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KERN AUGUSTINE, P.C.
Attorneys to Health Professionals

MEMORANDUM

TO: Phil Schuh, EVP

FROM: Kern Augustine, P.C.

DATED: October 19, 2016

RE: General Counsel Report

Please allow the following to memorialize the legal services and efforts of Kern Augustine, P.C. ("KA") provided on behalf of MSSNY in 2016. Please note that Donald Moy, Esq. plans to continue his advocacy for MSSNY through 2017. As of the date of this memorandum, KA has:

- 1) Fielded approximately 230 inquiries from MSSNY members regarding a variety of medical-legal topics. A significant number of these inquiries required substantial research and analysis to ensure the member was optimally counseled;
- 2) Reviewed and advised MSSNY in connection with all proposed Resolutions for consideration at the House of Delegates. Attended House of Delegates and related committee meetings;
- 3) Advised MSSNY in connection with a matter concerning the separate claims of physicians, M.W. and A.F. made against CPH. As a result of KA's efforts, their respective claims were not pursued;
- 4) At the request of MSSNY leadership, KA worked with CPH to analyze its protocols and procedures and prepare risk management measures for consideration of the Board of Trustees and implementation;
- 5) Represented MSSNY in connection with the subpoena demanding documents related to the Cigna/Anthem lawsuit;
- 6) Presented approximately 35 lectures and presentations regarding a variety of medical-legal topics. These include lectures presented to Residents pursuant to the LGR program;
- 7) Prepared CPH to provide testimony at the non-party deposition in the *Christophel* matter. As a result of KA's efforts, all cross-claims (potential or otherwise) were dropped;
- 8) Prepared *Amicus Curae* briefs in the *Davis* and *Gomez* matters;

- 9) Attended all MSSNY Board of Trustees and Council meetings;
- 10) Attended all MSSNY-related events and various County/Specialty events;
- 11) Represented MSSNY in connection with PAI and attend all related conferences.