

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

TLC THE LASER CENTER (DELAWARE)
INC., a foreign corporation, and
TLC THE LASER CENTER (INSTITUTE)
INC., a foreign corporation,

CASE NO: CA-CE-02-007898-11
FL BAR NO.: 353991

Plaintiff,

vs.

RONALD PASQUALINO, an individual,
THE TLC MALPRACTICE FOUNDATION,
INC., an unregistered corporation, and TLC
LASER EYE CENTER MALPRACTICE
FOUNDATION, INC., an unregistered corporation,

Defendants.

**DEFENDANTS' FIRST SET OF INTERROGATORIES TO
PLAINTIFF, TLC THE LASER EYE CENTER (DELAWARE), INC.**

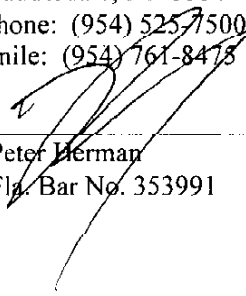
Pursuant to Rule 1.340 of the Federal Rules of Civil Procedure, the Defendants request that the Plaintiff, TLC THE LASER EYE CENTER (DELAWARE) INC., answer each of the following interrogatories separately and fully in writing under oath, unless objected to, in which event the reasons for objection shall be stated in lieu of an answer, and serve a copy of such answers and objections, if any, on the attorneys for said Defendants within thirty (30) days of service of these First Set of Interrogatories to Plaintiff upon said Defendants.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent via U.S. Mail to **DAVID J. GEORGE, ESQ. and STEPHANIE REED TRABAND, ESQ.**, Attorneys for Plaintiffs at Proskauer Rose LLP, 2255 Glades Road, Suite 340 West, Boca Raton, Florida 33431, on this 14 day of May, 2002.

TRIPP SCOTT
Attorneys for Defendants
110 S.E. 6th Street, 15th Floor
Fort Lauderdale, FL 33301
Telephone: (954) 525-7500
Facsimile: (954) 761-8475

By: _____


Peter Herman
Fla. Bar No. 353991

GENERAL INSTRUCTIONS

1. The answers to these interrogatories must include all information known to Plaintiff, including its attorneys and all persons acting on its behalf or under its control.

2. If the answer to an interrogatory or to a subsection of an interrogatory is unknown, so state and include the name and address of any person or organization that might know the necessary information.

3. If it cannot answer an interrogatory in full, answer to the extent possible, specify the reasons for the Plaintiff's inability to answer the remainder, and state Plaintiff's information, knowledge, or belief concerning the unanswered portion.

4. If the answer to an interrogatory is not presently known, so state and respond within twenty (20) days of the time the answer to the interrogatory becomes known.

5. These interrogatories are continuing in nature. If after answering the interrogatories, Plaintiff obtains or becomes aware of any further information responsive to them it must submit a supplementary answer.

6. If Plaintiff withholds any documents on the claim of privilege, set forth the grounds of the claimed privilege and provide the following information separately about each such document: general description of the subject matter, author, recipient(s), date, number of copies prepared, by whom the copies were prepared, the identity of each person who has received a copy, and the custodian of the document.

7. If Plaintiff claims that any document has been lost, destroyed, or otherwise becomes

unavailable since its preparation or receipt, provide the following information separately about each document; general description of the subject matter, author, recipient(s), date, last custodian of the document or copies of it, and the full particulars or circumstances whereby the document was lost, destroyed, or otherwise became unavailable.

8. State the source, custodian, and location of each document provided in response to these interrogatories.

9. You are to serve the signed, separate verification page with your written responses within 30 days after service of this First Set of Interrogatories.

DEFINITIONS

1. For the purposes of these interrogatories, the word "documentary" or "documentary materials" means, without limitation, any writing and any other tangible thing in your custody, possession, control or that of your representatives and/or attorneys, whether printed, recorded, reproduced by any process, photocopied, or written or produced by hand, including, but not limited to, letters, reports, agreements, subcontracts, purchase orders, communications, including correspondence, telegrams, memoranda, summaries or records of personal conversations, diaries, calendars, forecasts, photographs, tape recordings, models, statistical statements, graphs, laboratory and engineering reports and notebooks, charts, plans, drawings, estimates of cost, budgets, minutes or records of conferences, expressions or statements of policy, lists of persons attending meetings or conferences, reports and/or summaries of interviews, reports, and/or summaries of investigations, opinions or reports of consultants, appraisals, records, reports or summaries of negotiations,

brochures, pamphlets, circulars, drafts of any document, revisions of drafts of any document, canceled checks, bank statements, billings, deposit agreements, invoices, delivery tickets, sales journals, financial records, receipts and any other original or photocopied document on paper. Any comment or notation appearing on any document, and not a part of the original text, is to be considered a separate "document." Any draft or preliminary form of any document is also to be considered a separate "document." Specific reference to any other type of document in the ensuing interrogatories shall not be construed as in any respect limiting the generality of the foregoing definition.

2. The term "you" or "Plaintiff" shall mean TLC THE LASER EYE CENTER (DELAWARE), INC.

3. The term "address" shall mean present or last-known address.

4. The term "Business entity" shall mean a corporation, partnership, joint venture, business trust, professional association or sole proprietorship organized for commercial purposes.

5. The term "identify" refers to stating the identity.

6. The term "identity" (of an individual) refers to the name, present or last-known address, employer and job title or classification.

7. The term "identity" (of a document) refers to the title, date, any identifying numbers and all other identifying designations, and the number of pages.

8. The term "individual" refers to a natural person.

9. The term "person" refers to a natural or artificial person as defined by Florida laws.

3. Please state with particularity any and all information which supports your allegation that the Defendants acted with “actual malice” in making the alleged defamatory statements which are the subject of this dispute.

4. Please state any and all information which supports your allegation that Defendants “made false statements of fact that TLC deliberately manipulated, altered, and concealed Pasqualino’s medical records”.

5. Please state any and all information which supports your allegation that Defendants “made false statements of fact that... TLC engaged in criminal misconduct and is the subject of a state criminal action regarding TLC’s handling of Pasqualino’s medical records”.

6. Please state any and all information which supports your allegation that the Defendants “made false statements of fact on the Website, claiming that TLC engaged in DELIBERATE ATTEMPTS OF MANIPULATION OF PATIENTS RECORDS”.

9. Please state any and all information which supports your allegation that “no state or federal law enforcement agencies have filed a criminal action or pursued criminal charges of any kind against TLC”.

10. Please state any and all information which supports your allegation that the “Fort Lauderdale Police Department has taken no action which respect to the Office Incident Report and there are no criminal charges pending against TLC”.

11. Please state any and all information which supports your allegation that the Defendants “made such statements without reasonable care as to the truth or falsity of those statements”.

12. Please state any and all information which supports your allegation that Defendants “knew the statements were false when they were made and the false statements were designed and intended to injure TLC’s reputation and to cause financial loss to TLC”.

13. Please state any and all information which supports your allegation that **Defendants'** alleged false and defamatory statements have exposed TLC to distrust, hatred, and contempt.

14. Please state any and all information which supports your allegation that as a result of the **Defendants'** alleged and defamatory statements TLC's business has been injured and TLC has suffered substantial damages to its reputation.

17. Please state whether you, your subsidiaries, or employees/agents have ever been a party, or are currently a defendant, in a lawsuit in which it was alleged that you, your subsidiaries, or your employees/agents altered, modified or falsified patient records, charts, topographies, or other documents.

18. Please identify any and all internet web sites, message boards, pamphlets, advertisements, or other documents, other than the present matters, which contain false or defamatory statements regarding you or your subsidiaries.

23. Please identify, with the exception of your attorney, each and every person involved in the decision to file the lawsuit against Mr. Pasqualino, and please provide the name(s), address(es), and telephone number(s), for the person or person responsible for making such decisions.

24. Please state whether you have an errors and omissions policy of insurance which cover such decision in the event that they prove to be negligent decisions, and if so, please provide the name, address and telephone number of the company providing the insurance, as well as the policy number, and the amount of coverage.

25. Please provide a detailed explanation for the variations in your profits, losses, revenues, expenses, sales and stock value for fiscal year ending May 31, 2001, and the current fiscal year ending on May 31, 2002.

26. Please state your total profits, losses, revenues, expenses, sales and stock values for each quarter of the fiscal year ending May 31, 2002.

(Name)

STATE OF FLORIDA):ss
COUNTY OF _____)

The foregoing instrument was acknowledged before me on this ____ day of _____,
2002 by _____ as _____ who is
personally known to me or who has produced _____, as
identification and who did/did not take an oath.

NOTARY PUBLIC, STATE OF FLORIDA

My Commission Expires: