

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NO.: 16-2012-CA-004051
DIVISION: CV-B

REGINALD L. WOODIE,

Plaintiff,

vs.

DONALD J. MATHIS,

Defendant.

_____/

**DEFENDANT’S MOTION TO STRIKE PAST MEDICAL BILLS
OF SEA SPINE ORTHOPEDICS AND/OR MOTION IN LIMINE AS TO SUCH BILLS,
OR IN THE ALTERNATIVE, MOTION TO CONTINUE TRIAL**

COMES NOW the Defendant, DONALD J. MATHIS, by and through the undersigned counsel, and hereby moves to strike the bills of Sea Spine Orthopedic Institute (Sea Spine) and/or for an Order precluding any evidence or reference to any medical bills from said medical provider, or in the alternative, moves to continue the trial of this matter, and as grounds therefore states:

1. This is a personal injury case arising out of an automobile accident. The Defendant is not contesting negligence or that the Plaintiff suffered injury. The Plaintiff is not seeking damages for lost wages or loss of earning capacity. The case is scheduled to begin trial on August 5, 2013.

2. A primary issue to be tried is the reasonable value of the Plaintiff’s past medical expenses incurred as a result of the subject accident. The majority of the Plaintiff’s past medical expenses being claimed relate to an arthroscopic shoulder surgery performed by Paul Baxt, M.D.

of Sea Spine on May 24, 2012. The alleged charges of Sea Spine sought as damages related to this arthroscopic surgery are \$34,959.71. According to the testimony of Sea Spine's person with the most knowledge of billing, that charge represents 16 ½ times the 2011 Medicare Fee Schedule for South Florida.

3. The Plaintiff is entitled to recover as damages the reasonable value or expense of medical care and treatment necessarily or reasonable obtained as a result of the incident. The Defendant seeks to contest, as unreasonable, the amount of the charges for the arthroscopic surgery. However, non-party Sea Spine has engaged in a willful pattern of misconduct designed to thwart the Defendant's attempts to gain discovery pertaining to the issue of the reasonable value of medical expenses related to the surgery it performed. Sea Spine has failed to completely respond to subpoenas, withheld key documents required by subpoenas, produced a false document (billing ledger) and failed to appear for depositions for which the provider and its employees were subpoenaed.

4. On July 24, 2012 the Defendant issued a subpoena to the Records Custodian of Sea Spine. The Subpoena is attached hereto as Exhibit "A". Sea Spine filed no objections or motions related to the subpoena. Sea Spine did provide records in response to the subpoena, however, it was later learned that the response did not include certain records clearly required by the subpoena and did contain a false billing ledger clearly intended to hide the fact that charges for the surgery had been sold, presumably for less than the original charge. A copy of the false billing ledger produced in response to the subpoena is attached hereto as Exhibit "B".

5. On March 20, 2013 the Defendant took the deposition of Sea Spine's Records Custodian, Person with The Most Knowledge of Billing, Payments and Status of Patient Accounts and the Person with the Most Knowledge of the amounts charged by and accepted for

litigation vs. non-litigation patients. Sea Spine designated and produced Rhonda Patterson as the witness in all three capacities. A copy of Ms. Patterson's deposition has been filed separately in support of this motion. Among the documents provided by Ms. Patterson at her deposition was another version of the account ledger pertaining to Mr. Woodie (attached hereto as Exhibit "C").

6. The following information was ascertained or brought to light at Ms. Patterson's deposition.

- a. Sea Spine's charges are 16 ½ 2011 Medicare Fee Schedule for South Florida. [Transcript of Deposition of Ms. Patterson – Page 20/Lines 5-11]. The total charges of Sea Spine were \$35,694.31 and the charges for the surgery on May 24, 2012 were \$34,959.71. [Transcript of Deposition of Ms. Patterson – Page 57/Lines 12-19].
- b. Sea Spine sold the charges for the surgery to National Finance. [Transcript of Deposition of Ms. Patterson – Page 36/Lines 18-24; Page 39/Lines 4-11]. Sea Spine assigned its account for the services to National Finance. [Transcript of Deposition of Ms. Patterson – Page 37/Lines 7-10]. The account ledger produced at the deposition does not reflect the sale and assignment of the charges. [Transcript of Deposition of Ms. Patterson – Page 40/Lines 10-14]. The account ledger produced at the deposition does not reflect the payment for those charges. [Transcript of Deposition of Ms. Patterson – Page 43/Lines 6-10]. Michelle Maher keeps a separate manual ledger that keeps track of the charges sold and assigned and that was not produced. [Transcript of Deposition of Ms. Patterson – Page 40, Line 10 through Page 41, Line 1; Page 43/ Lines 11-25]. The money isn't

actually owed to Sea Spine because it's owed to National. [Transcript of Deposition of Ms. Patterson – Page 45/Lines 6-9]. The account ledger produced at the deposition reflects that the total balance is owed to Sea Spine. [Transcript of Deposition of Ms. Patterson – Page 53/Lines 21-23]. Ms. Patterson has been told that this is the way Sea Spine wants to present an account ledger when certain charges have been assigned. [Transcript of Deposition of Ms. Patterson – Page 42/Lines 5-8].

- c. Ms. Patterson was designated to appear as the person with the most knowledge of the amounts charged by and accepted for litigation vs. non-litigation patients. [Transcript of Deposition of Ms. Patterson – Page 5/Lines 15-21]. Sea Spine often negotiates balances and the amounts Sea Spine agrees to take are reflected in negotiation letters signed by Mark Seda or Michelle Maher. [Transcript of Deposition of Ms. Patterson – Page 58/Lines 13-23]. Ms. Patterson is not the person with the most knowledge of the amounts they accept in settlement on litigation patients. [Transcript of Deposition of Ms. Patterson – Page 65/Line24 Page 66/Line4].

7. Based on Ms. Patterson's testimony it is apparent that the account ledgers provided to defense counsel in this case on two separate occasions were false and misleading. The charges for the surgery were sold and assigned to a third party. The account ledgers produced did not reflect the sale or the payment received by Sea Spine. The accounts ledgers falsely represent that no amounts were received by Sea Spine and the whole charge is still owed to Sea Spine. The production of the false and misleading ledgers appears intentional. Ms.

Patterson testified that that she was told that this is the way Sea Spine wanted to present account ledgers when charges were assigned. Moreover, Ms. Patterson testified that there is a separate manual ledger that is kept to account for these transactions and that ledger was not produced. The amount that Sea Spine agreed to accept in payment of the services in this case is clearly relevant to the reasonable value of the services. It is obvious that if it is disclosed that the medical provider accepted a fraction of the original charges that the Defendant will argue that the amount accepted is reflective of the reasonable value of the services. It is also obvious that if a potential purchaser of an account knows in advance that the purchase of charges is going to be disclosed to defendants the account is worth less money.

8. Based on Ms. Patterson's testimony it is also apparent that Sea Spine did not properly respond to the subpoena for the deposition of the person with the most knowledge of the amounts charged by and accepted for litigation vs. non- litigation patients. Ms. Patterson admitted that she was not the person with the most knowledge of these matters and did not produce the LOP negotiation letters that she testified exist.

9. Prior to the sale and assignment of the surgical charges of Sea Spine being discovered, the Plaintiff had responded to a request to Request to Produce on July 11, 2012. Item number 10 of the Request to Produce sought, "All medical bills which you contend you incurred as a result of the incident complained of in your Complaint and any statements or invoices relating thereto." The Plaintiff responded "Plaintiff is providing to said defendant the crash-related medical bills in his possession." No statements, invoices or documents relating to National Finance or any sale of the surgical charges from Sea Spine were produced.

10. Subsequent to Ms. Patterson's deposition the Defendant served a Request for Admission asking the Plaintiff to admit or deny that, "At no time prior to the service of this

Request for Admissions were you provided with written notice of any assignment of any debt that you had with Sea Spine Orthopedic Institute.” Defendant also served a Request for Production that requested that if the Plaintiff denied the Request for Admission that Plaintiff produce any documents supporting the denial. The Plaintiff denied the Request for Admission and on June 6, 2013 produced the documents attached hereto as Exhibit “D”. The documents produced at that time include a document dated June 6, 2012 directed to Plaintiff’s counsel from National Health Finance. The document places the Plaintiff and Plaintiff’s counsel on notice that National Health Finance has purchased and been assigned Sea Spine’s charges in the amount of \$34,959.71. The document enclosed a copy of the Notice of Sale and Assignment as well as “the bills and letters of protection...” The document and the enclosed Notice of Sale clearly request the payment of the \$34,759.71 to National Health Finance and make it clear payment should not be directed to Sea Spine. The Notice of Sale is purportedly signed by Mark Seda of Sea Spine on May 31, 2012, six days after the surgery. A letter from National Health Finance to Plaintiff’s counsel dated June 29, 2012 references a balance of \$11,941.08.

11. The Plaintiff’s previous Response to Request to Produce on July 11, 2012 did not include the document purportedly faxed to Plaintiff’s counsel more than a month before on June 6, 2012 or the enclosed Notice of Sale. These documents would have been responsive to item number 10 of the Defendants Request for Production because they clearly request the payment of money for medical bills and constitute “statements or invoices”.

12. Additionally, documents provided by the Plaintiff in response to the Second Request for Production include Invoice Number 25940 dated 5/24/12 (the date of the surgery). The invoice purports to be from Sea Spine. This Invoice includes only the surgical charges of \$34,759.71 of 5/24/12, which are the only charges purchased by National Health Finance. The

document is directed to Plaintiff's counsel. It is clearly an "Invoice" and a request for the payment of a certain sum. The document even includes Sea Spine's FEI (Federal Employer Identification Number) necessary for payment.

13. Invoice number 25940 was not produced by the Plaintiff in his Response to Request for Production on July 11, 2012 even though, if the document dated June 6, 2012 from National Health Finance is correct, that is when it was provided to Plaintiff's counsel. Additionally, this invoice dated 5/24/12 was not provided to the Defendant by Sea Spine in response to the subpoena dated July 24, 2012. Likewise the invoice was not provided by Sea Spine at Ms. Patterson's deposition on March 20, 2013. In fact, Ms. Patterson testified in her deposition no bills had been generated with regard to the Plaintiff. [Transcript of Deposition of Ms. Patterson – Page 30/Lines 18-22].

14. These documents recently produced to the Defendant by Plaintiff's counsel on June 6, 2013 further confirm that no monies are due to Sea Spine for the surgical services and that the ledgers produced to defense counsel reflecting that Sea Spine was owed these charges were, in fact, false.

15. Subsequent to Ms. Patterson's deposition, the Defendant set the following depositions of Sea Spine designees or personnel to take place on July 9, 2013 in South Florida in the County of Sea Spine's main office:

- a. Records Custodian;
- b. Person with the most knowledge of the amounts charged by and accepted for litigation vs. non- litigation patients.
- c. Mark Seda;
- d. Michelle Maher;

e. Annery Garcia.

16. The subpoena for the deposition of the records custodian this time requested the following documents be produced:

1. Copies of all negotiation letters reflecting the amount of the original total charges for all litigation patients and the amounts Sea Spine agreed to accept as full and final payment for services for the last three years with the names of patients other than Reginald Woodie redacted.
2. Any and all correspondence or email to or from Reginald Woodie or his attorneys pertaining in any way to Reginald Woodie.
3. Any and all contracts, agreements or assignments with National Finance pertaining to any accounts, charges, bills or debts of Reginald Woodie.
4. Any and all contracts, documents or assignments that reflect the amount of the charges, bills or debts for services rendered to Reginald Woodie purchased by National Finance and the amount paid by National Finance for such charges, bills or debts.
5. Any and all correspondence or emails between Sea Spine (or any representative thereof) and National Finance regarding Reginald Woodie.
6. Any and all contracts or agreements or between Sea Spine and National Finance.
7. Any and all contracts, agreements, memos, documents, correspondence, emails or writings reflecting:
 - a. How charges, bills or debts of Sea Spine patients purchased by National Finance are to be collected.
 - b. How charges, bills or debts of Sea Spine patients purchased by National Finance are to be paid to National Finance.
 - c. Whether charges, bills or debts of Sea Spine patients purchased by National Finance are to be disclosed to tortfeasors, their attorneys or insurers.
 - d. Whether charges, bills or debts of Sea Spine patients purchased by National Finance are to be disclosed or reflected in account ledgers or account inquiries.

8. Any and all separate ledgers and/or spreadsheets reflecting the amount of charges purchased by National Finance, the amounts paid by National Finance and the actual amounts currently owed to Sea Spine with respect to any charges, bills, debts or accounts of Reginald Woodie.

17. The items required to be produced by the subpoena directed to the records custodian were calculated to lead to the discovery of admissible evidence regarding the reasonable value of the services rendered by Sea Spine. The individuals subpoenaed for deposition were all persons named by Ms. Patterson in her deposition, and if her testimony was accurate, would have knowledge as to matters pertaining to the reasonable value of Sea Spine's services.

18. Counsel for the Defendant travelled to Hollywood, Florida on July 9, 2013 for the depositions of the Sea Spine personnel; however, none of the witnesses from Sea Spine appeared. Neither Sea Spine nor any of the individual witnesses filed any objections or motions pertaining to the subpoenas or the depositions. The subpoenas, returns of service and certificates of non-appearance will be filed in support of this motion.

19. The medical bills for the surgical charges of Sea Spine in the amount of \$34,759.71 should be stricken and the Plaintiff should be precluded from referencing or entering evidence pertaining to these charges because:

- a. Sea Spine produced false account ledgers to the Defendant on two separate occasions in an apparent attempt to mislead the Defendant into believing that the full amount was still owed to Sea Spine and to hide from the Defendant the fact that Sea Spine had actually accepted less in full and final payment for the services.
- b. According to the testimony of Rhonda Patterson, Sea Spine keeps a separate manual ledger that accounts for the sale and assignment of

accounts for less than the full amount and those records were not produced despite the fact that their production would have been required by multiple subpoenas issued by the Defendant. It is clear from Ms. Patterson's testimony that Sea Spine keeps a separate set of books which they do not produce to defendants.

- c. Sea Spine disregarded a subpoena for directed to a company designee (records custodian), without objecting or filing any motions, simply did not attend. Likewise Sea Spine administrative personnel disregarded subpoenas and failed to attend depositions.
- d. Sea Spine did not comply with two subpoenas for deposition directed to the person with the most knowledge of the amounts charged by and accepted for litigation vs. non-litigation patients.
- e. The Plaintiff failed to produce documents that would have been responsive to the Defendant's Request to Produce in July of 2012 which would have served to disclose that that Sea Spine had likely accepted less than the full amount for the surgical services allegedly rendered.

20. Should the Court not enter an Order limiting, striking, or precluding evidence of the alleged surgical charges of Sea Spine, in the alternative the Defendant would hereby move for a continuance of the trial scheduled for August 5, 2013 to allow time for the Defendant seek an Order compelling Sea Spine and the above-described Sea Spine personnel to appear for deposition, answer all questions reasonably calculated to lead to the discovery of admissible evidence regarding the reasonableness of the surgical charges, and produce all of the documents and records described herein which Sea Spine has withheld and failed to produce.


21. No party would be prejudiced by a continuance of the trial of this matter. The Defendant would be prejudiced by being required to try the case without the discovery and information necessary to contest the reasonableness of the largest past medical expense sought by the plaintiff in this case. The Defendant's consent to the requested continuance will be filed separately with the Court.

WHEREFORE, Defendant, DONALD J. MATHIS, requests that the Court enter an Order striking, limiting or precluding evidence of or reference to the surgical charges of Sea Spine Orthopedic Institute as past medical expenses, or in the alternative, continuing the trial of this case.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 18th day of July, 2013, a true and correct copy of the foregoing has been furnished by electronic mail (email) at email address: michael@pajcic.com; renee@pajcic.com; to Michael S. Pajcic, Esquire, Pajcic & Pajcic, P.A., 1 Independent Drive, Suite 1900, Jacksonville, FL 32202-5013, Attorney for Plaintiff and I electronically filed the foregoing with the Clerk of Duval County by using the Florida Courts eFiling Portal.

WOODS & DETKY, P.A.



Steven R. Woods
Florida Bar No. 628484
8298 Bayberry Road, Suite 4
Jacksonville, Florida 32256
Telephone: (904) 296-2006
Facsimile: (904) 296-2007
Email: pleadings@swoods-law.com

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NO.: 16-2012-CA-004051
DIVISION: CV-B

REGINALD L. WOODIE,

Plaintiff,

vs.

DONALD J. MATHIS,

Defendant.

SUBPOENA DUCES TECUM WITHOUT DEPOSITION

THE STATE OF FLORIDA

TO: RECORDS CUSTODIAN
Sea Spine Orthopedic Institute
949 Lane Avenue South
Jacksonville, FL 32205

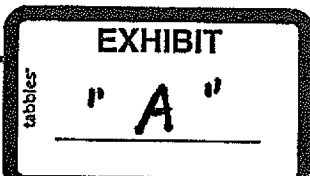
YOU ARE COMMANDED to appear at 8298 Bayberry Road, Suite 4, Jacksonville, Florida, 32256 on August 22, 2012, and have with you at that time and place the items on the attachment.

These items will be inspected and may be copied at that time. You will not be required to surrender the original items. You may comply with this subpoena by providing legible copies of the items to be produced to the attorney whose name appears on this subpoena on or before the scheduled date of production. The copies must be legible as to the date of occurrence, date of execution and/or preparation.

**THIS SUBPOENA IS HIPAA-COMPLIANT
THIS SUBPOENA CONTAINS A HIPAA COMPLIANCE STATEMENT**

You may condition the preparation of the copies upon the payment in advance of the reasonable cost of preparation. You may mail or deliver the copies to the attorney whose name appears on this subpoena and thereby eliminate your appearance at the time and place specified above. You have the right to object to the production pursuant to this subpoena any time before production by giving a written notice to the attorney whose name appears on this subpoena. **THIS IS NOT A DEPOSITION, NO TESTIMONY WILL BE TAKEN.**

If you fail to object to this subpoena, or to appear as specified, or to furnish the records instead of appearing as provided, you may be in contempt of court. You are subpoenaed by the attorneys whose names appear on this subpoena and, unless excused from this subpoena by the attorneys or the court, you shall respond to this subpoena as directed.



Any minor subpoenaed for testimony shall have the right to be accompanied by a parent or guardian at all times during the taking of testimony notwithstanding the invocation of the rule of sequestration of *section 90.616, Florida Statutes*, except upon a showing that the presence of a parent or guardian is likely to have a material, negative impact on the credibility or accuracy of the minor's testimony, or that the interests of the parent or guardian are in actual or potential conflict with the interests of the minor.

HIPAA Compliance Statement. This subpoena may seek production of Protected Health Information for the patient identified on the attachment, and is issued at the request of the undersigned attorney for the Defendant(s) named above. By signing below, the attorney certifies: I have made a good faith attempt to provide written notice to the patient named on the attachment (by way of the procedure authorized in Rule 1.351, Florida Rules of Civil Procedure); AND, the notice to the patient included sufficient information about the litigation or proceeding in which the Protected Health Information is requested to permit the patient to raise an objection to the court; AND, the time for the patient to raise objections to the court has lapsed; AND, no objections were filed, or all objections filed by the patient have been resolved by the court and the disclosures being sought are consistent with such resolution.

DATED this 24th day of July, 2012.

Clerk of the Court

-OR-

Steven R. Woods

or

C. Donald Detky, Officer of Court and Defendant's attorney

By: C. Donald Detky

Steven R. Woods
C. Donald Detky
Woods & Detky, P.A.
8298 Bayberry Road, Suite 4
Jacksonville, Florida 32256
Telephone: (904) 296-2006
Facsimile: (904) 296-2007
Attorneys for Defendant

ATTACHMENT

PATIENT : REGINALD L. WOODIE
Date of Birth : May 9, 1962
SSN : [REDACTED]

Your complete records, both **MEDICAL** and **BILLING**, which pertain in any way to the above-referenced patient including, but not limited to, the following:

NOTE: The records requested pursuant to this subpoena are all-inclusive and are not limited to any particular accident, incident, injury or medical condition.

MEDICAL:

1. Any and all medical records, documents, reports, consultation reports, office notes, SOAP notes, doctors' and nurses' notes, facility chart notes, physician orders, prescriptions, or medical reports and all other data or information pertaining to the above-referenced patient including the diagnosis, differential diagnosis, prognosis, treatment, and care of the above patient;
2. All medical records, office records, doctors' and nurses' notes, and all other data pertaining to the diagnosis, differential diagnosis, prognosis, treatment and care of the above patient, rendered by any other health care providers that are in the possession of your office or facility;
3. Any and all records, reports, documents, films, raw data, traces or items pertaining to any diagnostic testing performed on the above-referenced patient, including but not limited to, x-rays, MRI's, CT Scans, discograms, discography, motion x-rays, videoflourosopy, any other radiographic or imaging studies, electro-diagnostic studies, needle or surface EMG's, nerve conduction studies, NCV's, diagnostic ultrasound, EEG's, any injections having diagnostic value, and laboratory reports.
4. Any and all documents, records, items or notes reflecting the identity of any persons, parties or entities that have been provided with copies or originals of any records, reports, diagnostic films, or test results and the dates on which such items were provided;
5. Any and all records pertaining to the above-referenced patient required to be kept and/or maintained pursuant to law including the Florida Statutes and Florida Administrative Code;
6. Any and all hospital records obtained pertinent to the above-referenced patient. In-patient hospital records including, but not limited to, admission forms, history and physical, consultation reports, discharge summary, doctor's orders, progress notes, nurse's notes, laboratory reports, radiology or imaging reports, consultations, physical therapy reports and progress notes, and any other notes, records or documents concerning any and all admissions of the patient to any part of your facility or any treatment for physical or mental ailments, including substance abuse;

7. Medical history of the above-referenced patient;
8. Out-patient records including, but not limited to, registration/admission forms, history and physical, laboratory reports, radiology or imaging reports, physician's reports, procedure reports, chart notes, and any other notes, records, or documents concerning any and all treatment provided to the patient in any part of your facility for physical or mental ailments, including substance abuse;
9. All reports or opinions diagnosis, differential diagnosis, prognosis, impairment, disability, care, and/or treatment of the above patient;
10. Every written piece of paper included within the above patient's chart and records, including a copy of any notations of the file jacket;
11. Any and all documents, forms or writings signed by the above referenced patient;
12. Any and all liens or letters of protection pertaining to the above-referenced patient;
13. Patient information forms or questionnaires or any other information provided by the patient;
14. All and all medical records or documents of any other physicians or medical providers which pertain to the above-referenced patient;
15. Every written piece of paper included within the above patient's chart and records, including a copy of any notations of the file jacket.
16. Any and all documents, forms or writings signed by the above referenced patient.
17. Any and all liens or letters of protection pertaining to the above-referenced patient.
18. A copy of the curriculum vitae of the treating physician(s) and any other licensed medical provider rendering services to the above-referenced patient.
19. Any and all correspondence, emails or communications pertaining to the above-referenced patient either to or from the above-referenced patient.
20. Any and all correspondence, emails or communications pertaining to the above-referenced patient either to or from the above-referenced patient's attorneys or law firm.
21. Any and all records regarding the referral of the above-referenced patient to your office or facility.

22. Any and all Disclosure and Acknowledgement forms pertaining to the above-referenced patient.
23. Any and all Patient Logs pertaining to the above-referenced patient.
24. Any and all records or documents reflecting any referrals made for diagnostics or consultations pertaining to the above-referenced patient.

BILLING:

1. Claim forms, including Workers' Compensation, personal injury protection coverage, medical payments coverage, health insurance, disability insurance, Medicaid, Medicare, HCFA or CMS-1500 forms (front and back);
2. Computer printout or statement card showing all charges by you for services rendered, payments made by the patient, or by someone else on the patient's behalf, any write-offs made by your office, contractual discounts, and/or records reflecting amounts paid by insurance companies;
3. Insurance information including, but not limited to, carrier, policy/group/identification number, contact person at the company if available, and any other information concerning your dealings with insurance companies for this patient;
4. Any contract with any insurer, PPO, HMO, or similar entity under which medical services for the above-referenced patient were billed or charged; fee schedules in any such contracts; and amounts paid by Medicaid or Medicare, and any related Medicaid or Medicare fee schedule, for medical services provided to the above-referenced patient;
5. Any bills for services rendered by the treating physician and/or facility pertaining to the diagnosis, treatment, and care of the above patient;
6. Any statements indicating the total amount of the bill that has been paid and by whom;
7. Any and all liens or letters of protection pertaining to the above-referenced patient;
8. Any and all contracts or agreements with the above-referenced patient.

OTHER:

1. Any and all correspondence, emails or communications pertaining to the above-referenced patient between you or your office or staff and any other parties, including attorneys, insurance companies or other physicians or medical providers and any other documents, notes, messages or writings which pertain to any communications between such parties.

SEA SPINE ORTHOPEDIC INSTITUTE

2500 E HALLANDALE BCH BV #301 HALLANDALE BCH FL 33009
Tel: (954) 458-4488 Fax: (954) 458-2928

ACCOUNT INQUIRY

07/30/2012 4:16 PM



Guarantor Information:

REGINALD WOODIE
4650 GOLDEN SPIKE CT
JACKSONVILLE, FL 32257

Home Tel#: (904) 234-5237
Work Tel#:

Patient Information:
Patient# 34540

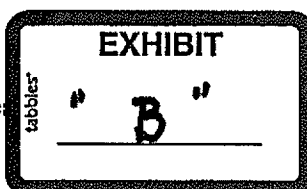
REGINALD WOODIE
4650 GOLDEN SPIKE CT
JACKSONVILLE, FL 32257

Home Tel#: (904) 234-5237
Work Tel#:

Payor	Current	31-60 Days	61-90 Days	Over 90	Balance
Self	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Insur	\$34,959.71	\$0.00	\$152.22	\$582.38	\$35,694.31
Collect	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Unassigned:					\$0.00
Total Balance:					\$35,694.31

Service Date	Voucher#	Provider	Chg Amt	Pmts/Adjs	Balance	Payor	Coverage Type	Billed Date	Age	Patient
+ 01/30/2012	123200	MYERS	\$357.46	\$0.00	\$357.46	JPAJM	Other	02/02/2012	179	REGINALD WOODIE
+ 02/24/2012	145350	BAXT	\$224.92	\$0.00	\$224.92	JPAJM	Other	04/20/2012	101	REGINALD WOODIE
+ 04/26/2012	150660	BAXT	\$152.22	\$0.00	\$152.22	JPAJM	Other	05/03/2012	88	REGINALD WOODIE
+ 05/24/2012	160010	BAXT	\$34,959.71	\$0.00	\$34,959.71	NTLFIN	Other	07/16/2012	14	REGINALD WOODIE
+ 06/08/2012	165310	BAXT	\$0.00	\$0.00	\$0.00	JPAJM	Other	06/20/2012	0	REGINALD WOODIE
+ 07/10/2012	176640	JOSEPH	\$0.00	\$0.00	\$0.00	JPAJM	Other	07/20/2012	0	REGINALD WOODIE

Bill



SEA SPINE ORTHOPEDIC INSTITUTE

2500 E HALLANDALE BCH BV #301 HALLANDALE BCH FL 33009
Tel: (954) 458-4488 Fax: (954) 458-2928

ACCOUNT INQUIRY

03/20/2013 12:32 PM



Guarantor Information:

REGINALD WOODIE
4650 GOLDEN SPIKE CT
JACKSONVILLE, FL 32257

Home Tel#: (904) 234-5237
Work Tel#:

Patient Information:
Patient# 34540

REGINALD WOODIE
4650 GOLDEN SPIKE CT
JACKSONVILLE, FL 32257

Home Tel#: (904) 234-5237
Work Tel#:

Payor	Current	31-60 Days	61-90 Days	Over 90	Balance
Self	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Insur	\$0.00	\$0.00	\$0.00	\$35,844.31	\$35,844.31
Collect	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Unassigned:					\$0.00
Total Balance:					\$35,844.31

Service Date	Voucher#	Provider	Chg Amt	Pmts/Adjs	Balance	Payor	Coverage Type	Billed Date	Age	Patient
01/30/2012	123200	MYERS	\$357.46	\$0.00	\$357.46	JPAJM	Other	02/02/2012	412	REGINALD WOODIE

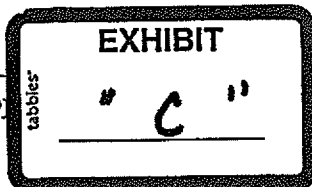
Location	Department	Place Of Svc	Refer. Dr.	Batch#	Voucher Status	Date Updated	Responsible Party	Co-Ins Amt	Co-Ins Paid	Void Batch#	Date Voided	Voided By
JAX LN	MEDICAL	JAXLN	JNORT	293	Updated	02/01/2012	REGINALD WOODIE	\$0.00	\$0.00			

Claim#	Bill Media	Billing Prov	Local Use Text	Orig Voucher#	Orig Payor	Orig Bill Date	Orig Media
0		AJA		123200	JPAJM	02/02/2012	

Dates of Service	Procedure	Mods	Description	Diag1	Description	TOS	Units	Fee Amt	Pmts/Adjs	Amt Due
01/30/2012	99204		Office Outpt New 45 Mln	719.41	Pain in joint, shoulder	MEDICAL	1.00	\$357.46	\$0.00	\$357.46

Service Date	Voucher#	Provider	Chg Amt	Pmts/Adjs	Balance	Payor	Coverage Type	Billed Date	Age	Patient
										REGINALD

REGINALD



- 02/24/2012 145350 BAXT \$224.92 \$0.00 \$224.92 JPAJM Other 04/20/2012 334 WOODIE

Location	Department	Place Of Svc	Refer. Dr.	Batch#	Voucher Status	Date Updated	Responsible Party	Co-Ins Amt	Co-Ins Paid	Void Batch#	Date Voided	Voided By
JAX LN	MEDICAL	JAXLN	JNORT	499	Updated	04/17/2012	REGINALD WOODIE	\$0.00	\$0.00			

Claim#	Bill Media	Billing Prov	Local Use Text	Orig Voucher#	Orig Payor	Orig Bill Date	Orig Media
0		AJA		145350	JPAJM	04/20/2012	

Dates of Service	Procedure	Mods	Description	Diag1	Description	TOS	Units	Fee Amt	Pmts/Adjs	Amt Due
02/24/2012	99214		Office Outpt Est 25 Min	719.41	Pain in joint, shoulder	MEDICAL	1.00	\$224.92	\$0.00	\$224.92

Service Date	Voucher#	Provider	Chg Amt	Pmts/Adjs	Balance	Payor	Coverage Type	Billed Date	Age	Patient
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- 04/26/2012 150660 BAXT \$152.22 \$0.00 \$152.22 JPAJM Other 05/03/2012 321 REGINALD WOODIE

Location	Department	Place Of Svc	Refer. Dr.	Batch#	Voucher Status	Date Updated	Responsible Party	Co-Ins Amt	Co-Ins Paid	Void Batch#	Date Voided	Voided By
JAX LN	MEDICAL	JAXLN	JNORT	545	Updated	04/30/2012	REGINALD WOODIE	\$0.00	\$0.00			

Claim#	Bill Media	Billing Prov	Local Use Text	Orig Voucher#	Orig Payor	Orig Bill Date	Orig Media
0		AJA		150660	JPAJM	05/03/2012	

Dates of Service	Procedure	Mods	Description	Diag1	Description	TOS	Units	Fee Amt	Pmts/Adjs	Amt Due
04/26/2012	99213		Office Outpt Est 15 Min	719.41	Pain in joint, shoulder	MEDICAL	1.00	\$152.22	\$0.00	\$152.22

Service Date	Voucher#	Provider	Chg Amt	Pmts/Adjs	Balance	Payor	Coverage Type	Billed Date	Age	Patient
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- 05/24/2012 160010 BAXT \$34,959.71 \$0.00 \$34,959.71 NTLFIN Other 07/16/2012 247 REGINALD WOODIE

Location	Department	Place Of Svc	Refer. Dr.	Batch#	Voucher Status	Date Updated	Responsible Party	Co-Ins Amt	Co-Ins Paid	Void Batch#	Date Voided	Voided By
JBSC	MEDICAL	JBSC	JNORT	638	Updated	05/29/2012	REGINALD WOODIE	\$0.00	\$0.00			

Claim#	Bill Media	Billing Prov	Local Use Text	Orig Voucher#	Orig Payor	Orig Bill Date	Orig Media
160010	Paper	AJA		160010	JPAJM	05/30/2012	Paper

Dates of Service	Procedure	Mods	Description	Diag1	Description	TOS	Units	Fee Amt	Pmts/Adjs	Amt Due
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Shoulder
Scope, Disorder,

+ 05/24/2012	29827	RT	Rotator Cuff Repair	726.19	rotator cuff NEC	SURGICAL	1.00	\$21,693.05	\$0.00	\$21,693.05
+ 05/24/2012	29826	51,RT	Shoulder Scope, Bone Shaving	726.19	Disorder, rotator cuff NEC	SURGICAL	1.00	\$13,266.66	\$0.00	\$13,266.66

Service Date	Voucher#	Provider	Chg Amt	Pmts/Adjs	Balance	Payor	Coverage Type	Billed Date	Age	Patient
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09/07/2012	194920	JOSEPH	\$150.00	\$0.00	\$150.00	JPAJM	Other	09/18/2012	183	REGINALD WOODIE
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Location	Department	Place Of Svc	Refer. Dr.	Batch#	Voucher Status	Date Updated	Responsible Party	Co-Ins Amt	Co-Ins Paid	Void Batch#	Date Voided	Voided By
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JAX LN	MEDICAL	JAXLN	JNORT	908	Updated	09/10/2012	REGINALD WOODIE	\$0.00	\$0.00			
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Claim#	Bill Media	Billing Prov	Local Use Text	Orig Voucher#	Orig Payor	Orig Bill Date	Orig Media
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0		AJA		194920	JPAJM	09/18/2012	
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Dates of Service	Procedure	Mods	Description	Diag1	Description	TOS	Units	Fee Amt	Pmts/Adjs	Amt Due
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09/07/2012	99070	OC	Supplies&materials Prv By Phys >&above	726.19	Disorder, rotator cuff NEC	MEDICAL	1.00	\$150.00	\$0.00	\$150.00
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**NATIONAL
HEALTH FINANCE**

2175 North Alma School Road, Suite B102
Chandler, Arizona 85224

P: 602.347.8503 / 877.643.0010 F: 602.347.8501 / 877.404.7851

aznhf.com

June 6, 2012

SENT BY FAX (904) 354-1180 AND CERTIFIED MAIL.

Michael Pajcic
Pajcic & Pajcic
1 Independent Circle
Jacksonville, FL 32205

RE: Reginald Woodie
Provider: Sea Spine Orthopedic Institute
DOL: 10/05/2011
Balance Due: \$ 34,959.71

Dear Mr. Pajcic,

National Health Finance, DM, LLC (NHF) is placing you on notice that we have been assigned and have assumed the lien/letter of protection rights for Sea Spine Orthopedic Institute, in the amount of \$ 34,959.71. Enclosed is a copy of a Notice of Sale and Assignment (Form C) properly executed by the authorizing agent for Sea Spine Orthopedic Institute, as well as the bills and records the letter of protection relates to. However, per the terms of the agreement, should your office require any additional bills, records, or other such information please continue to obtain those materials from Sea Spine. We will notify you in the event that the amount of our lien changes.

In addition, please take note that National Health Finance, DM, L.L.C. has granted to Meridian Bank, N.A. (the "Bank") a security interest in and to all of National Health Finance, DM, L.L.C.'s right, title and interest in and to this lien/these accounts receivables. Unless you are provided contrary written notice from the Bank, you are authorized to make any payment with respect to this lien/these accounts receivables to National Health Finance, DM, L.L.C., provided that such payment is remitted by check made payable to **NATIONAL HEALTH FINANCE, DM, L.L.C. IN TRUST FOR MERIDIAN BANK**, in the amount of \$34,959.71.

Should you request a reduction on said lien/letter of protection account, you should do so by and through Sea Spine, though, again, all payments shall be made to National Health Finance DM, LLC. Any payment made directly to Sea Spine may not apply toward the letter of protection and/or may delay satisfaction on the same.

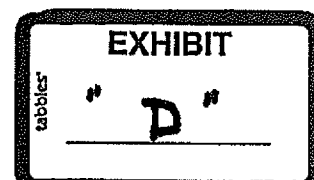
We may, from time to time, request updates on the status of your client's claim. Your cooperation is appreciated in this regard. In addition, should the claim settle please call us at (602) 347-8503 in order to discuss payment arrangements. If there is anything else you need from us in the meantime, please do not hesitate to call. Thank you for your assistance and understanding in this matter.

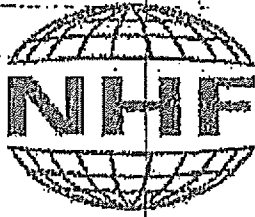
Very truly yours,

Brittany Huffman
National Health Finance, DM, L.L.C., Case Manager

cc: Provider: Sea Spine Orthopedic Institute
Client/Patient: Reginald Woodie

Enclosures: Notice of Sale & Assignment (Form C)
Bills and Records





NATIONAL HEALTH FINANCE

4515 South McClintock Dr., Suite 220 Tempe, AZ 85282
Phone: (602) 347-8503 Fax: (602) 347-8501 Toll Free: (877) 643-0010 Toll Free Fax: (877) 404-7851
David E. Wattel Authorized Agent of National Health Finance, DM, LLC

Form C

Notice of Sale and Assignment

Patient Name: Reginald Woodie

Dates of Service: 5/24/12 to 5/24/12

Amount of Account: \$34,959.71

The undersigned has sold and assigned to National Health Finance DM, L.L.C., all its rights, title, and interest for the above describe account and supported by the attached duly executed lien. You have responsibility to this account either as a first or third party obligator.

This document shall put you of notice of your authorization, direction and instruction to pay and disburse so as to fully satisfy the above account to National Health Finance DM, L.L.C. You are to make all payments to:

National Health Finance DM, L.L.C.
4515 South McClintock Dr., Suite 220
Tempe, AZ 85282

Do not make payment to SEA SPINE ORTHOPEDIC INSTITUTE. All checks and payments are to be made payable to National Health Finance DM, L.L.C.

This assignment may not be revoked, modified or changed without prior written consent of a duly authorized agent of National Health Finance DM, L.L.C.

A copy of this assignment shall have the full effect and force as if it were the original.

~~Any questions regarding the notice can be directed to:~~
David E. Wattel, Agent for National Health Finance
National Health Finance DM, L.L.C.
4515 South McClintock Dr., Suite 220
Tempe, AZ 85282

Sea Spine Orthopedic Institute
Provider/Facility Name

5/31/2012
Date

[Signature]
Signature of authorized agent on behalf of doctor/facility

Mark Seck
Printed name of agent

SEA SPINE ORTHOPEDIC INSTITUTE
949 LANE AVENUE SOUTH
JACKSONVILLE, FLORIDA 32208
PHONE: 866-916-7846 FAX: 954-458-2928

A. JOSHUA APPEL, M.D.
ORTHOPEDIC SURGEON

LETTER OF PROTECTION FOR SURGERY

I REGINALD WOODYE, a patient of Sea Spine Orthopedic Institute hereby authorize and direct my Attorney MICHAEL PAJCIC ESO to pay out of any proceeds they may receive by way of settlement/judgment from my case involving an accident/incident which occurred on 10/05/2011 to A. Joshua Appel, M.D., the full amount of my medical bills for any medical service, treatment, medication and/or consultation rendered to me that is due me or to become due as a result of said accident/incident.

Further, I hereby grant and give to A. Joshua Appel, M.D. a lien for the full amount of any medical bills which are due and/or may become due as the result of professional services and treatment rendered to me as a result of said accident/incident.

X. Reginald Woodye
Patient Signature

Date

REGINALD WOODYE, 4650 GOLDEN SPICE CT JACKSONVILLE, FL 32257
(904) 234-5237

[Signature]
Witness

A.G.

Print Name

Date

[Signature]
A. Joshua Appel, M.D.

Date

Acknowledgement by Patient's Attorney

I MICHAEL PAJCIC ESO, hereby acknowledge that I am the attorney of record for the above mention individual who was involved in an accident/incident on the date mentioned in this Letter of Protection. I acknowledge receipt of this Letter of Protection signed by my client and agree to support it in the event of any settlement, judgment or verdict.

[Signature]
Attorney Signature

5/1/2012
Date

904-354-1180

Fax: _____

SEA SPINE ORTHOPEDIC INSTITUTE

2500 E HALLANDALE BCH BV #301 HALLANDALE BCH FL 33009
Tel: (954) 458-4488 Fax: (954) 458-2928

ACCOUNT INQUIRY

06/03/2012 5:00 PM



Guarantor Information:

REGINALD WOODIE
4650 GOLDEN SPIKE CT
JACKSONVILLE, FL 32257

Home Tel#: (904) 234-5237
Work Tel#:

Patient Information:
Patient# 34540

REGINALD WOODIE
4650 GOLDEN SPIKE CT
JACKSONVILLE, FL 32257

Home Tel#: (904) 234-5237
Work Tel#:

Payor	Current	31-60 Days	61-90 Days	Over 90	Balance
Self	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Insur	\$34,959.71	\$377.14	\$0.00	\$357.46	\$35,694.31
Collect	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Unassigned:					\$0.00
Total Balance:					\$35,694.31

Service Date	Voucher#	Provider	Chg Amt	Pmts/Adjs	Balance	Payor	Coverage Type	Billed Date	Age	Patient
+ 01/30/2012	123200	MYERS	\$357.46	\$0.00	\$357.46	JPAJM	Other	02/02/2012	122	REGINALD WOODIE
+ 02/24/2012	145350	BAXT	\$224.92	\$0.00	\$224.92	JPAJM	Other	04/20/2012	44	REGINALD WOODIE
+ 04/26/2012	150660	BAXT	\$152.22	\$0.00	\$152.22	JPAJM	Other	05/03/2012	31	REGINALD WOODIE
+ 05/24/2012	160010	BAXT	\$34,959.71	\$0.00	\$34,959.71	JPAJM	Other	05/30/2012	4	REGINALD WOODIE

SEA SPINE ORTHOPEDIC INSTITUTE

2500 E HALLANDALE BCH BV #301
HALLANDALE BCH, FL 33009

P: 954 458-4488
FEI: 271726650

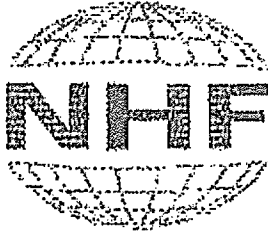
INVOICE

Invoice Number: 25940
Invoice Date: 05/24/2012

MICHAEL PAJCIC ESQ
PAJCIC & PAJCIC
ONE INDEPENDENT DR # 1900
JACKSONVILLE, FL 32202
ATTN: FAX: (904) 354-1180

Patient: REGINALD WOODIE

Date Of Service	Voucher/Patient	Provider	Location	Charges	Discount	Net Charges
05/24/2012	160010 WOODIE, REGINALD DOB: 05/09/1962	BAXT	JBSC	34959.71	0.00	34959.71
	Proc: 29827 Shoulder Scope, Rotator Cuff Repair		Fee:	21693.05		
	Proc: 29826 Shoulder Scope, Bone Shaving		Fee:	13266.66		
Invoice Totals:				34,959.71	0.00	34959.71



NATIONAL HEALTH FINANCE

4515 South McClintock Dr., Suite 220 Tempe, AZ 85282

Phone: (602) 347-8503 Fax: (602) 347-8501 Toll Free: (877) 643-0010 Toll Free Fax: (877) 404-7851

David E. Wattel, Authorized Agent of National Health Finance, DM, LLC

June 29, 2012

SENT VIA FACSIMILE: (904) 354-1180

Michael Pajcic
1 Independant Circle
Jacksonville, FL 32205

RE: Patient/Client: Reginald Woodie
Date of Loss: 3/24/11
Balance: \$11,941.08

Dear Mr. Pajcic:

As you may already be aware, National Health Finance purchased the account for Sea Spine Orthopedic, date of service 5/24/12. Records and bills were mailed to your office on 6/06/12.

At this time, please update National Health Finance by providing us with the current case status for the above mentioned client. Please return this form (completed) either faxed or mailed to the address above. Thank you in advance for your cooperation.

_____ Pending - Still Treating (pre-litigation)

_____ Pending - Demand (pre-litigation)

_____ Pending - Negotiations (pre-litigation)

_____ This case is in litigation and in the following stage:

 _____ Early Stages (no disclosure statements have been exchanged)

 _____ Discovery (Interrogatories, depositions, etc)

 _____ Arbitration/Mediation/Trial date set for _____

 _____ Pending Negotiations

 _____ Trial has concluded and an appeal is pending

 _____ The case has settled. Payment is forthcoming.

_____ . . . Our firm no longer represents this client as of

_____ Other: _____

Very truly yours,
Brittany Huffman
Brittany Huffman
National Health Finance, Case Manager