

No. 22-279

In the
Supreme Court of the United States

NORINE CAVE,

Petitioner,

v.

SUVIDHA SACHDEVA, ET AL.,

Respondents.

On Petition for a Writ of Certiorari to the
Court of Appeals of Georgia

PETITION FOR REHEARING

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DECEMBER 15, 2022

SUPREME COURT PRESS

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BOSTON, MASSACHUSETTS

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PETITION FOR REHEARING OF PETITION FOR WRIT OF CERTIORARI

Pursuant to Rule 44 of this Court, Petitioner Norine Cave (“Petitioner”) respectfully, timely and in good faith petitions for reconsideration of her writ of certiorari to review the judgment of the Court of Appeals of Georgia, Case No. A21A1033. This Court denied petition for writ of certiorari on November 21, 2022.



REASONS FOR GRANTING THE PETITION

Where duties, rules and/or laws are arbitrarily recognized, the verdict is reached before the trial begins.

The Due Process Clause of the Fourteenth Amendment guarantees the inviolability of civil and fundamental rights to fair trials. Fraud upon the court is violative of due process. Federal Rule 702, established in this Court, governs the rules of admissibility of expert witnesses. In Georgia, the standard of admissions, is codified by O.C.G.A. § 24-7-702, pursuant to Georgia Rules of Evidence and Civil Procedure. The State of Georgia follows the *Daubert*¹ test for the admissibility of expert witness testimony. *Webster v. Desai*, 699 S.E. 2d 419 (2021).

¹ *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993)

I. FACTUAL AND LEGAL GROUNDS

The Georgia Court of Appeal's ("appellate court") judgment derived from a fragmented review of records that clearly showed, in part, unjust deprivations of the opportunity to be reasonably and fully heard, right of discovery and such rulings departed from applicable rules and laws. Critical issues linked to fraud upon the court were determined to be "moot" by the appellate court.

The Seventh Circuit has made it implicit that if a convincing case of palpable fraud on the court were presented, it is difficult to justify a holding that it could not be considered. "Fraud upon the court should, we believe, embrace only that species of fraud which does, or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery cannot perform in the usual manner its impartial task of adjudging cases that are presented for adjudication". *Kenner v. C.I.R.*, 387 F.2d 689 (7th Cir. 1968); 7 MOORE'S FEDERAL PRACTICE, 2d ed. p. 512, 60:23.

Here, a limine, involving a *Daubert* challenge, was disrupted from required rules of admissibility, pursuant to O.C.G.A. § 24-7-702. An expert witness is not permitted admissibility without an opinion.

In the above-captioned case presented for rehearing, a petition was filed for a writ of certiorari with this Court on September 21, 2022, challenging the Georgia Court of Appeal's unpublished opinion in *Cave v. Suvidha Sachdeva et al.*, A21A1033 (October 21, 2021), upholding the trial court's ruling of a directed verdict and denial of a motion for a new trial, on a medical malpractice case, that involved a

claim of fraud (filed January 26, 2016). The core of this reconsideration reveals that there was palpable fraud upon the court, involving concealment of full duty of expert disclosures.

This Court has proclaimed that trial court judges must act as gatekeepers to shield lay juries, from what the late Justice Antonin Scalia called “expertise that is *fausse* and science that is junky.”

The trial court and appellate court found the issue an opinionless defense expert “moot”, however the law is clear that expert opinion is a required prerequisite to trial. In this case, that prerequisite was not met and the composite element of fraud was that no actual defense expert opinion existed.

Pursuant to Title 9 – Civil Practice, Chapter 11 – Civil Practice Act, Article 5 – *Depositions & Discovery* O.C.G.A. § 9-11-33 – *Interrogatories to Parties*; request for interrogatories was sent (April 19, 2016).

The crux of fraud upon the court was predicated upon the fact that Respondents’ counsel of record, provided a supplemental response of its expert witness, with a curriculum vitae void of an opinion, signature, statement or report on October 19, 2018.

After several attempts through correspondence (Reh.App. p.7a-11a) of the deficiency, Petitioner filed, a request for opinion of the designated expert (Reh.App. 12a-16a), and subsequently a limine prior to trial, as it was a clear concealment of required expert disclosures.

Here, Petitioner’s limine was denied by the trial court based on the erroneous ruling that disclosure of expert opinion is only required subsequent to a depo-

sition. While in fact, the rules clearly state that expert opinions are prerequisite for admission and depositions or interrogatories are required for disclosure, per O.C.G.A. § 9-11-26.

Under Georgia law, defendants are not legally required to have an expert, however once one is designated, they must comply with rules of the court, pursuant to O.C.G.A. § 24-7-702.² Here, the trial court abandoned the rules, contrary to procedural due process.

While trial courts have broad discretion in admissibility of experts, it does not obtain power to arbitrarily apply the laws and rules at will, or not at all. Such abuse of power compels that this Court sustain constitutional due process, by vacating the order denying certiorari and granting this petition and holding certiorari, pending final disposition. Serious implications of fraud upon the court, mandate further review, as a final judgment containing fraud is never final.

The Sixth Circuit determined:

Accordingly, cases require a party seeking to show fraud on the court to present clear and convincing evidence of the following elements: “1) [conduct] on the part of an officer of the court; that 2) is directed to the judicial machinery itself; 3) is intentionally false, willfully blind to the truth, or is in reckless disregard of the truth; 4) is a positive averment or a concealment when

² Applies to both plaintiffs and defendants in Georgia medical malpractice cases.

one is under a duty to disclose; and 5) deceive the court.”

Johnson v. Bell, 605 F.3d 333, 339 (6th Cir. 2010); (quoting *Carter v. Anderson*, 585 F.3d 1007, 1011-12 (6th Cir. 2009)).

Fraud upon the court heightens due process violations, a critical issue, previously unpresented in this Court, thus requires rehearing.

The Court admonished that “[T]ampering with the administration of justice in the manner indisputably shown here involves far more than an injury to a single litigant. It is a wrong against the institutions set up to protect and safeguard the public, institutions in which fraud cannot complacently be tolerated consistently with the good order of society. . . . The public welfare demands that the agencies of public justice be not so impotent that they must always be mute and helpless victims of deception and fraud.” *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238, 246, 64 S.Ct. 997, 1001, 88 L.Ed. 1250 (1944).

Further, as noted in the petition for certiorari, trial court’s exclusions of Petitioner’s testifying witnesses, based on two separate issues of timeliness, compounded the clear errors and magnified verifiable bias against Petitioner.

II. CLEAR AND CONVINCING EVIDENCE

This petition for a rehearing addresses a parallel and paramount element of the case, that allows this Court to intervene due to an absence of finality of the judgment, brought forth from the decision being produced by fraud upon the court. The circumstances below present clear and convincing evidence that allow

granting a petition for rehearing, appropriate for this Court's intervention and duty.

III. INTENTIONAL MISREPRESENTATION OF FACTS AND RULES OF THE COURT

Petitioner's limine, filed on August 25, 2019, contained an attached exhibit of Respondent's supplemental response to interrogatories (response excluded pertinent O.C.G.A. § 9-1-33), which clearly showed that interrogatories were filed. Respondents falsely stated that there was an absence of specific interrogatory questions. (Reh.App. p.3-5). Respondents stated that their expert had "formed" an opinion, but was not required to "memorialize" it. Such willful misinterpretation of rules of the court were deliberate, uncorrected (by trial court) and affirmed by the appellate court. See Below excerpt from transcript:

MR. SATCHEL: Yes, your Honor. Be glad to respond to that. Your Honor, in this case there is no duty on the defendant to provide some sort of report or some affidavit of the reviewing defendant expert, it's not required. In this case the plaintiff—and Ms. Cave was previously represented by counsel. There was no interrogatory question asking us to identify any potential expert witnesses at trial. It was a document request in regard to the experts, and we complied with that document request, your Honor, last October in a supplemental response to interrogatories.

(Reh.App. p. 17a-18a).

There is no report. Doctor Hackman didn't prepare for a peer review in the case. He's formed an opinion. He did not memorialize that in the form

of an affidavit or a report, and is not required to do so.

(Reh.App. p.19a)

The fraud upon the court (shown above) is palpable also, due to statements and admissions by Respondents which revealed the expert, was described interchangeably as a "reviewing expert" yet was a designated expert in pre-trial orders.

Simply put, witnesses cannot be considered as experts, if they cannot produce an opinion.

This Court decided that judgments obtained through fraud never become final judgments and therefore should weigh the harms that may result from such conduct, which in turn, disrupts the judicial machinery. *See, Johnson.*

The trial court escalated and compounded such misrepresentation in asserting that it was not aware of requirements for defendants to provide its expert opinion (report), other than through a deposition. The motion in limine to exclude Respondents' expert was denied, prior to trial. See trial court transcript:

THE COURT: Ms. Cave, your plaintiff–your motion is denied. I'm not aware of anything that requires the defense to provide you with a written report or an affidavit. And a deposition is one of those things that parties take to help them to determine what the expert will be testifying about in court of what their opinion is. And since that was not done, there's nothing for me to do other than to deny your motion. Deputy, if you would bring in the jury, please.

(Reh.App. p.20a)

The ruling was in clear contradiction to *Daubert*, as codified in Georgia's O.C.G.A. § 24-7-702 and O.C.G.A. § 9-11-26.³

As per Georgia Expert Witness Reports and Disclosure Rules:

"Further, a party can compel production of the reports of the experts its opponent expects to call at trial pursuant to O.C.G.A. § 9-11-34." *Bridgestone /Firestone North American Tire v Campbell*, 574 S.E. 2d 923, 928 (Ga. Ct. App.2002). Interrogatories were timely filed pursuant to O.C.G.A. §§ 9-11-33, 9-11-34. (Reh.App. p.2-5). The trial court did not invoke the rule to include interrogatories, in order to obtain opposing party's opinions, (Reh.App. p.20a) thus protecting the admission of Respondents' expert; yet the judgment was affirmed.

IV. HIGHLY SELECTIVE FACTS OF THE RECORD

Directed verdicts are reviewed *de novo*. Information revealing fraud upon the court was readily available through a complete review of records, yet the appellate court found the issue "moot" (regarding rules of admissibility, due to dismissal of case, directly caused by the trial court's denial of a recess, to allow testimony of Petitioner's expert witness traveling, in route, to appear at trial (booked flight was placed into evidence) (Reh.App. p.22a).⁴ Admissions of clear

³ O.C.G.A. § 9-11-26 – General Provisions Governing Discovery.

⁴ The appellate court reasoned that Petitioner had an inability to state when her expert witness, Dr. Levine would arrive; it was clearly known to the court, before pooling of the jury, of the sustained scheduling conflict, and efforts to fly in earlier, on a possible stand-by flight. These critical facts were misconstrued

material misrepresentations of rules of the court, compounded by abuses of discretion, should have resulted in reversal, due to, in part of, the judgment induced by fraud.⁵

The appellate court overlooked the critical piece of evidence of the absence of gatekeeping and the interrogatories (revealed in transcripts). This resulted in an unjust deprivation of right to discovery, prohibiting Petitioner from her constitutionally protected right to a fair trial, under procedural due process. Fraud upon the court that produces a decision, is essentially not a true decision at all and can never become final.

See, Riggins v Equitable Life Assurance Soc'y, 64 Ga. App. 834, 14 S.E. 2d 182 (1941) in which affirmed a directed verdict when it appeared from all the evidence, both for plaintiff and the defendant, with all reasonable deductions therefrom, that such verdict was demanded.

Here, the record showed clear obstructions to present all the evidence (petitioner's expert testimonies), due to denial of recess and exclusion of second expert based solely on timeliness. *See, Lee v. Smith*,

as an inability to tell the court when he would arrive. A complete review of the record (booked flight) contradicts such reasoning.

⁵ "No fraud is more odious than an attempt to subvert the administration of justice." *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238 (1944). The issue (opinionless expert) was argued through a limine and denied and later affirmed by the appellate court. A clearly contrived frivolous defense was allowed to advance to trial.

307 Ga. 815, 838 S.E. 2d 870 (Ga. 2020)⁶. Petitioner's second expert, Dr. Harry Lehrer, excluded on the morning prior to trial, was of critical importance, as he is a certified fraud examiner, needed to corroborate the claim of fraud. He found the procedure medically unnecessary, standard of care breached, resulting in damages, issues of upcoding and additional false notations in the record. (Reh.App. p.16).

The appellate court determined that the trial court reopened discovery to allow Petitioner to depose Respondent, without disclosing that Petitioner was also deposed outside of discovery period and therefore a de-facto agreement was in place.

The court characterized Petitioner's unnecessary procedure as involving "placing crowns on two of Cave's teeth." The full record showed that Petitioner originally had sound veneers on teeth #8, 9, that were unnecessarily removed through a false diagnosis from Respondents. The fraudulent crowns were also placed incorrectly/botched, which caused occlusal issues (that ultimately led to a displaced left anterior temporo-mandibular disc), and led to permanent damages and suffering (TMD). The selected facts of the record, in the appellate court's opinion resulted in inequitable reasoning, whereas judgments deriving from a matter of law, requires evaluation of the entire record.

⁶ The Georgia Supreme Court adopted a four-step test for a trial court to determine if conflicted scheduling orders warrant expert exclusion.



V. PROCEDURAL DUE PROCESS

"[Due] process is flexible, and calls for such procedural protections as the particular situation demands." *See, Morrisey v. Brewer*, 408 U.S. 471, 481 (1972).

In its opinion, the appellate court found no abuses of discretion or due process violations in the following:

1. The first exclusion of Petitioner's expert witness, due to an alleged late identification (critical to the malpractice linked to fraud).
2. Permitted entrance of Respondents' expert witness into trial without a proffered opinion, contrary to O.C.G.A. §§ §§ 24-7-702, 9-11-26, 9-11-33, 9-11-34.
3. As mentioned in certiorari, the trial court intervened (against judicial conduct) and steered Respondents away from a mistrial request, (in reminding them that the court was still awaiting Petitioner's expert, enroute for trial).

Finally, the judge removed the case from jury through a directed verdict (due to denial of recess), which included the following genuine material issues of fact.

4. No plaintiff summary judgment challenges /four unchallenged affiants (2016-2019). (no depositions taken by defense).
5. X-rays revealing unnecessary treatment (Exhibit).

6. No mention of decay or damage mentioned in doctor's notes, instead stated "patient wants crowns". (Exhibit).

7. Admissions from Defendant (Dr. Sachdeva) indicating no decay or damage found on x-rays to necessitate treatment. (Testimony at trial.)

8. Consent form obtained through alleged false diagnosis, contrary to O.C.G.A. § 31-9-6(d). (Exhibit).

9. A booked airline flight placed into evidence (Dr. Levine). (Exhibit) (Reh.App. p. 22). (Trial court was made aware of flight arrangement, prior to pooling of the jury and previously denied relief for Petitioner to confirm expert schedule twice at August 20, 2019 hearing and emergency hearing request on or about August 21, 2019.

Above aforementioned, were raised in appellate court.

10. Statement of Dr. Levine attesting endeavors made to travel and testify at trial attached as an exhibit on motion for a new trial. (Reh.App. p. 21a).

VI. JUDICIAL CONDUCT

Based on the aforementioned, improper intervention (defense mistrial request) and prejudicial comments (unbeknownst, at that time, to Petitioner as misconduct) made by the trial court approximately two months prior to trial, implying that people watch reality court tv shows and feel that they can litigate in court. The court, stated in part, "you can't do this!"⁷,

⁷ Petitioner has now discovered the trial court's remarks pertaining to pro se litigant's presence in courts were against the requirements of judicial neutrality and additionally such

although you have a right. The comments were against judicial conduct, improper, and dismissive of the fraudulence that caused petitioner's injuries and suffering. The rulings of the trial court, which were later affirmed by the appellate court, ensured Petitioner could not and would not be able to litigate her case, supported by four experts.

The trial began with a known deficiency that was overridden by removal of rules of discovery, which ultimately created the path of rulings, that led to an illegitimate and unfair trial. "It is only if reasonable persons may not differ as to the inferences to be drawn from the evidence that it is proper for the judge to remove the case from jury consideration." *Bennett v. Haley*, 132 Ga. App. 512, 208 S.E.2d 302 (1974); *Raybon v. Reimers*, 138 Ga. App. 511, 226 S.E.2d 620 (1976); *Brown v. Truluck*, 239 Ga. 105, 236 S.E.2d 60 (1977); *Plough Broadcasting Co. v. Dobbs*, 163 Ga. App. 264, 293 S.E.2d 526 (1982).

Justia.com, <https://law.justia.com/codes/georgia/2020/title-9/chapter-11/article-6/section-9-11-50/>.

Given the clear and succinct issues identified herein, this Court should hold petition for certiorari pending disposition, and vacate the order denying certiorari and grant petition for rehearing of writ of certiorari. This Court should remand for proceedings, in light of elements revealing fraud upon the court.

treatment draws attention to judges duties under *Haynes v. Kerner*, 404 U.S. 519, 520, (1972), and was argued at trial.



CONCLUSION

Petitioner prayerfully and faithfully requests that the Court grant her petition for rehearing.

Respectfully submitted,

NORINE CAVE
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278 MOSSY WAY NW
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(404) 963-0309
NORINECAVE@ATT.NET

DECEMBER 15, 2022

RULE 44.2 CERTIFICATE

I, NORINE CAVE, petitioner pro se, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the following is true and correct:

1. This petition for rehearing is presented in good faith and not for delay.
2. The grounds of this petition are limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented.

/s/ Norine Cave

Petitioner

Executed on December 15, 2022

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Reh.App.1a

**CERTIFICATE OF SERVICE FOR FIRST
CONTINUNING INTERROGATORIES
(APRIL 19, 2016)**

**IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA**

NORINE CAVE,

Plaintiff,

v.

**SUVIDHA J. SACHDEVA, D.D.S.
COAST DENTAL OF GEORGIA, PC.,**

Defendants.

Case No. 16EV000350

Demand for Jury Trial

I, the undersigned, certify that I have this date served the opposing party in the foregoing matter with a copy of the PLAINTIFF'S FIRST CONTINUNING INTERROGATORIES TO DEFENDANT SUVIDHA J. SACHDEVA, DDS thereof by delivering a copy of same Via hand delivery to:

Milton B. Satcher, III
OWEN, GLEATON, et al, LLP
1180 Peachtree Street, NE
Suite 3000
Atlanta, GA 303 09

Reh.App.2a

Respectively Submitted on this 19th day April, 2016

/s/ Mathew Watson

Attorney for Plaintiff

Georgia Bar No.: 896756

The Silverbach Group PC

2910 Cherokee St. NW, Suite 101

Kennesaw, Georgia 30144

P: 770-544-0525 | F: 770-635-0340

mwatson@silverbachlaw.com

Reh.App.3a

**PLAINTIFF'S FIRST CONTINUNING
INTERROGATORIES TO DEFENDANT
SUVIDHA J. SACHDEVA EXCERPT 1**

**IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA**

NORINE CAVE,

Plaintiff,

v.

**SUVIDHA J. SACHDEVA, D.D.S.
COAST DENTAL OF GEORGIA, PC.,**

Defendants.

**Civil Action File
Case No. 16EV000350
Demand for Jury Trial**

**To: Suvidha J. Sachdeva, D.D.S.
c/o Milton B. Satcher, III
OWEN, GLEATON, et al, LLP
1180 Peachtree Street, NE
Suite 3000
Atlanta, GA 30309**

**COMES NOW Plaintiff the Propounder herein,
and requests that Respondent answer the following
Interrogatories fully in writing and under oath within
thirty (30) days from the date of service hereof,**

Reh.App.4a

pursuant to O.C.G.A. Sections 911-33 and 34, to produce sad responses (via US Mail, Certified or personal delivery) to: The Silverbach Group, PC, 2910 Cherokee Street, Suite 101, Kennesaw, Georgia 30144.

INSTRUCTIONS

Where a request is made to identify documents and demand is made to produce these documents, the documents need not be identified if they are produced.

In responding to these discovery requests, furnish all information available to you, including information in the possession of your attorneys or their investigators, and all persons acting in your behalf, and not merely such information known of your own personal knowledge.

[. . .]

(a) nature and scope of your examination of the Plaintiff;

(b) the nature and scope of any conversation you had with the Patient or with anyone who accompanied the Plaintiff;

(c) what you observed or were told about the Plaintiff's condition; and

(d) the treatment you provided or ordered to be provided for the Plaintiff.

(e) the risks that you described to Plaintiff with respect to any treatment or procedure you prescribed or performed.

[. . .]

Describe in detail and chronological order each test, procedure, or other treatment performed or

Reh.App.5a

ordered as part of your care of the Plaintiff, and for each:

- (a) identify all persons present during the test, procedure, or treatment and state the persons professional relationship to you, if any; and
- (b) state the reasons for, and result of, the test, procedure, or treatment.

[. . .]

(a) For each conversation you had with any other physician or dental professional relating in any way to the care and treatment of the Plaintiff, state the substance, date, time, and place of the conversation, and identify all persons involved.

(b) State the names and address of all dentists, physicians or other consultants who saw, examined and/or treated Plaintiff for the injury forming the basis of the injury at bar, and in relation to all such consultations or examinations by others indicate:

- (1) the reason you requested consultation or further examination;
- (2) when and where the consultation or examination took place; and,
- (3) all opinions, written or oral, and/or reports rendered to you by the consultant or [. . .]

Reh.App.6a

**EMAIL CORRESPONDENCE BETWEEN
NORINE CAVE AND BURT SATCHER**

Subject: FW: RE: Civil Action No.16EV000350
From: norinecave <norinecave@att.net>
Date: 12/3/2022, 12:03 PM
To: Jeffrey Cave <cavemanhdtv42@gmail.com>

Sent from my T-Mobile 5G Device

----Original message----

From: norinecave <norinecave@att.net>
Date: 8/23/19 12:05 PM (GMT-05:00)
To: "Washington, Chip"
<Booker.Washington@fultoncountyga.gov>,
Burt Satcher <burt.satcher@colemantalley.com>,
cavemanhdtv@att.net, "Terry L. Long"
<terry.long@colemantalley.com>
Subject: RE: Civil Action No.16EV000350

Good Morning Mr. Washington,

I am in the process of the filing and respectfully
acknowledge the instructions of the Court. Have a good
day.

Mrs. Cave

Sent from my T-Mobile 4G LTE Device

----Original message----

From: "Washington, Chip"
<Booker.Washington@fultoncountyga.gov>
Date: 8/23/19 11:07 AM (GMT-05:00)
To: NORINE <norinecave@att.net>, Burt Satcher
<burt.satcher@colemantalley.com>,
cavemanhdtv@att.net, "Terry L. Long"
<terry.long@colemantalley.com>

Reh.App.7a

Subject: RE: Civil Action No.16EV000350

Good morning All,

Please refrain from including the Court in emails when offering arguments. A filing is the only proper way to place things before the Court for consideration.

Regards,

Booker T. "Chip" Washington III
Judicial Staff Attorney, Senior to
The Honorable Patsy Y. Porter
State Court of Fulton County
Suite T-2855, Justice Center Tower
185 Central Avenue, S.W.
Atlanta, GA 30303
404-613-4350 (office)
404-790-8743 (cell)
404-224-0575 (fax)
Connect with Fulton County:
Website | Facebook | Twitter | Instagram |
FGTV | #OneFulton E-News

PURSUANT TO GEORGIA LAW, PLEASE ENSURE ALL COUNSEL AND/OR PARTIES ARE COPIED ON ANY AND ALL COMMUNICATIONS WITH THE COURT.

E-filing is mandatory effective October 5, 2015.

----Original message----

From: NORINE [mailto:norinecave@att.net]
Sent: Thursday, August 22, 2019 6:02 PM
To: Burt Satcher; Washington, Chip;
cavemanhdtv@att.net; Terry L. Long
Subject: Re: Civil Action No.16EV000350

Reh.App.8a

Good Evening Mr. Satcher,

In response to your message, you repeated stated that Dr. Hackman "may" testify at the trial. Dr. Hackman's credential release does not negate your responsibility at minimum, to disclose his opinion of the case at hand and my right to be informed with or without a deposition. I have repeatedly complied with required elements with respect of the Court as per Ga. Code 9-11-9.1, that governs the submission of an affidavit of merit with each of my qualified expert witnesses. This requested and previously noted information/opinion is standard and a pivotal element of the case to avoid any deficiencies. If Dr. Hackman has had access and reviewed my medical information and subsequently formed an opinion of the case, then my right of the request of this information remains the same. As far as my second disclosure to you and subsequent finding today of Dr. Lehrer's ability to work on my case as an expert witness, again is my right in order to fairly conduct the merit and convey the facts of the validity of my case. You requested and was granted by this Court, the opportunity to depose Dr. Levine and you chose to decline. The difference is that Dr. Levine rendered a disclosure of his opinion of the case before you made the request to depose him. Dr. Lehrer, whom I previously disclosed to you and to the Court, has recently returned from abroad and finalized his review and is supportive of my claim. As of date, I have obtained four expert witnesses along with consistent, supportive, disclosed and necessary opinions of the case at hand to conclude, medical malpractice by Dr. Sachdeva of Coast Dental. You have disclosed a potential expert witness that "may" testify

Reh.App.9a

and notably without an opinion, on record, of the information from my case in which he has reviewed.

Norine Cave

On 8/22/2019 4:54 PM, Burt Satcher wrote:

Ms. Cave-we provided you with an appropriate Supplemental Discovery response last year identifying a potential trial expert Dr. Hackman and offered you the opportunity to take a discovery deposition to inquire further into his review and opinions related to the care provided. This expert also has been identified as a potential witness for trial in every version of the Pre-Trial Orders that we have exchanged with you since March, prior to the time of the first pre-trial calendar call with the Court. However, you never requested a deposition, interview or additional information about Dr. Hackman's review of the case until today and, as you know, the discovery period long ago expired.

As to your "disclosure" today of another potential "expert," we object to this far too late identification. Less than two months ago and after the Court granted your motion for continuance of the case from the prior trial calendar, you reported to us that a Dr. Jack Levine had been retained by you to testify at trial of the case. You did not identify this "Dr. Lehrer" as a potential expert on the issues presented in response to the Court's instructions in the Order for Continuance. Therefore, we object and will ask the Court to exclude any "expert" testimony of this late identified witness.

Reh.App.10a

M. B. Satcher, III
Partner
Coleman | Talley LLP
3475 Lenox Road, NE, Suite 400
Atlanta, GA 30326
D: 678-252-0360 | O:770-698-9556 |
F: 770-698-9729

burt.satcher@colemantalley.com | https://urldefense.proofpoint.com/v2/url?u=http3A__www.colemantalley.com&d=DwIFaQ&c=HPJvcKF4Kk5Wqru1T_u_fOsw8NVQVa3gp0ReMdIciXw & r=S_hICAB5AqtYONGk8aNfsO8Kcl18mBvm1FIRSVGLo02nz8mVaEf0BtcbucRGHIbR& m=ohHCBO_I_VLi5nYObf8s59kjmZvnB0yrPnVlx2oCwQ&s=FhN1gQd1x-spv3SlPeHPFL3SaHvrIy8_Ewf_eTQoal&e=

PRIVACY & DISCLAIMER NOTICE Connect with us

----Original message----

From: NORINE [mailto:norinecave@att.net]
Sent: Thursday, August 22, 2019 4:09 PM
To: Burt Satcher <burt.satcher@colemantalley.com>;
Washington, Chip
booker.washington@fultoncountyga.gov>;
cavemanhdtv@att.net; Terry L. Long
terry.long@colemantalley.com>
Subject: Civil Action No.16EV000350

Good Afternoon Mr. Sacher,

I wanted to reach out to you in regards to your expert witness, Dr. Michael P. Hackman and his appearance at the upcoming trial. At the inception of this case (filed on January 26, 2016) as mandated, all of my expert witnesses have submitted their credentials and opinions of the merit pertaining to the facts of this

Reh.App.11a

case. On October 19, 2018, you sent an email advising a Supplemental Response to Plaintiff's First Request to Produce, introducing Dr. Hackman as your expert for Case No. 16EV000350???. However, as mentioned in a previous response filed in court, Dr. Hackman's introduction was?? without an opinion of the case on record. I am requesting that if Dr. Hackman is planning to testify on behalf of Dr. Sachdeva, would you please disclose the merit of facts pertaining to this case with respect to his testimony and opinion.?? As mandated, all of my experts have submitted their credentials as well as their opinions of the facts of this case. Although I appreciate your submission of Dr. Hackman's credentials, In fairness and in equity, I am requesting?? a disclosure of Dr. Hackman's opinion pertaining to the facts of this case with respect to my claims of the case. I believe it is my right to full disclosure of the requested information in order convey transparency of his opinion. Lastly, in June of 2019, you made a Request for Supplementation of?? Discovery, in part, inquiring a list of all of the doctors /experts that I have consulted with on this case.

Dr. Lehrer was one of the dentists that was disclosed to?? you as an expert in my response with this court. As of today, Dr. Lehrer has since confirmed to work as an expert on this case. I will be filing this confirmation as notice on behalf of Dr. Lehrer with respect and permission of the court.

Thank You,

Norine Cave

Reh.App.12a

**NOTICE OF MOTION AND MOTION TO ADMIT
EXPERT WITNESS AND REQUEST OPINION
OF DEFENDANT'S EXPERT WITNESS
(AUGUST 23, 2019)**

**IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA**

NORINE CAVE,

Plaintiff,

v.

SUVIDHA J. SACHDEVA, D.D.S.
COAST DENTAL OF GEORGIA, PC.,

Defendants.

Case No. 16EV000350

Demand for Jury Trial

Notice to all parties and their respective counsel of record. Comes now, Norine Cave, in above captioned case pursuant to O.C.G.A.&9-11-9.1, moves the Court to allow and include Dr. Harry M. Lehrer, D.M.D., M.S. Ed., C.F.E. as an expert witness on behalf of Plaintiff.

1.

The main component and substance of this said case is and has been based, in part, on a Count of Fraud at the inception of this case on January 26,

2016. The alleged, intentional fraudulent diagnosis was rendered by Dr. Suvidha Sachdeva, formerly of Coast Dental, pertaining to Plaintiffs health in order to enhance the quotas and subsequent monetary gain of Coast Dental of Georgia, where she was previously employed. It is Plaintiff's belief, that the alleged false diagnosis was given to the Plaintiff, a former patient, in order to lure and deceive the Plaintiff into a medically unnecessary treatment, for profit. The medically unnecessary procedure has caused avoidable permanent loss, harm, pain and suffering, infliction of emotional distress, embarrassment as well as substantial loss of quality of life and finances.

2.

The testimony of Dr. Lehrer will assist in substantiating the merit of the claim of the fraudulent and medically unnecessary procedure that has been alleged in this action. Although the Defendants in this action provided a copy of their expert's, Dr. Michael Hackman, Curriculum Vitae on October 19, 2018; there was no written report regarding the investigation of this matter or the formed opinion thereof. Plaintiff noted the deficiency in a previous PLAINTIFF'S REPLY TO DEFENDANTS' RESPONSE AND OBJECTIONS TO PLAINTIFF'S MOTION OF CHANGE OF STATUS OF EXPERT WITNESS, filed with this Court on May 30, 2019. This reply brief noted the Defendant's deficiency by indicating that Dr. Hackman's Curriculum Vitae was presented without an opinion of the case. There was no action taken or response by the Defendant to address or correct the matter. In fact, Counsel for the Defendants describe the required disclosure of their expert's opinion as an

outdated discovery request. Plaintiff asserts that the absence of their expert's opinion is a deficiency and is required information. A deposition or inquiry would have been conducted to obtain further or additional discovery in regards to the basis of how the expert's opinion was formed.

The Defendants must disclose the identity of any expert witness expected to be called at trial and must provide the subject matter on which he/she will testify. Further the facts and the expert's opinions must be provided as well as the basis for the aforementioned.

3.

The Defendants have taken repeated measures to object to the request of the submission of the Plaintiffs expert witnesses and yet, as of this date, have failed to disclose an opinion of their proposed expert's finding of the medical necessity of the treatment or otherwise or the basis for refuting that medical malpractice occurred. This Court, in an order rendered by the Honorable Patsy Porter on June 14, 2019, determined that "regarding the Court's ability to exclude an untimely identified witness, the Georgia Court of Appeals in *Hart v. Northside Hospital, Inc.*, 291 Ga. App. 208, 209-210 (2008), held that a trial court's only remedy for an untimely witness is a continuance or a mistrial. However, the Hart Court constrained its holding and did not limit a trial court's ability to exclude an untimely identified witness in violation of a court's order." *Id.*, at 210 n. 9. Further, this Court found that there is no order in place requiring the Parties to identify any witnesses by a certain date.

The Honorable Patsy Porter also ordered that any witness identified in violation of the order may be subject to exclusion. On July 1, 2019, Plaintiff identified and filed with this Court, Dr. Lehrer as an expert witness with information concerning the matters involved in the action and stated that is was unknown, at that time, if he was expected to be called as an expert witness upon the trial of the case. Plaintiff initially contacted Dr. Lehrer and requested a review of her case in June of 2019, in accordance with the Order of this Court dated on June 14, 2019. After recently returning to the country in the past week or so, Dr. Lehrer confirmed that he was supportive of Plaintiff's case, hence, would be available as an expert witness of the case on August 22, 2019. The determination of Dr. Lehrer was made once he finalized his ongoing review of Plaintiffs documentation and medical records. Plaintiff immediately contacted the Court and Defendant's counsel regarding the expert witness, Dr. Lehrer, whom had been previously identified in this Court.

4.

Based on the forgoing, Plaintiff respectfully requests of this Court, the allowance and inclusion of Dr. Harry M. Lehrer, D.M.D., M.S. Ed., C.F.E. as an expert witness and allow the submission of the Curriculum Vitae and affidavit of Dr. Lehrer into record in the above-styled action. Plaintiff requests that Defendants disclose the formed opinion of their expert witness, Dr. Michael Hackman, that would indicate that Dr. Sachdeva of Coast Dental did not deviate from the requisite standard of care and if so, such a deviation was not a proximate cause of Plaintiffs injury.

Reh.App.16a

Wherefore the Plaintiff respectfully requests that this Court allows the admission of Dr. Harry M. Lehrer as an expert witness and finds that the opinion of Defendant's expert witness is a required element of the pleadings in order to avoid any deficiency.

This 23th day of August 2019.

Norine Cave
Plaintiff, Pro Se

**BENCH RULING TRANSCRIPT,
RELEVANT EXCERPTS
(AUGUST 26, 2019)**

[Transcript, p. 4]

MS. CAVE: Your Honor, that's incorrect. He-

THE COURT: Hold on for a moment. No, ma'am.
What's your next motion?

MS. CAVE: He was notified of Doctor Lear two months prior in his discovery—outside discovery. I notified him of Doctor Lear. At that point Doctor Lear had not committed. He was still reviewing the file. So he was aware two months prior to this. He had time to ask any questions, your Honor. It was in his supplemental discovery.

THE COURT: That motion is denied. Your next motion, please.

MS. CAVE: The motion is, your Honor, that I'm asking the Court to exclude his expert witness, Doctor Michael Hackman. He was introduced in October 19th, 2018. He provided his curriculum vitae without opinion of record with reference to the case. And Federal Rule 26-2b states that that information should be disclosed before trial. He had an obligation to submit it with his curriculum vitae and he did not.

THE COURT: Mr. Satcher?

MR. SATCHER: Yes, your Honor. Be glad to respond to that.

Your Honor, in this case there is no duty on the defendant to provide some sort of report or some

affidavit of the reviewing defendant expert. It's not required. In this case the plaintiff—and Ms. Cave was previously represented by counsel. There was no interrogatory question asking us to identify any potential expert witnesses at trial. It was a document request in regard to the experts, and we complied with that document request, your Honor, last October in a supplemental response to interrogatories—and I have a copy of it right here if you would like to see it, your Honor.

It identified Doctor Michael Hackman as a potential expert witness for a trial of the case. It says he has not prepared any written report concerning his investigation of the matter. And we produced a copy of his CV. And at the same time, your Honor, this is ten months ago, we produced that and emailed—have a copy of an email here to Ms. cave saying: Attached please find defendant's supplemental response, Mr. Satcher regarding discovery and copy and the cv of Doctor Hackman. And it says please contact us if you have any interest in taking a discovery deposition of our expert witness.

So we made Doctor Hackman available ten months ago. Doctor Hackman has been identified as a potential expert in every version of the pretrial order that we have submitted for consolidation. He's in—his name is included in the consolidated pretrial order that your Honor signed off on back on June 13 when this case had come up on the third trial calendar. we were down here and we were ready to go to trial and he had been identified a long time ago. I offered him for a deposition, provided his CV.

Thursday—this past Thursday was the first time we heard Ms. cave make a complaint about don't have any information, enough information, whatever she wants about Doctor Hackman. Again, the discovery did not request any additional information, we provided what was asked for in that document in the request for production of documents. we provided that information ten months ago. No requests until last Thursday for some affidavit or report from Mr. Hackman.

There is no report. Doctor Hackman didn't prepare for a peer review in the case. He's formed an opinion. He did not memorialize that in the form of an affidavit or a report, and is not required to do so.

THE COURT: Ms. cave?

MS. CAVE: Your Honor, he was notified in the filing two months ago on May 30th—three months ago. I'm sorry—stating that there was no information about his witness. And I—so far I provided four expert witnesses with affidavits as is required. I cannot move forward if I do not have an opinion of his experts of how he formed his—you know, his opinion of the case.

Now, he did offer me to depose him, but an opinion must be of record before a deposition is taken. So when I realized that, you know, Mr. Satcher still had not complied with my—I made note of it in the May filing, May 30, 2019, he made no response to it. So you know, how am I to prepare if I don't have an opinion of his expert to know how to argue my case?

THE COURT: MS. cave, your plaintiff—your motion is denied. I'm not aware of anything that requires the defense to provide you with a written report or an affidavit. And a deposition is one of those things that parties take to help them to determine what the expert will be testifying about in court of what their opinion is. And since that was not done, there's nothing for me to do other than to deny your motion.

Deputy, if you would bring in the jury, please.

Juror No. 1 will be seated here; Juror No. 9, here; Juror No. 10 on the second row; Juror No. 18.

In voir dire we start with the general questions. when general questions are being asked, everyone remain in the courtroom. We follow-up with specific. Case . . .

[. . .]

**AFFIDAVIT OF AVAILABILITY
OF DR. JACK LEVINE, DDS
(SEPTEMBER 9, 2019)**

**COUNTY OF NEW HAVEN,
STATE OF CONNECTICUT**

1. My name is Jack M. Levine, DDS, FAGD, FACD, FICD, FADI. I am a licensed dentist, duly and regularly engaged in the practice of dentistry in the State of Connecticut. My office is located 375 Orange Street New Haven, CT 06511.
2. I was out of town and unavailable to travel to Atlanta the week prior to and up to the late evening of August 26, 2019.
3. I present this Affidavit attesting to the fact that I was available to travel to Atlanta on the evening August 26, 2019 to testify on behalf of Norine Cave indicating that the treatments rendered by Dr. Suvidha Sachdeva of Coast Dental fell short of the standard of care for dental procedures in the dental community, in reference to Civil Action File No. 16EV000350. My testimony was in support of medical malpractice with respect to the treatment rendered to Norine Cave by Dr. Suvidha Sachdeva.
4. Travel arrangements were made with Delta Airlines to that effect, to be able to testify at the trial of this case.

FURTHER AFFIANT SAYETH NOT.

/s/ Jack Levine

Sworn to and subscribed before me this 9th day of September, 2019.

Reh.App.22a

**JACK MERRILL LEVINE
AIRLINE TICKET RECEIPT
(AUGUST 25, 2019)**

Date of Purchase: Aug 25, 2019

New York-LaGuardia, NY ► Atlanta, GA

Passenger Information: Jack Merrill Levine

Confirmation Number: G90NTT

Ticket Number: 0062385760963



Flight Date and Flight:

LGA ► ATL | Mon 26Aug2019 | DL 2769 |

Status: Open

Class: NH

Seat/Cabin: 35C

ATL ► LGA | Tue 27Aug2019 | DL 2907 |

Status: Open

Class: NH

Seat/Cabin: 29D

8/26/2019

Receivier: Delta Air Lines



Date of Purchase: Aug 25, 2019

New York-LaGuardia, NY ► Atlanta, GA

Passenger Information

JACK MERRILL LEVINE

Confirmation Number: G90NTT
Ticket Number: 0062385760963

FLIGHT

Date and Flight

LGA ► ATL | Mon 26Aug2019 | DL 2769 |
ATL ► LGA | Tue 27Aug2019 | DL 2907 |

Seat/Cabin

OPEN

Seat/Cabin

NH

Seat/Cabin

35C

OPEN

NH

29D

**CURRICULUM VITAE OF
DR. HARRY M. LEHRER, D.M.D., M.S., C.F.E.,
PAGES 1-3 OUT OF 7**

Personal History

Mailing Address

16711 Collins Avenue: #508
Sunny Isles Beach, FL 33160
Tel: 954-536-3837
Email: doclehrer@gmail.com

Education

2014 Association of Certified Fraud Examiners –
Certified Fraud Examiner

2005 Nova Southeastern University - Masters of
Science in Health Education Specializing in
Medicine (M.S. Ed.); Awarded Teaching Certif-
icate (2004)

1980 – 1984 University of Florida College of Dentistry
Awarded: Doctorate in Medical Dentistry
(D.M.D.)

1977 – 1979 University of Miami Coral Gables, FL
Bachelor of Science (Chemistry; Minor:
Business, Mathematics)

1976 – 1977 Rollins College Winter Park, FL

1974 – 1976 University of Florida Gainesville, FL

Positions Held

2016 – Present Nova Southeastern University College
of Dental Medicine - Director/Clinical
Supervisor-Urgent Dental Care Services

Reh.App.24a

(Facility to provide immediate emergency dental services).

2016 – Present Department of Oral Surgery (NSU-CDM) – Instructor in clinical local anesthesia for the D2 (sophomore) students. In addition, instruction in the technique of suturing for surgical procedures (Nova Southeastern University College of Dental Medicine).

2015 – Present Patient Screening and Triage – Evaluation of potential patients for the predoctoral and adjunctive clinics of Nova Southeastern University College of Dental Medicine (NSU-CDM)

2015 – Present Oral Surgery Clinical Instructor – Nova Southeastern University College of Dental Medicine

2014 – Present Plantation Family Dentistry – Adjunct Clinician Clinical Treatment of Patients Consultations and Evaluations of Traumatic Injuries

2011 – 2014 One Call Care Dental + Doctor/Express Dental Care – Dental Advisor Peer Reviews IME's Workman's Compensation/GL

2010 – Present Florida Department of Health (Department of Quality Assurance) – Expert Witness

2010 – 2012 Private Dental Practice- Plantation Park Dental Associates, P.A.

Reh.App.25a

2009 – Present Nova Southeastern University College of Dental Medicine–Associate Professor Department of Cariology and Restorative Dentistry

2002 – 2008 Nova Southeastern University College of Dental Medicine-Assistant Professor Department of Cariology and Restorative Dentistry

2004 – 2010 Coast Dental – Clinical Advisory Board Member Consulting Services Doctor Training Quality Assurance Risk Management

2000 – Present Comprehensive Dental Services (CDS)
- CEO/President Expert Testimony Peer Reviews Independent Medical Exams Workman's Compensation Evaluations Record Analysis Depositions Utilization Reviews

2009 – Present Academy Of General Dentistry (AGD)
– Peer Reviewer/Articles for Publication

2000 – 2002 Care House Healthcare Corporation of Hallandale & Ft. Lauderdale/ Dental Director and Consultant

1997 – 2000 Dental Center of West Palm Beach – Associate/Director Clinical Dentist in a Large Group Practice

1997 – Present Gerald H. Grant, Inc. - Licensed Real Estate Salesperson Dental Practice Sales

1997 – 1998 D.M.D. Marketplace, Inc. - Dental Practice Sales, State of Florida

Reh.App.26a

1988 – 1997 Galt Family Dentistry - Partner in a Private Dental Practice

1986 – 1988 Horizon Dental Care - Associate in a Private Dental Practice

1985 – 1989 Concorde Career Institute-Florida College of Medical & Dental Careers Member of Advisory Board of Directors Instructor of Dental Assistants Private Dental Practice Dental Clinical Reviews (Utilization/Peer/Workman's Compensation /Fraud: Reviews)

- Catapult Consultants/Medicaid Integrity Contractor (Arlington, VA) – Principal Dental Medicaid Integrity Consultant
- Coast Dental (Tampa, FL) – Dental Advisor, Risk Management, Quality Assurance, Fraud Audits, Patient/chart Reviews
- One Call Care Dental & Doctor (Tampa, FL) – Dental Advisor, Workman's Compensation Reviews /Reports, Peer Reviews, IME's/Reports, Peer to Peer Conferences/Consultations
- Concorde Career Institute (Ft. Lauderdale, FL) – Dental Advisory Board of Directors, Curriculum Committee/Instructor
- MES Solutions (Tampa, FL/Multiple Locations) – Utilization Reviews, Peer Reviews, IME's/Reports
- Florida Claims Management (Land O'Lakes, FL) – IME's/Reports, Peer Reviews
- Delta Dental (Multiple Locations)
- The Dyll Review (Dallas, TX) – Utilization Reviews, Appeal Reviews
- United Review Services (Piscataway, NJ)

Reh.App.27a

- Professional Medical Specialties (Maitland, FL)
- Exam Works (Ft. Lauderdale, FL/Syosset, NY/ Multiple Locations)
- Royal Medical Consultants (Tampa, FL) Paramount Review Services, Inc. (Kingston, NY)
- Quality Claims Solutions (Land O'Lakes, FL)
- Evaluation Specialists, LLC (Pittsburgh, PA)
- CorVel Corporation (Ft. Worth, TX)
- MCS Group (Miami, FL)
- Tristar (Janesville, WI)
- Disability Management Consultants, LLC (Media, PA)
- MLS/National Medical Evaluation Services, Inc. (Southfield, MI)
- Metro Medical Services/MMS (East Rockaway, NY)
- Medical Advisors (Plymouth Meeting, PA)
- GENEX (Winter Park, FL)
- Comp Services, Inc. (Camp Hill, PA)
- Innovative Claims Solutions (New Port Richey, FL)
- The Physician Network, Inc. (Meredith, NH)
- Medical Expense Management (Patterson, NJ)
- United Self Insured Services (Orlando, FL)
- International Healthcare Consultant/IHC (Marietta, GA)
- Laurel Medical Management Group (Mantua, NJ)
- D & D Associates (Franklin Square, NY) ECI Holdings, LLC (Boca Raton, FL)
- Expert Medical Witnesses (Altoona, PA)
- Evaluations Plus, Inc. (Livonia, MI)
- Eimar Managed Care Services (Poughkeepsie, NY)

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- American Independent Medicals (Boston, MA)
- US Medical Consultants, LLC (West Orange, NJ)
- JBA Medical (Miami, FL)
- Paramount Review Services, LLC (Lake Katrina, NY)
- IMEX (Boca Raton, FL)
- Independent Medical Examiner Services, Inc. (Jacksonville, FL)
- Industrial Medicine Associates (Albany, NY)
- Claims Medical Group, LLC (Parsippany, NJ)
- Crossland Medical Review Services, Inc. (Jupiter, FL, Syosset, NY)
- MCMC (Jericho, NY)
- MedAuth, LLC (Norcross, GA)
- MLS/National Medical Evaluation Services, Inc. (Southfield, MI)
- Rehabilitation Planning, Inc./Disability Management Company (Plymouth Meeting, PA)
- National Choice Care (San Antonio, TX)

Professional Organizations

2014 – Present	Elected Province Councilor of Psi Omega Dental Fraternity
2012 – Present	American Society of Dental Ethics
2012 – Present	Association of Certified Fraud Examiners
2009 – Present	Presidential Who's Who/Among Business and Professional Achievers
2008 – Present	American Association of Dental Legal Consultants

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2008 – Present	Academy of Sports Dentistry
2008 – Present	SLD Industries, Inc.-Selected as one of “America’s Top Dentists”
2009 – Present	Silver Society-University of Florida Alumni Association
2006 – Present	Deputy Councilor of Psi Omega Dental Fraternity
2000 – Present	Palm Beach County Disaster Relief Team - Forensic Medicine, Dental Examiner
2004 – Present	Christian Dental Society
2004 – Present	American Dental Educators Association (ADEA)
2007 – Present	Society of Industry Leaders
2000 – Present	Veteran’s Administration Hospital (VA) – Volunteer
1987 – 1990	Academy of Sports Dentistry
1984 – Present	Academy 100 – University of Florida
1984 – Present	University of Florida – Alumni Association
1980 – Present	Psi Omega Professional Fraternity
1998 – Present	APPA- American Professional Practice Association – Member
1998 – Present	Benevolent and Protective Order of Elks (B.P.O.E.) – Exalted Ruler (President) and 5-year Officer
1998 – 2004	Nutritional Superstores – Advisory Board Member

Reh.App.30a

1998 – 2004 Nutritional Superstores – Advisory Board Member

Professional Licenses

1986 Florida State Dental License # DN0010786
1997 Real Estate License # SL652297: Department of Business and Professional Regulation
2004 Teaching Certificate/Masters-Education Program
2014 Certified Fraud Examiner

Teaching Experience and Teaching Responsibilities

2001 – Present Associate Professor/Assistant Professor – Department of Cariology and Restorative Dentistry
 Nova Southeastern University - College of Dental Medicine (NSU-CDM); Ft. Lauderdale, FL
1985 – 1989 Concorde Career Institute/Florida College of Medical and Dental Careers – Clinical and Didactic Instructor of Dental Assistants
1984 – 1986 High School Teacher/Instructor – Gainesville High School, East Side High School, Buccholz High School, P.K. Yonge High School, Deerfield Beach High School (Deerfield Beach, FL) – Sciences, Mathematics, Health and Physical Education

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CERTIFICATE OF WORD COUNT

No. 22-279

Norine Cave,

Petitioner,

v.

Suvidha Sachdeva, et al.,

Respondents.

STATE OF MASSACHUSETTS)
COUNTY OF NORFOLK) SS.:

Being duly sworn, I depose and say:

1. That I am over the age of 18 years and am not a party to this action. I am an employee of the Supreme Court Press, the preparer of the document, with mailing address at 1089 Commonwealth Avenue, Suite 283, Boston, MA 02215.
2. That, as required by Supreme Court Rule 33.1(h), I certify that the NORINE CAVE PETITION FOR REHEARING contains 2982 words, including the parts of the brief that are required or exempted by Supreme Court Rule 33.1(d).

I declare under penalty of perjury that the foregoing is true and correct.



Lucas DeDeus

December 15, 2022

CERTIFICATE OF SERVICE

NO. 22-279

Norine Cave,

Petitioner,

v.

Suvidha Sachdeva, et al.,

Respondents.

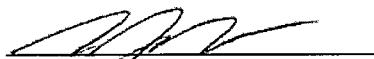
STATE OF MASSACHUSETTS)
COUNTY OF NORFOLK) SS.:

Being duly sworn, I depose and say under penalty of perjury:

1. That I am over the age of 18 years and am not a party to this action. I am an employee of the Supreme Court Press, the preparer of the document, with mailing address at 1089 Commonwealth Avenue, Suite 283, Boston, MA 02215.

2. On the undersigned date, I served the parties in the above captioned matter with the NORINE CAVE PETITION FOR REHEARING, by mailing three (3) true and correct copies of the same by USPS Priority mail, prepaid for delivery to the following address.

Melton B. Satcher III
Satcher & McGovern LLC
288 S. Main Street
Suite #100
Alpharetta, GA 30009-1944
(770) 847-7340
bsatcher@satchermcgovernlaw.com
Counsel for Respondents



Lucas DeDeus

December 15, 2022