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Mr. Gary Golter  
Barrington Psychiatric Center  
1990 South Bundy Drive, Suite 320  
Los Angeles, CA 90025

Re: Dr. Roberta Falke

Dear Mr. Golter:

I am the attorney who represented the Beverly Center and Rafael Garcia in a lawsuit filed against them by eight individuals concerning an incident that occurred at a California Pizza Kitchen restaurant in the Center back in August of 1993. Two of the plaintiffs were physically detained and handcuffed by security officers. One of the other plaintiffs was the four year old son of one of these men; he alleged, through his lawyer and psychologist, that he suffered from post-traumatic stress disorder because of what he had witnessed.

My office retained Dr. Roberta Falke from your group as our expert witness. Dr. Falke conducted a very difficult session with the boy (which included having the boy's parents and psychologist present by court order), reviewed the treating psychologist's medical records, reviewed other available medical records and also reviewed deposition transcripts of the boy's teachers and school principal.

In discussing the case with Dr. Falke before her deposition and before the trial, it was obvious to me that she was well prepared about the specific facts of this case and was not going to simply "fake" her way through her testimony. When Dr. Falke testified at the trial, her combination of sincerity and obvious command of the subject matter served to convince the jurors that

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the child had been upset by the incident, but had not been traumatized in the manner alleged by plaintiffs' counsel. Dr. Falke's testimony cut through many of the dubious claims made by the child's treating doctor; however, Dr. Falke did this without attacking the treating psychologist and without patronizing the jurors. She came across as truly caring about the child she had examined and acknowledged information that was harmful to my clients position. This approach made Dr. Falke appear to be a truly "independent" expert rather than a hired gun out to discredit all aspects of plaintiffs' case.

In fact, when the trial was completed and I had the opportunity to speak to the jurors, they literally gushed over how credible they found Dr. Falke. Several of the jurors stated that she was "by far" the best witness called at the trial.

Unfortunately, many jurors seem to view psychiatrists and psychologists who testify at trials as expert witnesses with distrust and suspicion. I must note that in the 15 years that I have litigated cases, I have never had jurors compliment any doctor, let alone a psychologist, in the way that these jurors complimented Dr. Falke.

I want to convey my sincere thanks and appreciation for the work Dr. Falke did in this case. I intend to recommend her to my colleagues and friends.

Very truly yours,

MORRIS, POLICH & PURDY, LLP

  
Marc Katz

MSK/mk