

# Testimony & Depositions



**Clinton F. Merrill, Jr. M.D.**

(Current as of November 2024)



**Testimony and Depositions for Clinton F. Merrill, Jr., M.D.**

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**Testimony**

- 1.) **February 6, 2008:** Trial testimony in my own defense in Golovanoff v. Merrill (medical malpractice case, wrongful death).  
**Jurisdiction:** In the District Court, Second Judicial District, State of Wyoming, County of Albany  
**Case No.:** Civil Action No. 30058.  
**Attorneys**  
**Plaintiff:** Robert Shively (Casper, WY)  
**Defendant:** Corinne Rutledge (Lathrop & Rutledge - Cheyenne, WY)  
**Summary:** Venous/arterial thromboses due to undiagnosed endometrial cancer with subsequent fatal hemorrhage.
  
- 2.) **March 25, 2018:** Testimony before Wyoming Board of Parole in a petition for medical early release for inmate Julie Jacobsen.  
**Jurisdiction:** State of Wyoming, Department of Corrections, Wyoming Women's Center Parole Board  
**Attorneys**  
**Petitioner:** Joanne Sweeney (Woodhouse Roden Nethercott - Cheyenne, WY)  
**Summary:** Squamous cell carcinoma of the maxilla requiring complex care
  
- 3.) **July 14, 2020:** Testimony at Daubert hearing in McClain v. Holen (medical malpractice case)  
**Jurisdiction:** State of Michigan, In the Circuit Court for The County of Branch  
**Case No.:** 18-07-429-NH  
**Attorneys**  
**Plaintiff:** Michael Gagleard (Ishbia & Gagleard - Birmingham, MI).  
**Defendant:** Cullen McKinney (Tanoury, Nauts, McKinney & Garbarino - Livonia, MI).  
**Summary:** Delayed diagnosis of colon cancer.

- 4.) **July 2, 2021:** Trial Testimony for the defendant in Rizzotto v. Stovas (liability case)  
**Jurisdiction:** District Court, Larimer County, Colorado  
**Case No.:** 2019CV030044  
**Attorneys:**  
**Plaintiff:** Russell W. Sinnett (Sinnett Law Office - Loveland, CO)  
**Defendant:** Michael O. Frazier and Joel A. Richardson, (Campbell, Wagner, Frazier & Dvorchak - Greenwood Village, CO)  
**Summary:** Property owner's liability for post traumatic meningioma
- 5.) **February 2, 2022:** Testimony for the defendant in Vela v. City and County of Denver.  
**Jurisdiction:** State of Colorado, Office of Administrative Courts  
**Case No.:** WC 5-141-944  
**Attorneys:**  
**Defendant:** J.P. Moon (Assistant Denver City Attorney)  
**Summary:** Plaintiff request for reimbursement of unauthorized care for prostate cancer.

### **Depositions**

- 1.) **2007:** Deposition on my own behalf as the defendant prior to a malpractice trial in February 2008 in Albany County (Golovanoff v. Merrill – see Testimony #1 above). I was also present for the 3 depositions given by plaintiff's expert witnesses. Suit went to trial February 2008. Unanimous verdict in favor of the defendant. Attorney for the plaintiffs was Rob Shively (Casper, WY). Attorney for the defendant was Cory Rutledge (Lathrop and Rutledge - Cheyenne, WY).
- 2.) **2014:** Deposition on my own behalf in a breach of contract suit against Regional West Physicians Clinic (RWPC), Scottsbluff, NE. I was also present for the 4 depositions given by representatives of RWPC. Suit was settled by arbitration in June 2015. Attorney for the plaintiff was Jim Zimmerman (Scottsbluff, NE). Attorney for the defendant was Heidi Guttau-Fox (Baird Holm, LLP - Omaha, NE)
- 3.) **December 1, 2016:** Deposition for the plaintiff in DuQuoin v. State of Wyoming Worker's Compensation.  
**Jurisdiction:** Before the Workers' Compensation Medical Commission, In and for Lincoln County, State of Wyoming  
**Case No.:** WC 2013-05319  
**Attorneys:**  
**Plaintiff:** Jack Edwards (Edwards Law Firm - Etna, WY)  
**Defendant:** John LaBuda (Pinedale, WY)  
**Summary:** Possible work-related squamous cell carcinoma of the thumb.

- 4.) **November 1, 2016:** Deposition for the state (Defendant) in Coffman v. State of Wyoming Worker's Compensation.  
**Jurisdiction:** In the Office of Administrative Hearings State of Wyoming, County of Natrona  
**Case No.:** WC 2016-08675  
**Attorneys**  
**Plaintiff:** Phillip Wulf (Murane & Bostwick - Casper, WY)  
**Defendant:** Timothy Miller (Senior Assistant Attorney General - Casper, WY)  
**Summary:** Work-related knee injury with subsequent postoperative pulmonary embolus.
- 5.) **March 3, 2018:** Deposition for the plaintiff in McPhail v. Casillan (medical malpractice case, wrongful death).  
**Jurisdiction:** In the District Court of Shawnee County, Kansas, Third Judicial District  
**Case No.:** 2016-CV-000950  
**Attorneys**  
**Plaintiff:** Daniel Singer (Shamberg Johnson & Bergman - Kansas City, MO)  
**Defendant:** Mark Lynch (Simpson Logback Lynch Norris - Overland Park, KS)  
**Summary:** Carotid endarterectomy with death due to subsequent intracranial hemorrhage.
- 6.) **October 14, 2019:** Deposition for the plaintiff in McClain v. Holen  
**Jurisdiction:** State Of Michigan, In the Circuit Court for the County of Branch  
**Case No.:** 18-07-429-NH  
**Attorneys**  
**Plaintiff:** Michael Gagleard (Ishbia & Gagleard - Birmingham, MI).  
**Defendant:** Cullen McKinney (Tanoury, Nauts, McKinney & Garbarino – Livonia, MI).  
**Summary:** Missed diagnosis of colon cancer
- 7.) **August 11, 2020:** Deposition for the plaintiff in Denniston v. Nelson, medical malpractice  
**Jurisdiction:** In The District Court of Douglas County, Nebraska  
**Case No.:** CI 19-1889  
**Attorneys**  
**Plaintiff:** Corey Stull (Atwood, Holsten, Brown, Deaver & Spier – Lincoln, NE).  
**Defendant:** David Ernst (Pansing, Hogan, Ernst & Bachman – Omaha, NE)  
**Summary:** Missed diagnosis of recurrent prostate cancer

- 8.) **May 14, 2021:** Deposition for the defendant in Rizzotto v. Stovas (medical causation).  
**Jurisdiction:** District Court, Larimer County, Colorado  
**Case No.:** 2019CV030044  
**Attorneys**  
**Plaintiff:** Russell W. Sinnett (Sinnett Law Office – Loveland, CO)  
**Defendant:** Michael O. Frazier and Joel A. Richardson (Campbell, Wagner, Frazier & Dvorchak – Greenwood Village, CO).  
**Summary:** Property owner liability for a fall with subsequent meningioma.
- 9.) **June 24, 2021:** Deposition for the defendant in Lee v. Ghandi (medical malpractice case).  
**Jurisdiction:** In the State Court of Cherokee County, State of Georgia  
**Case No.:** 19SCE0259  
**Attorneys**  
**Plaintiff:** Lyle Warshauer (Warshauer Law Group – Atlanta, GA).  
**Defendant:** Jeff Bazinet (Peters & Monyak – Atlanta, GA).  
**Summary:** Delayed diagnosis of breast cancer.
- 10.) **June 23, 2022:** Deposition for the plaintiff in Massuomi v. Lackner (medical malpractice).  
**Jurisdiction:** In the District Court of Douglas County, Nebraska  
**Case No.:** CI 20-5928  
**Attorneys**  
**Plaintiff:** Corey Stull (Atwood, Holsten, Brown, Deaver, Spier & Israel – Lincoln, NE).  
**Defense:** Brien Welch (Cassem, Tierney, Adams, Gotch & Douglas – Omaha, NE).  
**Summary:** Fatal hemorrhage following thymectomy.
- 11.) **August 17, 2022:** Deposition for the plaintiff in Reimers v. McGowan (medical malpractice).  
**Jurisdiction:** In the District Court of Buffalo County, Nebraska  
**Case No.:** CI 19-425  
**Attorneys**  
**Plaintiff:** Jeff Welch and Ari Riekes (Gross, Welch, Marks, Clare – Omaha, NE).  
**Defendant:** Joshua Baumann (Abrahams, Kaslow & Cassman – Omaha, NE).  
**Summary:** Pulmonary emboli following hip arthroscopic surgery.

- 12.) **August 19, 2022:** Deposition for the plaintiff in Logan v. Akbani (medical malpractice).  
**Jurisdiction:** In the District Court of Jefferson County, Texas 260<sup>th</sup> Judicial District  
**Case No.:** B-204269  
**Attorneys**  
**Plaintiff:** Brian Sutton (Sutton & Jacobs – Beaumont, TX).  
**Defendant:** Joel Sprott (Sprott, Newsom, Quattlebaum, Messenger – Houston, TX).  
**Summary:** Renal failure following treatment with Jadenu
- 13.) **November 16, 2022:** Deposition for the plaintiff in Hoffman v. Columbo (medical malpractice).  
**Jurisdiction:** Superior Court of the State of Arizona for The County of Maricopa  
**Case No.:** CV2018-001586  
**Attorneys**  
**Plaintiff:** Calvin Rupp (Phoenix, AZ).  
**Defendant:** Jay Fradkin (Jennings, Strouss & Salmon – Phoenix, AZ).  
**Summary:** Missed diagnosis of breast Cancer
- 14.) **November 29, 2022:** Deposition for the plaintiff in Dibble v. Meacham (medical malpractice).  
**Jurisdiction:** In the Second Judicial District Court in and for Davis County, State of Utah  
**Case No.:** 200700280  
**Attorneys**  
**Plaintiff:** Jay Mohlman (Schmutz and Mohlman)  
**Defendant:** Kirk Gibbs (Kipp & Christian)  
**Summary:** Substernal goiter with missed diagnosis of thyroid cancer and subsequent fatal pharyngeal hemorrhage
- 15.) **March 30, 2023:** Deposition for the plaintiff in Santistevan v. Maloy (medical malpractice).  
**Jurisdiction:** In the District Court of Tulsa County for the State of Oklahoma  
**Case No.:** CJ-2020-3559  
**Attorneys**  
**Plaintiff:** Mark Lyons (Lyons & Clark – Tulsa, OK)  
**Defendant:** Kailey Lorensen (Rodolf & Todd – Tulsa, OK)  
**Summary:** Delayed diagnosis of multiple myeloma.

- 16.) **May 4, 2023:** Deposition for the plaintiff in Gamble v. Tsai (medical malpractice).  
**Jurisdiction:** State of South Carolina, In the Court of Common Pleas County of Charleston  
**Case No.:** 2018 -CP -10 -02702  
**Attorneys**  
**Plaintiff:** William Tuck (William J. Tuck, P.A.).  
**Defendant:** Hugh Buyck (Buyck Law Firm).  
**Summary:** Fatal pulmonary embolism due to inadequate anticoagulation following repair of knee dislocation
- 17.) **May 31, 2023:** Deposition for the plaintiff Cimino v. Weisz (medical malpractice).  
**Jurisdiction:** Eighth Judicial District Court, Clark County, Nevada  
**Case No.:** A-21-837998-C  
**Attorneys**  
**Plaintiff:** Greg Miles (Royal & Miles – Henderson, NV).  
**Defendant:** Patricia Daehnke (Collinson Daehnke Inlow & Greco – Las Vegas, NV).  
**Summary:** Lack of communication regarding colon cancer
- 18.) **September 20, 2023:** Deposition for the plaintiff in Sanchez v. Goodman, medical malpractice).  
**Jurisdiction:** District Court Clark Country, Nevada  
**Case No.:** A-21-837998-C  
**Attorneys**  
**Plaintiff :** Greg Miles (Royal & Miles).  
**Defendant:** Robert McBride (McBride Hall).  
**Summary:** Death due to improper administration of high dose methotrexate.
- 19.) **April 15, 2024:** Deposition for the plaintiff in Shumway v. Hansen, medical malpractice.  
**Jurisdiction:** In The District Court of The Seventh Judicial District of The State of Idaho, In and For the County of Madison  
**Case No.:** CV33-22-0429  
**Attorneys**  
**Plaintiff:** Breck Barton (Barton Atkinson Murdoch – Rexburg, ID)  
**Defendant:** Nicole Cannon (Tolman Brizee & Cannon – Twin Falls, ID)  
**Summary:** Removal of non-malignant ovary

- 20.) **October 14, 2024:** Deposition for the defendant in McCrary v. Cronk (medical malpractice)
- Jurisdiction:** First Judicial District County Of Santa Fe State Of New Mexico
- Case No.:** D-101-CV-2022-02430
- Attorneys**
- Plaintiff:** Daniel Estes (Ellis & Estes – Albuquerque, NM)
- Defendant:** Max Jones (Miller Stratvert - Albuquerque, NM)
- Summary:** Possible missed lung cancer on routine chest x-ray



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