

OUR REF: BMW:LMM:02012
YOUR REF:

22 December 2004

Mr Terence Lindsay
27-29 Culgoa Crescent
LOGAN VILLAGE QLD 4207

RE: PERSONAL INJURY CLAIM

Further to our letter dated 9 December 2004 we acknowledge receipt of your e-mails dated 9 December 2004, 12 December 2004 and 20 December 2004..

We have reviewed the existing medical reports and note the following references to the possible nexus between gastrografin/hypoxia/worsening of pancreatitis:

1. On page 3 of his report Dr Kerr says that "it is possible that the aspiration caused some degree of hypoxia and this may have made the respiratory problems a little more difficult to cope with. Even this, however, is impossible to prove."
2. In response to question 12 Dr Jim Roche says:

"From the notes it appears that the patient's condition deteriorated significantly approximately twelve hours after the insertion of the gastrograffin. The patient's deterioration appeared to be predominately respiratory but it is difficult to read the clinical notes. However, the deterioration would appear to be due to hypoxia and thus is would be hard to dissociate this deterioration from the fluid in the lung."

3. In response to the question "What effect would severe hypoxia have on pre-existing idiopathic acute pancreatitis?" Professor Malcolm Fisher says that it is "theoretically possible that it would make the pancreatitis worse, and would make the prognosis worse" but Professor Fisher does not comment directly on the cause of the severe hypoxia.

If you want to seek an opinion from an endocrinologist regarding the nexus between gastrografin/hypoxia/worsening of pancreatitis in your situation it would be preferable to brief a local (at least Australian) specialist rather than an overseas specialist however qualified.

Possible local endocrinologists include Dr Gordon Senator (Southport) and Dr Michael D'Emden and Dr Donald Perry-Keene (Brisbane).

We await your further instructions.

Yours faithfully

JONATHAN C. WHITING & ASSOCIATES