

**RULE 26 REPORT OF JAMES R. LAURIDSON, M.D.**

I have been asked to review certain information and to offer opinions and accompanying analysis relative to certain accusations made by the Innocence Project involving Dr. Steven Hayne.

**I. BACKGROUND AND QUALIFICATIONS**

See CV attached as exhibit A1".

**II. PUBLICATIONS IN THE LAST TEN YEARS**

See CV attached as exhibit A1

**III. EXPERT TESTIMONY GIVEN IN THE LAST FOUR YEARS**

**This is a partial list of cases and represents the most accurate listing I can provide.**

W. L.Lott v Ronald Bullock, Covington County, Mississippi, 2002-264C  
Medical Malpractice Defendant

State v Tyler Edmonds, Oktibbeha County, Mississippi, 2004-CT-02081-SCT  
Criminal Murder Defendant

Reitha Sanders v William Causey, Hinds County, Mississippi 251-02-1031CIV  
Medical Malpractice Defendant

Mark Allen Upton v Regional Paramedic Service, Walker County, Alabama, CV 2004-742  
Wrongful death Plaintiff

Gabe Degregorio v Marion Wainwright, Harrison County, Mississippi, A-2402-2002-295  
Medical Malpractice Defendant

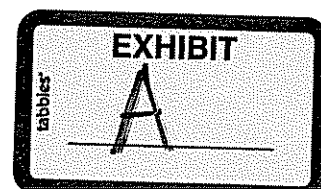
State v Hollilyn Baty, Charlotte County, Florida 07-76CF  
Criminal Murder Defendant

Denise Allcock v Antoinette Bannister, Harrison County, Mississippi, A2401-2004-266  
Medical Malpractice Defendant

Brenda Haggan v Couch USA and Edward Booth, Macon County, Alabama, CV-07-9000051  
Personal Injury Plaintiff

Dorothy Huelett v B&R Materials, Lowndes County, Alabama, CV-07-900002  
Wrongful death Plaintiff

State v Michael Leggett, Lincoln County, Mississippi, 07-069-LT-1  
Criminal Murder Defendant



Lillian Woodley v PFG-Lester Broadline, Montgomery County, 2:07cv074-ID  
Wrongful Death Plaintiff

Connie Cornelius v Wes Brown and Steve Smith, United States District Court of Northern Alabama, CV-06-HGD-2271-J  
Wrongful Death Plaintiff

Cynthia Waldoup v City of Prattville, United States District Court Middle District of Alabama, 2:08-cv-278-B  
Wrongful Death Plaintiff

#### **IV. COMPENSATION**

I am being compensated at the rate of \$300.00 an hour.

#### **V. DATA AND INFORMATION CONSIDERED**

This report and the conclusions set forth herein are generally based on facts and information provided me by attorneys for Dr. Hayne; on my own education, training, and experience as in forensic pathology; on my experience as an expert witness; and, my involvement in legal matters which Dr. Hayne had involvement in some capacity.

As of the date of this Report, I have specifically been provided with and reviewed the following documents:

- (1) Plaintiff=s First Amended Complaint;
- (2) Plaintiff=s Initial Disclosures;
- (3) Plaintiff=s Discovery Responses;
- (4) Defendants= Initial Disclosures;
- (5) Defendants= Discovery Responses;
- (6) Letter Complaint sent to Mississippi State Medical Board;
- (7) Response filed by Dr. Hayne;

#### **VI. OPINIONS**

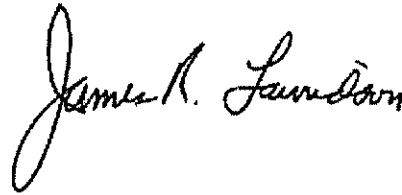
I have been familiar with Dr. Hayne for approximately 10 years and I have interacted with him on a professional basis in legal matters for the past 5 years. All of these interactions have been in evaluating his case work and often in testifying about that work. Usually my evaluations are such that I offer an opinion that is contrary to Dr. Hayne. My personal interaction with him has always been congenial and cooperative.

Dr. Hayne is an intelligent and experienced pathologist. He has never to my knowledge claimed board certification by the American Board of Pathology and the American Board of Medical Specialties in forensic pathology. I believe this certification is extremely important in assuring that a forensic pathologist has a basic foundational knowledge of forensic pathology. The National Association of Medical Examiners reflects this in their stated policies. However, the lack of such certification does not indicate incompetence in the field. All forensic pathologists must be judged on their individual performance.

I have been critical of Dr. Hayne's work and opinions in the past and may well be in the future. The field of forensic pathology is extraordinarily contentious because of its intimate involvement in the adversarial legal arena. I look forward to reviewing specific cases and offering specific comments on issues raised by The Innocence Project.

Although forensic pathologist testimony is sometimes very important in trial, the ultimate decision is made by a jury. The testimony of any witness is subject to cross examination and testing. A strong adversarial counsel is intended to counter such testimony.

This the 27 day of October 2009.

A handwritten signature in black ink that reads "James R. Lauridson". The signature is written in a cursive style with a large, looping initial "J".

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**JAMES R. LAURIDSON, M.D.**

## James R. Lauridson, M.D.

528 Seminole Place  
Montgomery, Alabama 36117

### Education

**Bachelor of Science** (electrical engineering), *with Special Honors*  
University of Colorado Boulder, Colorado, May 1965

**Doctor of Medicine**, *summa cum laude*  
University of Colorado School of Medicine Denver, Colorado, May, 1971

#### Internal Medicine

Bethesda Naval Hospital, Bethesda, Maryland, 1974 to 1977

#### Pathology

Stanford University, Stanford, California, 1971 to 1973. Anatomic pathology  
Presbyterian Hospital, Denver, Colorado, 1983 to 1985. Anatomic and clinical pathology.

#### Forensic Pathology

Dade County Medical Examiner's Office, Miami, Florida, 1985 to 1986.

#### Board Certification

American Board of Internal Medicine, 1977  
American Board of Pathology, Anatomic Pathology,  
1985  
American Board of Pathology, Forensic Pathology,  
1986

#### Medical License

Alabama (12621), 1986 (current)  
Florida (003 7127), 1985 (inactive)  
Oklahoma (12080), 1979  
Colorado (25450), 1983  
New York (173618), 1988  
California (23990), 1972

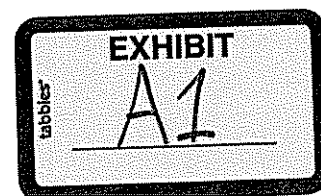
### Medical Practice

#### Internal Medicine

Staff Internist, Naval Hospital, Newport, Rhode Island, 1977-1979  
Private Practice, Chickasha, Oklahoma, 1979-1980  
Veterans Administration Hospital, Oklahoma City, Oklahoma, 1980-1982  
Clinical Instructor in Medicine, University of Oklahoma School of Medicine, 1981-1982  
Private Practice, Edmond, Oklahoma, 1982-1983

#### Forensic Pathology

*Associate Medical Examiner*, Dade County Medical Examiner's Office, Miami, Florida,  
1985-1986  
*State Medical Examiner*, Alabama Department of Forensic Sciences, Montgomery,  
Alabama, 1986 -1999 (approximate)



*Deputy Chief Medical Examiner*, Alabama Department of Forensic Sciences, Montgomery, Alabama, 1999 (approximate) -2001

*Consultant to Alabama Department of Forensic Sciences*, Montgomery, Alabama, 2003 to 2005

*Chief Medical Examiner, Alabama Department of Forensic Sciences*, Montgomery, Alabama, 2005 to 2006

#### **Hospital Pathology Practice**

**Southeast Alabama Medical Center**, Dothan, Alabama, 2007 to present.

**Flowers Hospital**, Dothan, Alabama, 2007 to present.

**Veterans Medical Center**, Montgomery, Alabama, 2007.

#### **Medical Legal Illustration**

*Founder and Member*, Nibbana Graphics, L.L.C., 1998 to present

*Director of Graphics*, Office of Prosecution Services, Alabama District Attorneys Association, 2001

*Director of Graphics*, Beasley, Allen, Crow, Methvin, Portis & Miles, P.C., Montgomery, Alabama, 2001 to 2005

#### **Military Experience**

*Lieutenant Colonel*, Medical Corps, U. S. Army Reserve, 1985-1993

*Lieutenant Commander*, Medical Corps, U.S. Navy, 1973-1979

#### **OTHER OFFICES:**

*Chairperson*, Montgomery County Child Death Review Team, 1999 to 2001

*Member*, State of Alabama Child Death Review Team, 1998 to 2001 and 2003 to present

*Member*, Scientific Working Group on Imaging Technology, Federal Bureau of Investigation

*Member*, Commission on Continuing Education, Forensic Pathology, American Society of Clinical Pathologists, 1993-1994

*Member*, Check Sample Editorial Review Board, American Society of Clinical Pathologists, 1993-present

Invited Reviewer, "The Quarterly Update, reviews of current child abuse medical research," Robert M. Reece, executive editor, North Falmouth, Massachusetts

*Founder*, Nibbana Graphics, L.L.C.

### **Professional Organizations**

National Association of Medical Examiners  
American Academy of Forensic Sciences, elected *Fellow*, 1997  
National Association of Photoshop Professionals

### **Academic Honorary Societies**

Alpha Omega Alpha (medicine)  
Et Kappa Nu (electrical engineering)  
Tau Beta Pi (engineering)

### **Honors and Awards**

Outstanding Employee for 1989, Region III Alabama Department of Forensic Sciences  
Paul E. Shoffeitt Distinguished Service Award, 1992, Alabama Department of Forensic Sciences  
C. J. Rehling Meritorious Service Certificate, 1993, Alabama Department of Forensic Sciences  
C. J. Rehling Meritorious Service Certificate, 1994, Alabama Department of Forensic Sciences  
C. J. Rehling Meritorious Service Certificate, 1995, Alabama Department of Forensic Sciences  
C. J. Rehling Meritorious Service Certificate, 1998, Alabama Department of Forensic Sciences  
C. J. Rehling Meritorious Service Certificate, 2001, Alabama Department of Forensic Sciences

### **Publications**

*Lauridson, J, Saloom, J*, "Burying Bullets-Multiple Gunshot Wound Cases," *The Guardian*, April/May/June 2009, page 4.

*Gilliland, M G. F.; Levin, Alex V. MD; Enzenauer, Robert W.; Smith, Charles; Parsons, M Andrew; Rorke-Adams, Lucy B.; Lauridson, James R.; La Roche, G Robert; Christmann, Linda M. MD; Mian, Marcellina; Jentzen, Jeffrey; Simons, Kenneth B.; Morad, Yair; Alexander, Randell MD; Jenny, Carole MD; Wygnanski-Jaffe, Tamara*, "Guidelines for Postmortem Protocol for Ocular Investigation of Sudden Unexplained Infant Death and Suspected Physical Child Abuse," *American Journal of Forensic Medicine & Pathology*. 28(4):323-329, December 2007

*Lauridson, J, (panel moderator)*, "Postmortem CT and MRI Imaging," *Pediatric Abusive Head Trauma*, Milton S. Hershey Medical Center, Hershey, Pennsylvania, July 12, 2007

*Lauridson, James R., Parrish, R. N.*, "Use of Technology in Presenting Evidence," in *Abusive Head Trauma in Infants and Children*, Frasier, L, et. al., GW Medical Publishing, 2006.

*Lauridson, James, Levin, A., Reece, R.*, "Shaken Baby Syndrome, A Visual Overview: Version 3.0, The National Center on Shaken Baby Syndrome, 2006

*Lauridson, James R., Myers, Lawrence*, "Evaluation of Fatal Dog Bites: The View of the Medical Examiner and Animal Behaviorist---A Case Report," in *Animal Law and Dog Behavior*, Favre, D. and Borchelt, P.,(ed.), p. 325, Lawyers & Judges Publishing, 1999.

*Lauridson, J.*, "Chylothorax and Child Abuse," *Forensic Check Sample*, FP-96-5, American Society of Clinical Pathologists, 1996

*Embry, B., Embry, J., Lauridson, J.*, "Missed Ectopic Pregnancies: A Report of Three Cases," *Alabama Medicine*, 63:13-16, March, 1994

*Lauridson, James R.*, A Discussion of 'A Computer Program for the Estimation of Time of Death', " *Letters to the Editor, J. Forensic Sciences*, 39:601, May, 1994

*Lauridson, James R., Myers, Lawrence*, "Evaluation of Fatal Dog Bites: The View of the Medical Examiner and Animal Behaviorist," *J. Forensic Sciences*, 38:726-731, May, 1993.

*Lauridson, James R.*, "Traumatic Occlusion of the Vertebral Artery," *The American Society of Clinical Pathologists*, *Forensic Pathology Check Sample*, FP 92-3 (FP-182), 1992.

*Lauridson, James R.*, "Fatal Dog Bites," *The American Society of Clinical Pathologists*, *Forensic Pathology Check Sample*, FP 91-3, 33:3, 1991.

*Lauridson, James R., Scheuerman, E. Hunt*, "Unique Aspects of a New, Hand-Reloadable Ammunition," *J. of Forensic Sciences*, 35:987, July, 1990.

*Lauridson, James R.*, "Sudden Death and Anomalous Origin of the Coronary Arteries from the Aorta, A case report and review," *American Journal of Forensic Pathology and*

Medicine, 9(3):236, 1988.

*Lauridson*, James R., "Sudden Death and Anomalous Origin of the Coronary Arteries from the Aorta," Forensic Pathology Check Sample FP 89-2, The American Society of Clinical Pathologists, 1989.

*Lauridson*, James R., "The Importance of the Death Scene in SIDS Cases," The Alabama State Police Magazine, 2:29, April, 1989.

*Lauridson*, James R., "Neuroleptic Malignant Syndrome," The American Society of Clinical Pathologists, Forensic Pathology Check Sample FP 87-1, 1987.

*Lauridson*, James R., "Data Transmission Between Computers," Pathologist, April, 1985.

*Lauridson*, J.R., Rainer, W.G., Merrick, T.A., "The Dental Patient with Artificial Heart Valves," J. of Colorado Dental Association, p. 5, March/April, 1984.

Wolf, P.L., Kearns, T., Neuhoff, J., *Lauridson*, J.R., "Identification of CPK Isoenzyme MB in Myocardial Infarction," Laboratory Medicine, 5:48, 1974.

Pomerantz, M., Baumgartner, R., *Lauridson*, J., Eiseman, B., "Transthoracic Electrical Impedance for the Early Detection of Pulmonary Edema," Surgery, 66:260, 1969.

### **Presentations to Professional Associations**

*Lauridson*, J., **Forensic Pathology: How to Read a Report and Make Sense of It**, Seventh North American Conference on Shaken Baby Syndrome (Abusive Head Trauma), Vancouver, British Columbia, Canada, October, 2008

*Lauridson*, J., **Computerized Animations in Court Proceedings and as Teaching Tools**, Seventh North American Conference on Shaken Baby Syndrome (Abusive Head Trauma), Vancouver, British Columbia, Canada, October, 2008

Pilon, M, Croyle, D., *Lauridson*, J., Holmgren, B., Dutson., R., **A Guide to the Investigation of Shaken Baby (Abusive Head Trauma) Cases**, Seventh North American Conference on Shaken Baby Syndrome (Abusive Head Trauma), Vancouver, British Columbia, Canada, October, 2008

*Lauridson*, J., **Computer Graphics in Child Abuse**, Sixth North American Conference on Shaken Baby Syndrome, Park, City, Utah, September, 2006

*Lauridson*, J., **Abusive Head Trauma**, invited speaker Prevent Child Abuse Alabama, Best Practices Conference, July 23, 2004 Mobile, Alabama, and August 3, 2004, Birmingham, Alabama.

Regular seminars on court technology and trial graphics, The Alabama District Attorneys



Association

*Lauridson, J., Alexander, R., "Shaken Baby Syndrome,"* The Seventeenth National Symposium on Child Sexual Abuse, Huntsville, Alabama, march 15, 2001

*Lauridson, J., "Graphics in Trial Presentation"* Technology Conference Alabama Law Enforcement Technology Association, November, 2000

*Lauridson, J., "Graphics and the Education of Police and Jurors in the Shaken Baby Syndrome,"* Third National Conference on Shaken Baby Syndrome, Salt Lake City, Utah, September 25, 2000

*Lauridson, J., Cooper, S., Holmgren, B., "The Use of Computer Graphics in Physical Child Abuse,"* American Professional Society on the Abuse of Children, Annual Colloquium, Chicago, Illinois, July 13, 2000

*Lauridson, J., "Closing Address,"* Southeastern Conference on Child Abuse, Hilton Head, South Carolina, May 15, 2000

*Lauridson, J., Santoro, C., "Computer Graphics, Exhibits and Demonstrative Aids,"* 2000 Eastern Circuit Trial Counsel Conference, Eglin Air Force Base, April 6, 2000

*Lauridson, J., "Forensic Pathology and Death Investigations,"* 2000 Eastern Circuit Trial Counsel Conference, Eglin Air Force Base, April 6, 2000

*Lauridson, J., "Presenting Complex Concepts in Child Abuse to the Court and Lay Audiences,"* National Symposium on Child Sexual Abuse, Huntsville, Alabama, March 9, 2000

*Lauridson, J., "The Use of Computer Animation In Homicide, Child Abuse and Violence Against Women Cases,"* Alabama District Attorneys Association, Winter Meeting, Birmingham, Alabama, January 7, 2000

Fierro, M., *Lauridson, J., "Problems and Pitfalls in Forensic Pathology,"* American Society of Clinical Pathologists, National Meeting, Fall, 1996, San Diego, California

Downs, J., *Lauridson, J., Wanger, G., Riddick, L., "Sport Related Deaths in the Deep South,"* American Academy of Forensic Sciences, Nashville, February, 1996.

*Lauridson, J., "Pitfalls in Forensic Pathology,"* American Society of Clinical Pathologists Teleconference, March, 1995.

Donoghue, E., *Lauridson, J., "Problems and Pitfalls in Forensic Pathology,"* American Society of Clinical Pathologists National Meeting, Fall, 1994, Washington, D.C.

Hyde, D., *Lauridson, J., "Skull Reconstruction Following Crush Injuries by Bulldozer-Was Murder for Insurance the Motive?"* American Academy of Forensic Sciences,

Boston, 1993.

*Lauridson, J., Myers, L., "Evaluaton of Fatal Dog Bites," American Academy of Forensic Sciences, New Orleans, La., February, 1992.*

*Lauridson, J., Myers, L., "Evaluation of a Fatal Dog Bite: Views of a Medical Examiner and a Behaviorist", Animal Behavior Society Meeting, Wilmington, N.C., June 1991*

*McChesney, Warren J., Lauridson, James R., "Multiple Stab Wound Suicides", American Academy of Forensic Sciences, Anaheim. California, February 1991.*

*Eldridge, Gary, Lauridson, James R., "Researching The Forensic Literature with Your Personal Computer", American Academy of Forensic Sciences, Anaheim, California, February 1991.*

*Lauridson, James R., "Comparison of Methods of Computerized Literature Searching," American Academy of Forensic Sciences, Pathology Section, Cincinnati, 1990.*

*Lauridson, James R., "Unique Aspects of Hand Reloadable Ammunition," American Academy of Forensic Sciences, Pathology Section, Las Vegas, 1989.*

*Lauridson, James R., "Long-Term Wear Patterns in the Starr-Edwards Mitral Valve", Colorado Society of Clinical Pathology, 1985.*