

2/10/2023

To: Members of the Uniform Law Commission and whom it may concern,

From: Teresa Jacobs, mother of Greg

In 1968, to satisfy an Ad Hoc Harvard Committee's goal to take living organs from patients, they concocted an idea of "irreversible coma" which later morphed into the words "brain death" and these things spread over time by evil push and desire to take life away from injured patients through evil deception and bad laws including the Uniform Determination of Death Act of 1981.

My beautiful son, Greg was born seven years after the Uniform Determination of Death Act of 1981. I had not been educated about the Uniform Determination of Death Act of 1981 nor had I been educated about the Harvard Committee and organ transplant industry's strategies to prey on hospital patients until I learned that my beautiful eighteen year old son was murdered in Hamot Hospital by fraud and living dissection.

At the hospital, a CT brain scan that was full of "strokes" was shown and used to trick Greg's family into believing in "brain death" and that there was "no hope." The true CT brain scan that I saw later did not show any strokes. Fraud was used against Greg in that hospital and also depersonalization. When I questioned medical treatment to Nurse James Pratt, he motioned to a woman who came and put her hands on my shoulders and moved forward forcing me to move backwards, further and further. Shortly later Nurse James Pratt told my husband and me that "organ donation makes death easier." He denied these truths later during his deposition.

We did not know at the time but learned later their strategy to take organs include the hospital and organ transplant industry to huddle together against the patient and push for a Do Not Resuscitate order. A Do Not Resuscitate order was wrongly placed on our son at the exact time that he was recorded as making "good" progress. I later learned that a Do Not Resuscitate order allows transplant industries to become involved and get the medical records on a patient.

To make our son appear worse, CORE, the transplant center wrote in a "book" false information that "he hit a tree." Dr. Dalton stated false information that he didn't know how long he laid there before being "found." Greg was not found, he was on a senior high school ski trip and teachers and classmates witnessed him fall after going over a catapult. In the death report, Dr. Bednarski falsely wrote that Greg was in a vehicle accident. Weeks after Greg was dissected alive, Dr. Engel took Greg's medical records and made changes including putting in a brain death declaration.

While Greg was a patient, Coroner Lyell Cook released his body to CORE the organ transplant center. In the Investigation Report, Coroner Lyell Cook stated, "We were ad-

vised that the family had donated organs and tissues and that CORE was anticipating a non-beating heart recovery. The decedent was not pronounced brain dead and we were assured that recovery would not be initiated until the heart had stopped. This issue will be discussed with DA Foulk as the writer is extremely uncomfortable with it. Coroner Lyell Cook according to a Mamula article March 2009, "was first told Jacobs was brain dead, only to find out later that the donation after cardiac death criteria were used. He referred the case to the district attorney." Then days later, Coroner Lyell Cook threw away the "book" and pictures (taken during the living dissection). Coroner Lyell Cook served on CORE's board.

CORE's "Consent by Next-of-Kin for organ, tissue and eye donation" form was witnessed by Nurse Dawn Kaleszewski under the belief of brain death and later the form was forged with Nurse Ruth Dougan pasted over on the same witness line. The new trick against Greg and his family was that Greg was now going to die from a bad heart.

Organ removal is deceptive, family and patients are not informed and the actions are becoming more and more aggressive as an article stated, "With appropriate anesthesia, it would be possible to reduce warm ischemia even further by surgically exposing the organs to be salvaged before life support was withdrawn. That article paints a fuller picture of understanding the incision time of 05:50 the anesthesia that was ordered/billed for OR harvesting, CORE's oxygen, ventilator and respiratory care for DCD (Donation after Cardiac Death) request by Coleman - all done against Greg's life.

Because of this Uniform Determination of Death Act, Greg was murdered and my family greatly suffers. . At the time of incision (05:50) Drs. Cruz and Lopez knew that Greg could not have been declared dead based on irreversible cessation of circulatory functions because Greg had a beating heart and blood pressure. Drs. Cruz and Lopez knew or should have know that Greg could not have been declare dead based on irreversible cessation of all functions of the entire brain including the brain stem because Greg was on brain depressing drugs propofol and fentanyl. Please repeal Uniform Determination of Death Act To modify it to get more organs will be evil on top of evil.

I am attaching four additional pages of a complaint with more information as my attorney prevented a trial by jury and ended up in a law firm across from the White House. CORE's attorneys were K&L Gates. The devil seeks to deceive, steal and kill.

Sincerely,

Teresa Jacobs, mother of Greg who when in need was not treated properly at a Pennsylvania hospital



This is the additional 4 pages of Statement of Complaint

This is necessary **complaint against attorney Dennis Boyle (Boyle) concerning obstruction of justice, federal court evidence cover-up and fraud during the federal case 1:09-CV-00048 United States District Court for the Western District of Pennsylvania.** I have complaint against Boyle as he removed defendants from the wrongful death case regardless of my objections. I have further complaint against Boyle as he tricked me out of attending court hearings and attending defendant depositions with promise that soon after I would receive copies of transcripts—then he also tricked me out of receiving those and other important records. I have requested from Boyle multiply times the entire file—but he has not turned over the file to me.

By Pennsylvania law, Boyle has a duty to release the records to me. Please see the certified mailings that I sent to Boyle at his latest three offices including the one across from the White House on K Street.

In 2007, the Pennsylvania Bar Association Committee on Legal Ethics and Professional Responsibility authored its formal opinion 2007-100 which provides general guidance on questions regarding clients' files. As the committee noted, "client files are maintained by a lawyer for the benefit of his or her principal, the client." Further stating, "...not only does the client have a right of access to the file, **but also has an ownership interest in the contents of the file.** In *Maleski, [v. Corporate Life Insurance]* the court held: "Notes and memoranda are part of the package of goods and services which a client purchases when they retain legal counsel. **The client is entitled to the full benefit of that for which they pay. We therefore believe that once a client pays for the creation of a legal document, and it is placed in the client's file, it is the client, rather than the attorney who holds a proprietary interest in that document. When a client requests that its property held by an attorney be turned over, under Rule 1.15 (b) the attorney must comply.**"

I paid Dennis E. Boyle ~ \$ 150,000.00 for "creation of" legal documents and other work production. I opposed the release of defendant transplant doctors Cruz and Lopez and requested transcripts and other documents—but Boyle just ignored me and released them from the case even though my son, Greg was not dead when doctors Cruz and Lopez cut upon him, removed his organs/vital organs. Hospital records show "harvest" organ incision time as 05:50 and death was pronounced at 06:19, but even at this later time Greg was not dead. They controlled Greg and forced death upon him.

An article by Kris B. Mamula states, "It isn't clear from the lawsuit which protocol surgeons used to determine death in the Jacobs case, which **troubles Erie County Coroner Lyell Cook, who said he was first told Jacobs was brain dead,** only to find out later that the donation after cardiac death criteria were used. He referred the case to the district attorney."

Pennsylvania determination of death states, "Only an individual who has sustained either: (1) irreversible cessation of circulatory and respiratory functions; or (2) irreversible cessation of all functions of the entire brain, including the brain stem, is dead. A determination of death must be made in accordance with accepted medical standards." What was done to Greg including the determination/pronouncement of death is UNACCEPTABLE. Greg was intentionally set-up and killed/murdered in that hospital.

Boyle emailed a February 22, 2010 letter that stated, "...there is no question that the actions of Cruz and Lopez lead directly to Gregory's death." and "The attorney for Drs. Cruz and Lopez has provided me with a letter stating that they too had been told that Gregory had been declared dead by Hamot and by

CORE personnel. If this is true (and I believe it is) we have no case against them. More importantly, the fact that they were misled is helpful to us in that it tends to show that Hamot and CORE, and the other defendants, were deceptive and dishonest not only with you but with Lopez and Cruz as well."

I then argued to Boyle in a February 23, 2010 10:42 AM email, "At the time of incision (05:50) Drs. Cruz and Lopez knew that Greg could not have been declared dead based on irreversible cessation of circulatory functions because Greg had a beating heart and blood pressure. Drs. Cruz and Lopez knew or should have known that Greg could not have been declared dead based on irreversible cessation of all functions of the entire brain including the brain stem because Greg was on brain depressing drugs propofol and fentanyl."

A Boyle email dated February 23, 2010 1:59 PM stated, "As I explained in my letter, I believe that the transplant surgeons were wrong, but ultimately, I do not think that we can prevail against them." Boyle did not write that in his letter. Boyle wrongly and intentionally released Drs. Cruz and Lopez against my objections and would not give me production material concerning this matter.

We, as plaintiffs wanted to be present for all the depositions of defendants but Boyle was adamant that we not attend. We especially wanted to be at the Dr. Pahapill deposition to ask him to point out the "strokes" that he showed to us on a ct brain scan on March 12, 2007. Later I saw that **Greg's true brain scan for that date did not have those large oval spots** that Dr. Pahapill called "strokes". In a Thursday April 1, 2010 9:15 AM email I wrote to Boyle, "During Dr. Paphapill's deposition, I would like him to view this drawing and admit that the ct scan in Greg's medical records is NOT the ct scan he showed us on March 12, 2007 when he looked at the large oval spots and said "Those are strokes". This fraud was used to coerce Greg's father into believing in brain death and sign a so-called consent to organ donation—which the form's witness signature line was later altered with different person name and on the night before trial was to begin, **I was told the pre-altered form was NOT entered into the federal court case. Dennis Boyle was aware of this fraudulently altered form but did not enter the original form into federal court and then did not go to trial and therefore Dennis Boyle committed COVER-UP of evidence to prevent trial and FRAUD against Greg and his family and "the People."**

On March 10, 2007 an illegal DNR order was placed into Greg's medical records at the exact time Greg was recorded as making "Good" progress. In a July 25, 2010 2:05 PM email, I wrote concerning the DNR, "Greg was never a "qualified patient" as the physician(s) never certified end-stage medical condition or permanently unconscious in Greg's medical records. Under PA law, neither Mike nor I were ever "authorized" to make any life-sustaining decisions (DNR or removal of ventilator) as Greg was NOT a "qualified patient" and did NOT have a Health Care Power of Attorney document or Living will. Real health care to preserve Greg's life was required to be provided to him under PA law Act 169; 5462 C (1)."

Two years later, **regardless of my opposition**, Boyle wanted to allow Dr. Bednarski to be removed from the case and stated to me in a July 2, 2012 9:12 PM email, "As I have tried to explain previously, **in order for a medical malpractice case to go to the jury, we need expert opinions to say that a defendant, in this case Dr. Bendarski violated the standard of care. Unfortunately, all of the experts who reviewed the case found that Dr. Bendarski did nothing wrong. You and I may disagree with that, but we are stuck with what our experts say.**" The following day, on July 3, 2012 3:28 PM I sent email that stated, "Dr. Bednarski was on the complaint until the judge released him only because of Bednarski's "one day" false statement. Again, I request that you make it known to the court/judge of Bednarski being the "ordering doctor" for the chest x-rays on March 12, 2007. I was

promised that I would get a copy of the expert reports and believe now is a better time than later to receive them. Frankly I do not understand where you are going compared to the complaint."

Boyle responded shortly later on same day, July 3, 2012 4:56 and stated, **"I have explained to you that we do not have an expert opinion to state that Dr. Bednarski violated the standard of care. We have no evidence—no expert opinions that say that Dr. Bednarski's involvement in the case in any way harmed Gregory."**

At that time, with only ~ six weeks before trial, Boyle wrote email on July 12, 2012 8:07 AM that stated, "We have scheduled depositions for all experts, except those that will appear at trial."

My own attorney, Dennis Boyle lied to me, and I emailed to him on July 14, 2012 9:35 AM, "Malpractice: Our complaint number 109 "Hamot and Drs. Phelps, Pahapill, and Bendnarski failed to consider Gregory's recovery as a primary concern, but instead made the harvesting of his organs their primary consideration in the treatment rendered. Number 119 "Drs. Pahapill and Bednarski allowed treatment that would have resulted in substantial recovery to Gregory to be discontinued." "This happened because of the illegal DNR ORDER that Dr. Bednarski, as the attending physician was responsible for and he needs to be held accountable for as the DNR ORDER allowed CORE to enter, treatments to be changed for the benefit of Greg's parts, (increased fluids that caused fluid in his lungs and swelling in his brain) and organ donation to happen through an abnormal pronouncement of death. Organ donation could not have occurred without the DNR ORDER. **Our two experts "Dr. Bednarski breached the standard of care by failing, as attending physician, to direct Greg's medical care and the discussions regarding DNR and withdrawal of life support, and failing to consult a neurologist about Greg's prognosis. Report of Dr. Baker p.10 (Ex.79); Report of Dr. Zabiega p.6(87).**

My own attorney, Dennis Boyle lied about NOT having expert opinion to state that Dr. Bednarski violated the standard of care—two expert witnesses wrote that Dr. Bednarski breached the standard of care!

Expense billing sheets show in 2011 two checks for total of \$11,200.00 went out to Dr. Terrance Baker (check nos. 3839 and 3855) for witness fee and then \$4,600.00 for deposition review and then \$4,100.00 for written report. Also in 2011 check for \$1,600.00 went out to Dr. Zabiega for witness fee. Many other "expert witness" charges were made in 2011 for work production and Dennis Boyle never gave me copies of the work production although I requested production many times before trial was to start instead Boyle settled the case against my objection. In fact, I paid ~ \$100,000.00 for expert witness fees for our case and I have never seen these reports! I was plaintiff to the case and wrote out the checks for production and Pennsylvania Bar Association Committee on Legal Ethics and Professional Responsibility believe that **"once a client pays for the creation of a legal document, and it is placed in the client's file, it is the client, rather than the attorney who holds a proprietary interest in that document. When a client requests that its property held by an attorney be turned over, under Rule 1.15(b) the attorney must comply."** Dennis Boyle did not and has not complied to my request for records and I would like him to be held accountable.

With only ~ six weeks before trial, having "scheduled depositions for all experts" yet to be done, and after receiving my email showing Dennis Boyle committed fraud against me, Boyle "writes "I will be leaving for South America for a vacation," email on July 14, 2012 6:36 PM which included many nasty remarks against me, orders and threats including, "Under the circumstance, I feel that I have no choice but to withdraw from the case. If I withdraw, you and Mike will have no chance of winning. If the judge does not permit me to withdraw, I will continue with the trial, but I we will not do any expert

depositions, nor will I put any more time into the case. Again, we would not win under this scenario.”

My goal of hiring an attorney was to get truth and justice at trial for the wrongful intentional killing/murder of my son, Greg Jacobs. Under law the wrongful dead are entitled to justice by way of probate court.

I was opposed to releasing Drs. Cruz and Lopez who dissected my beautiful son, Greg until they made him dead. This was a most torturing death. The coroner threw the coroner's records away within a few months after the killing and my own attorneys by way of cover-up and trickery allowed the responsible ones to be unaccountable.

Night before trial when Dennis Boyle wanted to “settle” the case, he used fear tactics to scare my husband **but I said “NO.”** I was ignored and told that I was not needed—that I didn't count.

I would have gone to every hearing, every deposition, etc... but I was made not to with the promise of trial from a trial attorney who boasted +150 trials. But instead of trial—the crimes of inhumane treatment and murder have been covered up. Dennis Boyle now sits in an office on K Street across from the White House in the same block as K & L Gates—the law firm used by CORE, the organ center.

I am requesting the Office of Disciplinary Counsel investigate the fraud that attorney Dennis Boyle used on us (the clients) to prevent truth and justice and trial. I also request that the Office of Disciplinary Counsel make attorney Dennis Boyle accountable and deliver to me the entire file as soon as possible.

Sincerely, Teresa Jacobs