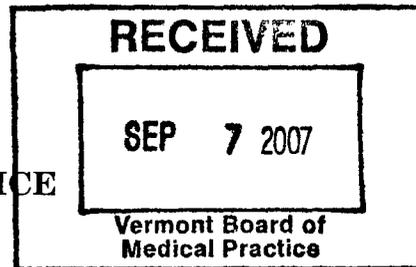


STATE OF VERMONT  
BOARD OF MEDICAL PRACTICE



In Re: ) MPC 15-0203 MPC 110-0803  
) MPC 208-1003 MPC 148-0803  
) MPC 126-0803 MPC 209-1003  
) MPC 90-0703 MPC 106-0803  
) MPC 89-0703 MPC 87-0703  
) MPC 122-0803  
David S. Chase )  
)  
Respondent )

STATE OF VERMONT'S REQUEST TO AMEND REPORT OF HEARING  
COMMITTEE

For reasons argued in the accompanying memorandum, the State of Vermont ("State") respectfully requests the Vermont Board of Medical Practice to amend the Report of the Hearing Committee as set forth below. The findings of the Committee reasonably support the conclusion that, in each of the ten cases where the Committee found unprofessional conduct, Respondent willfully made a false record in his practice under 26 V.S.A. §1354(a)(8) and engaged in dishonest and/or immoral conduct under 26 V.S.A. §1398. Further, the State respectfully submits that the Committee's conclusion with respect to the three surgical patients - - Judith Salatino (Patient#2), Susan Lang (Patient #4), and Margaret McGowan (Patient #11) -- that the evidence does not support the allegation that the surgeries performed on these patients was unnecessary is erroneous and inconsistent with the Committee's own findings and should be amended to conclude that such surgery was unnecessary and that Respondent's performance of such surgery constitutes dishonest and/or immoral conduct under

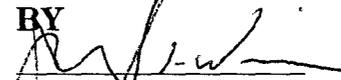
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conduct under 26 V.S.A. §1398. The State therefore requests that the following counts in each case be amended as requested:

1. Helene Nordstrom - MPC15 -0203 (Patient #1) – Counts VI, VII, VIII, IX;
2. Judith Salatino – MPC 208-1003 (Patient #2 ) – Counts XVIII, XIX, XX, XXI;
3. Susan Lang – MPC 148-0803 (Patient #4) – Counts XXXI, XXXII, XXXIII, XXXIV, XXXVI;
4. Marylen Grigas - MPC 106-0803 (Patient #5) – Counts XLIII, XLIV, XLVI;
5. Jane Corning -- MPC 110-0803 (Patient #8) – Counts LVIII, LIX, LX;
6. Franklin Cole – MPC 126-0803 (Patient #10) – Counts LXXV, LXXVI, LXXVII, LXXVIII;
7. Margaret McGowan – MPC 209-1003 (Patient #11) – Counts LXXXIV, LXXXV, LXXXVI, LXXXVII;
8. Joseph Touchette – MPC 89-0703 (Patient #12) – Counts XCIII, XCIV, XCV;
9. William Augood Pierson – MPC 90-0703 (Patient #13) – Counts CII, CIII, CIV, CV, CVI;
10. Jane Kerr – MPC 87-0703 (Patient #14) – Counts CXIII, CXIV, CXV, CXVI.

Dated at Montpelier, Vermont this 2 day of September, 2007.

**WILLIAM SORRELL  
ATTORNEY GENERAL  
STATE OF VERMONT  
BY**



Joseph L. Winn  
Assistant Attorney General



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