



July 25, 2005

Daniel Monaghan, Investigator
Department of State
Bureau of Enforcement and Investigation
300 Liberty Avenue, Room 800
Pittsburgh, PA 15222

Re: Evelyn Sue Berwick, M.D.
License No. MD-021018-E

Dear Investigator Monaghan:

Pursuant to the Investigative Subpoena served on the hospital with regard to the above-captioned matter, please find attached the following in response thereto:

1. Correspondence dated March 21, 2002 [sic], from Sharon Kiely, M.D. to Donal Warde, M.D., President, Executive Committee of the Medical Staff ("ECMS"), requesting an evaluation of Dr. Evelyn Berwick's medical practice at Allegheny General Hospital pursuant to Allegheny General Hospital Bylaws, Article VII, Section 3.
2. Correspondence dated March 21, 2003, from Dr. Kiely to Dr. Berwick advising Dr. Berwick that the Department of Medicine has requested that the ECMS evaluate her medical practice at Allegheny General Hospital.
3. April 2003 Minutes from Executive Session of ECMS pertaining to Dr. Berwick.
4. Correspondence dated April 23, 2003, from Dr. Warde to Dr. Berwick advising Dr. Berwick that the ECMS had appointed an Ad Hoc Committee to evaluate her medical practice at Allegheny General Hospital, identifying Betsy Blazek-O'Neill, M.D., Thomas Julian, M.D. and Van Nickell, M.D. as the medical staff members appointed to the Ad Hoc Committee, and providing Dr. Berwick with the opportunity to object to the Ad Hoc Committee members.
5. Correspondence dated May 20, 2003, from Jerry Fedele, Esquire to Dr. Berwick advising Dr. Berwick of her meeting with the Ad Hoc Committee scheduled for June 3, 2003.

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6. Correspondence dated May 28, 2003, from Mr. Fedele to Dr. Berwick reminding her of the June 3, 2003, meeting with the Ad Hoc Committee and providing Dr. Berwick with notice of the patients and issues to be discussed.

7. On June 9, 2003, the Report and Recommendation of the Ad Hoc Committee was forwarded to Dr. Warde, President of the ECMS, advising him of the Committee's findings relative to its evaluation of Dr. Berwick's medical practice at Allegheny General Hospital.

8. June 2003 Minutes from Executive Session of ECMS pertaining to Dr. Berwick.

9. Correspondence dated June 16, 2003, from Dr. Warde to Ms. Connie Cibrone, President and CEO of Allegheny General Hospital, advising Ms. Cibrone that the ECMS acted to accept the recommendation of the Ad Hoc Committee, and recommended termination of Dr. Berwick's medical staff membership and clinical privileges at Allegheny General Hospital, and summarily suspended Dr. Berwick's clinical privileges at Allegheny General Hospital.

10. Correspondence dated June 17, 2003, from Ms. Cibrone to Dr. Berwick providing notice of ECMS' recommendation pursuant to Article VIII 2 A i of the Hospital's Bylaws. This correspondence advised Dr. Berwick that she had thirty days to request a hearing under the Hospital's Bylaws, provided her with a complete copy of Article VIII—Hearing and Appeal Procedure of the Hospital's Bylaws, a copy of Dr. Warde's letter of June 16, 2003, and the Report and Recommendation of the Ad Hoc Committee dated June 9, 2003.

11. Correspondence dated June 17, 2003, from Ms. Cibrone, President and CEO of Allegheny General Hospital, Michael White, M.D., President of the Medical Staff, and Richard Shannon, M.D., Chairman, Department of Medicine, to Dr. Berwick advising her that her clinical privileges at Allegheny General Hospital were suspended, effective immediately, as a result of the ECMS' recommendation that her clinical privileges be summarily suspended pending the outcome of the ECMS' contemporaneous recommendation that Dr. Berwick's medical staff membership and clinical privileges be terminated at Allegheny General Hospital.

12. Correspondence dated July 15, 2003, from William H. Maruca, Esquire to Ms. Cibrone requesting a hearing pursuant to Allegheny General Hospital Bylaws on behalf of his client, Dr. Berwick.

13. Correspondence dated August 15, 2003 from Robert Hussey, General Business Manager for Evelyn S. Berwick, M.D., to Mr. Fedele advising that all phone calls and correspondence regarding Dr. Berwick were to be directed to his attention.

14. Correspondence dated October 10, 2003, from Ms. Cibrone to Mr. Hussey and Dr. Berwick pursuant to Article VIII 2 D of the Hospital's Bylaws. This correspondence identified the hearing dates, the Hearing Panel members, the Hearing Officer, the patient records that may be introduced at the hearing, possible witnesses to be called by the Hospital, a summary of Dr. Berwick's rights at the hearing, a complete copy of Article VIII of the Medical Staff Bylaws relating to the hearing procedure and appeals, and a request for Dr. Berwick to identify the witnesses she intends to call at the time of the hearing.

15. Curriculum Vitae of Evelyn S. Berwick, M.D.

16. Correspondence from Evelyn S. Berwick, M.D. to Donal Warde, M.D. dated November 12, 2003.

17. Report and Recommendation of the Hearing Panel of Allegheny General Hospital dated December 29, 2003.

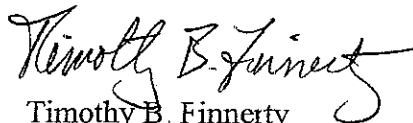
18. Correspondence from Evelyn S. Berwick, M.D. and Robert P. Hussey to Connie M. Cibrone dated January 8, 2004.

19. Correspondence from John E. Murray, Jr. to Herb Elish dated February 26, 2004, enclosing the report of the Appellate Review Panel.

20. Transcripts of Medical Staff Hearings of Allegheny General Hospital dated November 17, 2003, November 18, 2003 and December 9, 2003.

If any additional information is required, I may be reached directly at 412.578.7305.

Very truly yours,



Timothy B. Finnerty
Legal Counsel

TBF/sk

Attachments

cc: Evelyn S. Berwick, M.D. w/attachments