

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup> 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.

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**DEFENDANTS' REQUEST FOR ADMISSIONS TO  
PLAINTIFF, TLC THE LASER CENTER (DELAWARE), INC.**

The Defendants, by and through the undersigned attorney, pursuant to Rule 1.370, Fla. R. Civ. P., request Plaintiff, TLC THE LASER CENTER (DELAWARE), INC. (hereinafter referred to as "TLC" to admit, in this action, that each of the following statements are true, and serve a copy of such admissions and objections, if any, on the attorneys for said Defendants within thirty (30) days of service of these Request for Admissions to Plaintiff upon said Defendants.

1. Admit that TLC is a publically traded company.
2. Admit that TLC advertises its services internationally.
3. Admit that TLC's services include Lasik surgery.
4. Admit that Lasik surgery is a matter of public interest for those considering Lasik surgery.
5. Admit that it is important to inform the public, who are considering Lasik surgery, about the associated risks of Lasik surgery.

6. Admit that after TLC's corporate counsel, via letter, requested that changes be made to the Defendants' website changes were in fact made by the Defendants.

7. Admit that after corporate counsel requested that changes be made to the Defendants' web site and or a correction be posted on the TLC's Yahoo Message Board, a correction was in fact made.

8. Admit that TLC and/or its subsidiaries are currently be sued for altered or manipulated patient records by someone other than PASQUALINO.

9. Admit that a claim has been alleged that TLC and/or its subsidiaries altered or manipulate patient records by someone other than PASQUALINO.

10. Admit that in the State of Florida it is a crime to alter or manipulate medical records.

11. Admit that if medical records were altered or manipulated by TLC it would be guilty of a criminal offense.

12. Admit that if there were multiple instances in which patient records were altered or manipulated such instances would amount to a pattern of criminal conduct.

13. Admit that based upon the medical records which were required to be produced in the presuit investigation of PASQUALINO's medical malpractice claim, and in accordance with Chapter 766, Florida Statutes, the medical records appeared to be altered, manipulated or substituted.

14. Admit that some of the medical records produced in the presuit investigation of PASQUALINO's medical malpractice claim were somebody else's medical records.

15. Admit that TLC first learned of the alleged defamatory statements by reading them on the TLCV Yahoo Message Boards.

16. Admit that the Yahoo Message Board contains a disclaimer which reads:

**Reminder:** This board is not connected with the company. These messages are only the opinion of the poster, are no substitute for your own research, and should not be relied upon for trading or any other purpose..."

17. Admit that no investigation was performed by TLC prior to filing this Complaint with regard to the criminal investigations referred to in TLC's Complaint.

18. Admit that no investigation was performed by TLC prior to filing this Complaint with regard to the allegation that TLC altered and/or manipulated patient records.

19. Admit that no representative from TLC communicated with any member of the Fort Lauderdale Police Department regarding a criminal investigation prior to filing the Complaint.

20. Admit that no representative from TLC communicated with any member of the State Attorneys Office with regard to a criminal investigation prior to filing the Complaint.

21. Admit that no representative from TLC communicated with any member of the Attorney General's Office with regard to a criminal investigation prior to filing the Complaint.

22. Admit that no representative from TLC communicated with any member of the Statewide Prosecutor's Office with regard to a criminal investigation prior to filing the Complaint.

23. Admit that no representative from TLC communicated with any member of the U.S. Attorneys Office with regard to a criminal investigation prior to filing the Complaint.

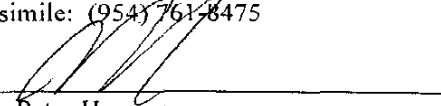
24. Admit that TLC has sustained no ascertainable damages as a result of the alleged subject defamatory statements.

25. Admit that the Defendants' website, in its present state, contains no defamatory statements about TLC.

**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