

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

D.D., by and through his mother and next friend, B.T., et al,	:	Case No.
	:	
	:	
Plaintiffs,	:	
	:	Judge
vs.	:	
	:	
WASHINGTON COUNTY, OHIO/BOARD OF COMMISSIONERS, et at.	:	<u>AFFIDAVIT OF MERIT PURSUANT TO OHIO R. CIV PROC. 10(D)(2)</u>
	:	
Defendants.	:	

Lynn H. Milliner, M.D., being first duly sworn, states that I am board certified in pediatrics. My professional interests and practice areas include adolescent medicine, attention deficit/hyperactivity disorder, and corrections medicine. I devote more than 50% of my time to active clinical practice in the field of my specialty. A copy of my curriculum vitae is attached.

I have reviewed all the Washington County Juvenile Center records reasonably available to the plaintiff concerning the allegations of medical malpractice contained in the complaint. I am familiar with the applicable standard(s) of care.

I am of the opinion, held to a reasonable medical certainty, that such standard(s) of care were breached by Dr. David Matthew Montgomery and any health care professionals at the Center responsible for the care and treatment of K.M.

I am further of the opinion that such breaches of care caused injury to K.M.

To the extent that the care of K.M. is consistent with the treatment of similarly situated youths at the Center, then those youth were similarly harmed by Dr. Montgomery and other health care providers.

This opinion is preliminary and subject to change as more information becomes available.

Dated: 12/6/10

Lynn H. Milliner, M.D.
Lynn H. Milliner, M.D.

NOTARY

Sworn to before me and subscribed to by Lynn H. Milliner, M.D., in my presence this the 6th day of December 2010.

Melanie Alves
Notary Public



MELANIE ALVES
Notary Public
In and for the State of Ohio
My Commission Expires
December 28, 2011