

EXPERT CHALLENGE STUDY™

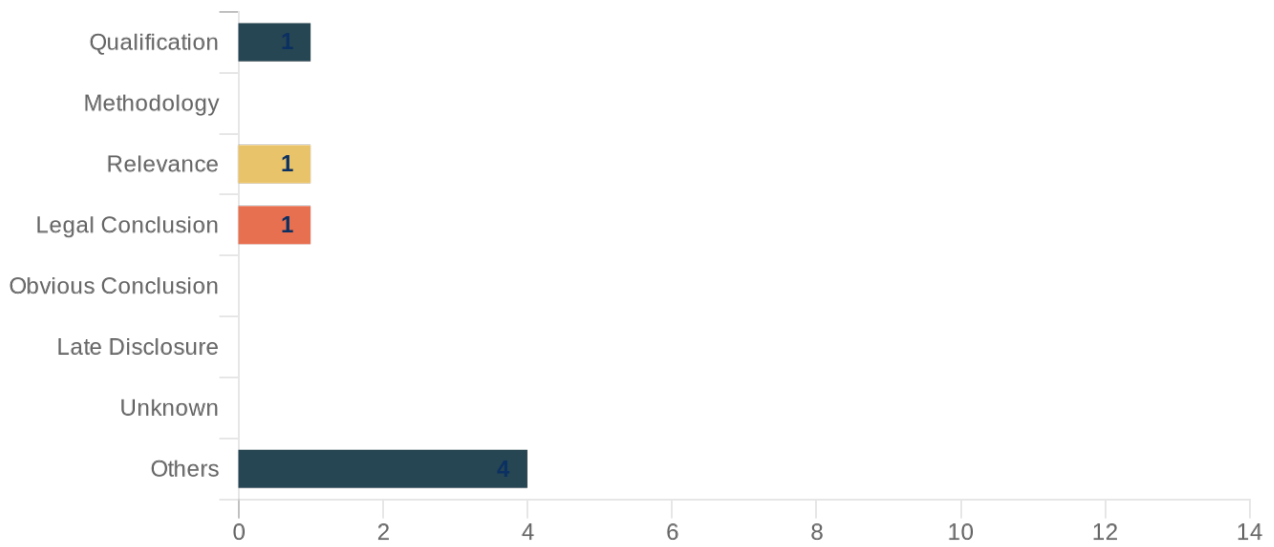
DR. JOHN R. DOE, M.D.

DIAGNOSTIC RADIOLOGY EXPERT WITNESS

REPORT PREPARED ON DECEMBER 03, 2025

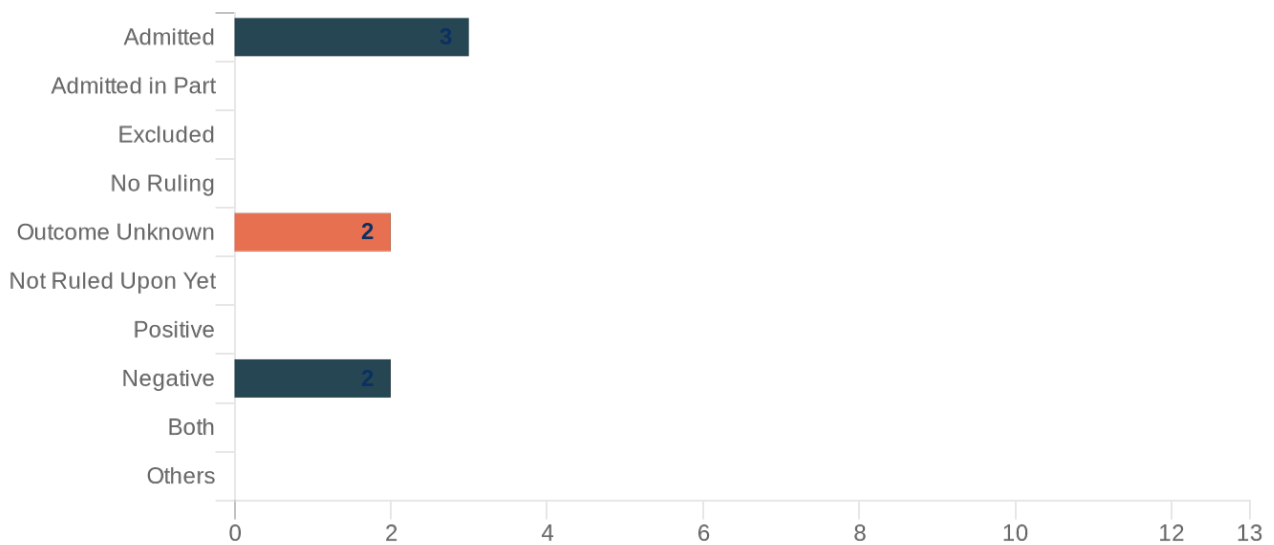
Grounds of Challenge

BY GROUNDS OF CHALLENGE



Challenge Disposition

BY OUTCOME



EXPERT CHALLENGES

This section provides references to an expert who has been cited or mentioned in case opinions (reported and unreported), briefs (where available), jury verdicts, dockets, and expert challenges for both state and federal courts. It is again noted that not every jurisdiction and every court makes their case law available, and this profile is limited as such.

The following search string was run to ensure that all available cases and briefs are captured.

((John w/2 Doe) w/100 Expert and (Radiolog! or Diagnos! or Imag! or Vascular or Interven! or Pulmon!))

The following legal databases were looked at during the preparation of this report:

1. Federal and State Cases Combined, Jury Verdicts and Settlements, Federal Agency Decisions, State Agency Decisions
2. Court Documents – Trial Filings, Appellate Briefs, Trial Orders, Dockets
3. PACER was searched to retrieve original documents, if available.

Document Access

We've sourced supporting documents (opinions, briefs, depositions, motions to exclude, expert reports, etc.) and organized them by availability:

1. **Free Download** - Opinions and public documents at no additional cost
2. **Order on Demand** - Request any other document. We'll confirm availability and cost. Upon payment, you'll receive a downloadable link immediately.

DIRECT CHALLENGES

This section includes reported, and numerous unreported cases from both state and federal jurisdictions where a "gatekeeping authority" has been cited or mentioned in a decision and the testifying expert's methodology or qualifications have been challenged. Gatekeeping authority is defined as a seminal decision or rule of evidence that defines or interprets the standards for admissibility or expert witness testimony for the corresponding jurisdiction. This section includes results from over 165 gatekeeping authorities, including but not limited to Daubert v. Merrell Dow, Frye v. United States, and their progeny. Sources for unreported decisions include docket sheets, litigation reports, jury verdicts, and other online resources. Although care has been followed to gather this information, not all cases involving expert challenges are reported.

Testimony properly admitted; affirmed.

Case Source:	Opinion, Docket
Case Caption:	Medical Structure v. Schneider
Docket Number:	11-3563, 17-15596
Case Cite(s):	2013 U.S. App. LEXIS 4563; 704 F.3d 9632
Grounds of Challenge:	Legal Conclusion
Area of Law:	Fraud and Economic Torts
Jurisdiction:	Federal
State:	Kansas
Court Name:	U.S. Ct. App. - 10th Circuit, U.S. District Court - D. Kansas
Retained By:	Plaintiff
Plaintiff's Attorney(s):	Barry R. Grissom
Defendant's Attorney(s):	John T. Carlson
Judge(s):	Kelly, Holmes, William J. Martinez
Date(s):	01/12/2013
Summary of Involvement:	Doe was retained by the Plaintiff as an expert in diagnostic radiology in the instant case. Defendant filed an objection to his testimony. The Appellate Court found no error in admitting his testimony. The judgment of the trial court was affirmed.
Supporting Document(s):	1. Defendants' Joint Reply To The Government's Response In Opposition To Defendant's Joint Motion To Exclude Testimony Of The Governments Experts

2. Memorandum To Exclude Testimony Of The Government's
Experts

3. Opinion dated January 12, 2013

Testimony sufficiently supported the jury's findings.

Case Source:	Opinion, Court Filed Documents
Case Caption:	University Medicine v. Bourlier
Docket Number:	3:12cr36
Case Cite(s):	2013 U.S. App. LEXIS 9778; 2011 U.S. Dist. LEXIS 95975
Grounds of Challenge:	Qualification
Area of Law:	Negligence and Malpractice
Jurisdiction:	Federal
State:	Florida
Court Name:	U.S. District Court - N.D. Florida, U.S. Ct. App. - 11th Circuit
Retained By:	Plaintiff
Plaintiff's Attorney(s):	Tiffany H. Eggers, Robert G. Davies, Pamela C. Marsh, U.S. Attorney's Office, Pensacola, FL
Defendant's Attorney(s):	Donald M. Sheehan, Pensacola, FL
Judge(s):	Martin, Anderson, Vinson
Date(s):	05/15/2013
Summary of Involvement:	Doe was retained by the Plaintiff as an expert in diagnostic radiology in the instant case. Defendant argued that the court had erred in admitting improper expert testimony because he was not qualified to testify regarding medical standards in Florida. The trial court had found no error in admitting his testimony. The Appellate Court concluded that his testimony constituted sufficient evidence to support the jury's guilty verdicts.
Supporting Document(s):	1. Brief Of Plaintiff-Appellee United States Of America 2. Opinion dated August 26, 2011 3. Opinion dated May 15, 2013

Testimony properly admitted; affirmed.

Case Source:	Opinion, Court Filed Documents
Case Caption:	Highway Northstar v. Martinez
Docket Number:	05-3455/06-7896, 5:05CR485, 10-4584, 15-7866
Case Cite(s):	2008 U.S. App. LEXIS 28523; 08a0210p.05; 588 F.3d 209; 2009 FED App. 4128P (6th Cir.)
Grounds of Challenge:	Relevance
Area of Law:	Product Liability
Jurisdiction:	Federal
State:	Ohio
Court Name:	U.S. Ct. App. - 6th Circuit, U.S. District Court - N.D. Ohio
Retained By:	Plaintiff
Plaintiff's Attorney(s):	Nina Goodman
Defendant's Attorney(s):	Jonathan P. Witmer-Rich
Judge(s):	Keith, Cole, White
Date(s):	06/15/2013
Summary of Involvement:	Doe was retained by the Plaintiff as an expert in radiology in the instant case. Defendant contended that his testimony was inadmissible because it was mere speculation. The Appellate Court held that the trial court did not err in admitting his testimony. The Appellate Court further concluded that any error in admitting Doe's testimony was harmless. The judgment of the trial court was affirmed.
Supporting Document(s):	1. Brief Of Appellant Jorge A. Martinez 2. Opinion dated December 31, 2008 3. Opinion dated June 15, 2013 4. Reply Brief Of Appellant Jorge A. Martinez 5. Trial Brief

INDIRECT CHALLENGES

This section includes reported, and numerous unreported cases from both state and federal jurisdictions where the expert's testimony has been cited or mentioned in a decision and the testifying expert's testimony has been offered in support of, in response to, or in opposition to motion for summary judgment, class certification, preliminary injunction, motion for a new trial or judgment notwithstanding the verdict. Sources for unreported decisions include docket sheets, litigation reports, jury verdicts, and other online resources. Although care has been followed to gather this information, not all cases involving such indirect expert challenges are reported.

Testimony sufficient to support conviction; affirmed.

Case Source:	Opinion, Court Filed Documents
Case Caption:	Allen Palmer v. Webb
Docket Number:	12-19589
Case Cite(s):	; 2011 U.S. App. LEXIS 52378; 21 Fla. L. Weekly Fed. C 480; 645 F.3d 1456
Grounds of Challenge:	Others
Area of Law:	Personal Injury and Torts
Jurisdiction:	Federal
State:	Not Mentioned
Court Name:	U.S. Ct. App. - 11th Circuit
Retained By:	Plaintiff
Plaintiff's Attorney(s):	Robert G. Davies
Defendant's Attorney(s):	Ryan Thomas Truskoski, Attorney at Law, Orlando, FL
Judge(s):	Hull, Black, Walter K. Stapleton
Date(s):	09/24/2011
Summary of Involvement:	Doe was retained by the Plaintiff as an expert witness in diagnostic radiology in the instant case. He had concluded that Defendant consistently violated the Florida Board of Medicine's standards. The trial court had convicted the Defendant. The Appellate Court affirmed Defendant's convictions and sentences.
Supporting Document(s):	1. Brief For The United States 2. Initial Brief Of Appellant 3. Opinion dated September 24, 2011

Testimony insufficient to avoid grant of motion for preliminary injunction.

Case Source:	Opinion, Court Filed Documents
Case Caption:	Mercy v. McCarthy
Docket Number:	B297955, BC 309970
Case Cite(s):	2009 Cal. App. Unpub. Lexis 9873
Grounds of Challenge:	Others
Area of Law:	Negligence and Malpractice
Jurisdiction:	State
State:	New York
Court Name:	Court Of Appeal Of New York Second Appellate District Division Two
Retained By:	Defendant
Plaintiff's Attorney(s):	David Caspi
Defendant's Attorney(s):	Robert McDonald
Judge(s):	William B. Stock
Date(s):	02/22/2022
Summary of Involvement:	Doe was retained by the Defendant as an expert in the instant case. Defendant filed his testimony in opposition to Plaintiff's motion for preliminary injunction. The Court granted Plaintiff's motion for preliminary injunction.
Supporting Document(s):	1. Expert Report of John Doe 2. Opinion dated February 22, 2002 3. Statement of Decision

Testimony sufficient to win grant of motion for judgment notwithstanding the verdict at trial; outcome of appeal is unknown.

Case Source:	Court Filed Documents
Case Caption:	Abreu v. CHP Corp.
Docket Number:	113660-06
Case Cite(s):	2009 Cal. App. Unpub. Lexis 9873
Grounds of Challenge:	Others
Area of Law:	Personal Injury and Torts
Jurisdiction:	State
State:	New York
Court Name:	Court of Appeal Fourth District Division 3 New York
Retained By:	Defendant
Plaintiff's Attorney(s):	Sandra L. Flushman
Defendant's Attorney(s):	Kenneth L. Thompson
Judge(s):	Robert Wooten
Date(s):	07/29/2001
Summary of Involvement:	Doe was retained by the Defendant as an expert in diagnostic radiology. According to the "Appellant's Reply Brief" it was stated that Defendant had cited his testimony in support of its motion for judgment notwithstanding the verdict on the claim for wrongful death. The trial court had granted Defendant's motion for judgment notwithstanding the verdict on the claim for wrongful death. The outcome of appeal is unknown.
Supporting Document(s):	1. Appellant's Opening Brief 2. Appellant's Reply Brief 3. Respondent's Brief

Testimony filed in support of motion for class certification; outcome unknown.

Case Source:	Docket
Case Caption:	Loughert v. Demetrius
Docket Number:	6:93cv254
Case Cite(s):	No citations available for this case.
Grounds of Challenge:	Others
Area of Law:	Negligence and Malpractice
Jurisdiction:	Federal
State:	Texas
Court Name:	U.S. District Court - W.D. Texas
Retained By:	Plaintiff
Plaintiff's Attorney(s):	John P. Germani, Richard D. Martemucci And Germani Martemucci Riggle
Defendant's Attorney(s):	Elizabeth A. Flynn, James F. Tucker, J. Tucker LLP
Judge(s):	John P. Germani, Richard D. Martemucci And Germani Martemucci Riggle
Date(s):	08/01/2012
Summary of Involvement:	Plaintiff filed his testimony in support of its motion for class certification. The outcome of Plaintiff's motion for class certification is unknown.
Supporting Document(s):	1. Reply and Response to Plaintiff's Motion for Class Certification by Doe 2. Testimony of John Doe in support of Plaintiff's Motion for Class Certification
