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September 7, 2006

VIA FACSIMILE

Ronald H. Jarashow, Esquire
Franch, Jarashow & Smith, P.A.
107 Ridgely Avenue, Suite 9
Annapolis, Maryland 21401

RE: Neustadter V. Holy Cross Hospital

Dear Mr. Jarashow:

Please be advised that your client, Alexander Neustadter, has contacted Holy Cross Hospital directly, requesting that certain changes be made to his father's medical records. In response to that request, please advise your client of the following: Under Health Gen. Sec. 4-304(b)(2), no deletions from the medical records can be made.* Pursuant to Health Gen. 4-403(b)(3)(ii) and 4-304(b)(4), the hospital cannot make the requested changes to the records, as the hospital has an obligation to preserve the medical record in its present condition under the doctrine of Spoliation.

Upon written request, pursuant to Health General 4-304(b)(5)(1), the hospital will permit insertion into the medical record a concise statement which your client believes outlines his disagreement with the medical records.

Very truly yours,

Roxanne L. Ward

* Holy Cross Hospital's refusal to make the requested corrections was in abject violation of § 4-304. My request contained no instruction to delete any information from the records.

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