And the second question: "Have
7 you ever had a serious difficult problem associated
8 with any previous dental work?" And what did you
9 respond?

10 A. I responded no.

11 Q. And this was after the extractions performed
12 by Dr. Jamdar, yes?

13 A. Yes.

14 Q. I have no further questions. Thank you.

15 THE COURT: Re-direct?

16 MR. ROSENFELD: Your Honor, I move that
17 those be put into evidence.

18 THE COURT: Any objection?

19 MR. ZIEGLER: No objection.

20 THE COURT: One moment for the marking
21 then, please.

22 RE-DIRECT EXAMINATION

23 BY MR. ZIEGLER, ESQ.:

24 Q. Ms. Raso --

25 THE COURT: One moment for the marking,

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1 please.

2 MR. ZIEGLER: Okay, I'll wait.

3 (Brief pause.)

4 COURT OFFICER: Defendant's C-1 and C-2

5 marked and received into evidence.

6 THE COURT: Thank you.

7 Q. You were asked a few minutes ago about a
8 series of recordings that you made in, beginning in
9 2009 when you were in college?

10 THE COURT: Is that yes or no for the
11 record?

12 A. Okay, yes.

13 THE COURT: Thank you.

14 THE WITNESS: Sorry.

15 Q. At that point had your ability to speak
16 returned to normal?

17 A. Yes.

18 Q. Were you suffering from any disability of
19 speech at that time?

20 A. No.

21 Q. Is the disability of speech that you had
22 earlier described something that was limited in time?

23 A. Yes.

24 Q. Tell us how limited it was?

25 A. It was limited to right after I had the

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1 surgery with Dr. Jamdar for, it continued for over
2 the span of a few months, not into 2009.

3 Q. Okay. You were also asked about records that
4 Dr. Ruggiero had recorded where he wrote down
5 negative pain. Do you know whether that referred to
6 negative pain at that particular moment or was this
7 something that you had been asked about over a period
8 of time?

9 A. Whether Dr. Ruggiero asked me?

10 Q. Well, if there was a record in the doctor's
11 notes about negative pain did that, do you know what
12 that referred to, did it refer to a specific moment
13 in time?

14 MR. ROSENFELD: Objection.

15 THE COURT: Basis?

16 MR. ROSENFELD: Beyond her ability to
17 speculate.

18 THE COURT: If you can answer the
19 question, please, if you're able to.

20 Overruled.

21 A. I don't know what that was in reference to.

22 Q. Do you have any recollection of what Dr.
23 Ruggiero asked you that would have elicited that
24 response?

25 A. Probably whether I was healing.

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1 MR. ROSENFELD: Objection.

2 THE COURT: Sustained. Strike the
3 answer as speculative.

4 Q. You were also asked a moment ago about
5 whether you experienced the full taste on the right
6 side of your tongue and when you normally eat and you
7 chew and the food is in your mouth on both the left
8 and right side of your tongue. What is the effect on
9 the experience of flavor that you perceive?

10 A. I don't experience the full depth of flavor.
11 The obvious fact here is that the left side of my
12 tongue simply is not the same as the right and --

13 Q. I don't mean to interrupt. I just want to
14 know what effect that has on your experience of
15 flavor while you're eating?

16 MR. ROSENFELD: Objection, asked and
17 answered.

18 THE COURT: Sustained.

19 Q. Is the taste as sharp as it is or as it was
20 before the extraction surgery?

21 A. No. I do not experience the same sensitivity
22 to taste or touch as I did before the surgery with
23 Dr. Jamdar.

24 Q. Thank you. I have no other questions?

25 THE COURT: Any re-cross examination?

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1 MR. ROSENFELD: No, your Honor.

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5 This is certified a true and accurate
6 transcript of my stenographic notes taken in
7 the above-captioned matter.

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11 _____
12 Stephen P. Salerno
13 Senior Court Reporter
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