# Mark I. Levy, MD, FAPA

#### **Curriculum Vitae**

#### Education

- A.B. 1967 Columbia College, Columbia University, New York, NY;
- M.D. 1971 College of Physicians and Surgeons, Columbia University;
- **Internship** 1971-72 Mount Zion Hospital and Medical Center, San Francisco, CA.:
- **Psychiatric Residency** 1972-75 Mount Zion Hospital and Medical Center;
- **Psychoanalytic Training** 1973-84 San Francisco Psychoanalytic Institute;
- Forensic Psychiatric Review Course <u>American Academy of Psychiatry and</u> Law, October 1998
- Forensic Psychiatric Review Course The Osler Institute, March 1999

#### Licenses

- **Physician and Surgeon** State of California since 1971;
- **Drug Enforcement Administration** since 1975:
- Qualified Medical Examiner ("QME"), State of California, Department of Industrial Relations, Industrial Medical Council 1993 1996, currently inactive.

#### **Board Certification**

- <u>Diplomate of the American Board of Psychiatry and Neurology in</u> Psychiatry 1981 Certificate #21909.
- Diplomate of the American Board of Psychiatry and Neurology with Subspecialty in Forensic Psychiatry 1999. certificate #1088.

#### **Professional activities**

- Full-time private office practice of adult and adolescent general psychiatry and psychoanalysis, Mill Valley, CA. since 1975;
- **Psychiatric Disability Consultant**, State of California Department of Vocational Rehabilitation 1975-90;
- **Psychiatric Disability Consultant**, U.S. Social Security Administration, Department of Social Services, Disability Evaluation Division, Sacramento, CA. 1975-present;
- Independent Psychiatric Disability Consultant providing Independent Medical (Psychiatric) Examinations (`IME's'') on behalf of individual claimants and insurance companies since 1980.
- Board of Advisors: Better Legal & Business Practice for Psychiatrists and Psychotherapists

## **Teaching experience**

- Department of Psychiatry, School of Medicine, University of California, San Francisco, Assistant Clinical Professor.
- San Francisco Psychoanalytic Institute, Faculty member (teaching courses on psychopathology of the neuroses and character to psychoanalytic candidates).
- San Francisco Psychoanalytic Institute Extension Division Committee on Law and Psychoanalysis, founding member, (produced educational programs for the legal community jointly with the Bar Association of San Francisco).
- Hastings College of Law, University of California, faculty 1997 and 1999

  College of Trial Advocacy and guest lecturer to "Psychiatry and Law" course since 1995.

<u>Medical-legal (Forensic) Psychiatric Experience: (click here for a complete list of previous forensic psychiatric consulting cases)</u>

**Forensic Psychiatric Expert** since early 1980's, providing Independent Medical Examinations (IME's), consultation and testimony in civil matters.

Summary of Testifying Statistics: (Click here for current summary)

More than 90 medical-legal cases

Deposed more than 30 times

Testified in Federal Court and California State Superior Court trials on 8 occasions.

Ratio of Plaintiff's Expert: Defense Expert, approximately 50%:50% (Click here for current ratio)

**Civil** (and occasionally Criminal) **Forensic Psychiatric Expert**, testifying about traumatic and non-traumatic psychological injuries including the following:

- Automobile accident induced facial scaring;
- Death of a parent in house fire secondary to product safety failure;
- Psychological effects upon a parent surviving the murder of their child;
- Psychological trauma from surviving a commercial airplane crash;
- Long-term psychological effects from burn injuries following a motorcycle accident;
- Psychological trauma upon an adolescent from death of a parent killed in a house fire caused by a malfunctioning electrical appliance;
- Psychological trauma upon an adolescent from suicide death of a parent following alleged medical malpractice.
- Psychological Effects of quadriplegia in a junior high school student who suffered traumatic spinal cord injury during a physical education class;
- Psychological trauma from sexual abuse of child by her grandfather;
- Wrongful employee dismissal;

- Sexual harassment and discrimination in the workplace;
- Job stress:
- Standard of care when prescribing anti-depressant medication;
- Effects of stress upon physical health and/or pre-existing medical conditions, (e.g., the exacerbating effects of prolonged stress from business dispute upon a congenital, life-threatening cardiac condition);
- Post Traumatic Stress Disorder (PTSD) following rape, a parking lot assault or exposure to a utility transformer explosion;
- Alleged PTSD following automobile accidents, industrial accidents, assaults and disputes, (or where physical damages were minimal, pre-existing psychological illness was substantial and/or substance abuse was evident);
- PTSD where pre-existing physical disability and/or psychological illness was alleged to have been exacerbated by psychological trauma;
- Toxic Torts: Psychological Consequences of Exposure to Asbestos in the home; or to Tri-chloroethylene (TCE) In the water supply;
- Malingering or Factitious Disorder;
- Stalking
- Competency.

#### **Plaintiff's Counsel Clients Include:**

Anderlini, Finkelstein, Emerick & McSweeney

Sheldon R. Blum

Peter Brekhus

Dezurick, Edginton & Harrington;

**Demetrious Eugenios** 

Furtado, Jaspovice & Simons

Bennett, Rainey, Moran & Gianneschi, Inc. (Washington State)

Hagan, Saca & Ryan

Hornberger & Criswell (Los Angeles)

Robert B. Kamangar

John E. Lacklen

Romeo & Stevenson

Schwartz, Steinsapir, Dohrman & Sommers

Sheppard, Weissberg & Miller

Brian Simms, Esq.

Sterns, Walker & Lods

Mark L. Webb

Weinberg, Hoffman, Casey & Ropers.

#### **Defense Counsel Clients Include:**

Baker McKenzie

Bronson, Bronson & McKinnon

Brose & Zouras

Conroy, Shirinian & Mahoney

Desurick, Edginton & Harrington

Eriksen, Arbuthnot, Kelly, Herlihy & Bane

Griffith, Saenz & Hill, LLP(McAllen, Texas)

Jacob, Spotswood Casper & Murphy

Kilduff and Day

Long & Levitt

Mahan & Peterson

Mercer & Zinder

Ropers, Majeski, Kohn, Bentley, Wagner & Kane, P.C.

Sedgwick, Detert, Moran & Arnold (San Francisco)

Sedgwick, Detert, Moran & Arnold (Los Angeles)

Selman & Breitman

Nada K. Sizemore (Connecticut)

State of California, Attorney General's Office

State of California, Department Transportation/Legal

Stephan & Conroy

Bianca Stofone, Esq

Michael Stone

U.S. Department of Labor Office of Workers Compensation

Weinberg & Hoffman.

# **Family Law Counsel Clients Include:**

Ronald Grassi, Esq.

Conservatorship Law Counsel Clients Include:

Norman Macleod, Esq.

#### **Criminal Defense Counsel Clients Include:**

Coblentz, Cahen, McCabe & Breyer

Kellog, Huber, Hansen, Todd & Evans (Washington, D.C.)

Complete Case List Attached.

#### **Insurance Company Clients Include:**

California State Automobile Association

Canadian Life

**CIGNA** 

**CNA** 

Fireman's Fund

Hartford Life

Minnesota Mutual Life

Provident

Republic

Royal Maccabees

Scottsdale

Transamerica Insurance (TIG) Uttica.

<u>Public information experience</u> (click for complete and current list of broadcast media <u>appearances</u>)

• HealthBeat Psychiatrist and Psychoanalyst for NBC affiliate KRON TV-4, San Francisco, discussing a wide range of topics including

Post Traumatic Stress Disorder,

Gender Identity Disorder,

Childhood Depression,

Prozac and Antidepressant Medications,

The Role of Stress in Illness,

Job Stress.

People Who Go Over the Edge,

Why the Public is so fascinated by the O.J. Simpson Story,

(see attached list of Media Interviews).

Guest Psychiatric Expert on other television and radio stations such as CNN,
Fox News Channel, KTVU-TV'S ``Mornings on Two," KGO-TV, KPIX-TV,
KQED-FM National Public Radio (NPR) ``Forum" program, KGO-AM and
KCBS-AM Radio News.

**Quoted Psychiatric Expert in:** (click here for complete list of print media appearances and quotes)

Business Week,

California Lawyer Magazine

Contra Costa Times,

Kiplingers Newsletter

Metro Newspapers,

Los Angeles Times

Daily Journal,

San Francisco Examiner Weekend Magazine,

San Francisco Sunday Examiner Chronicle Business Section,

Santa Rosa Press Democrat,

USA Weekend

Wall Street Journal.

Additional medical-legal presentations and consulting experience: (click here for complete and current list of professional presentations)

- Post Traumatic Stress Disorder consultant to catastrophe insurance adjuster team at Fireman's Fund Insurance Company immediately following the 1991 Oakland, California fire and to the management and employees of Fireman's Fund Insurance Company, Woodland Hills, California immediately following the 1994 Northridge, California Earthquake;
- **Job Stress:** featured speaker on at the **Corbett & Kane law firm's** ``Employment Law Seminar 1994;"
- California State Bar: Panelist at MCLE programs on "How to Handle Violent Clients," January and May 1994;
- **Bar Association of San Francisco** (B.A.S.F.): Psychiatric consultant and coordinator of ``Psychological Talks for Attorneys" produced collaboratively by the **B.A.S.F.** and the faculty of the **San Francisco Psychoanalytic Institute**, 1994. Topics presented included:
  - 1. "P.T.S.D. in the Aftermath of the Petit & Martin Law Firm Shooting,"
  - 2. "Recognizing Depression in your Clients, Colleagues and Yourself," and
  - 3. "Job Stress and What to Do About It."
- Family Law Section of the B.A.S.F.:

panel on "Domestic Violence," November 1994.

- Mental Health Advisory Committee to the Board of Supervisors, County of Marin, California: former Board member.
- Hastings Law School, University of California College of Trial Advocacy: Guest Faculty, "Psychiatric Expertise in Trial," June 21, 1997 and August 7, 1999
- Foote, Cone & Belding Advertising Company:

Grief/Trauma Consultant following the sudden traumatic death of a colleague at an office party 1996.

• **Liberty Mutual Insurance Company, Los Angeles,** Employment Consultant, Managing the Dismissal of a Potentially Violent Employee, 1998.

<u>Original Articles: (Click here for complete copies of original articles and quotes</u> - Copies available upon request)

- 1. "Stressing the Point: When Are Post Traumatic Stress Claims Legitimate...and When are they Not?" For the Defense, November 1995, Journal of the Defense Research Institute.
- 2. "Opting Out of Managed Care," Psychiatric Times, September 1995.
- **3. "Managed Care and Mental Health,"** *Op. Ed.*, <u>San Francisco Examiner</u>, November 20, 1995.
- **4. ``Depression As A Possible Adverse Effect of Melatonin,''** <u>Currents,</u> February 1996
- 5. "Comment: Criticism and Legal Analysis Mental Health Confidential," "Patient Confidentiality After Jaffee v. Redmond U.S. Supreme Court Decision," The Recorder, July 24, 1996.
- 6. "Shrink in the Courtroom: Forensic Psychiatry and Law" published in San Francisco Attorney Magazine December 2000 January 2001 published by the Bar Association of San Francisco.
- 7. "Mental Illness In the Workplace" published in San Francisco
  Attorney Magazine September 2001 published by the Bar Association
  of San Francisco

#### **Professional memberships:**

- Academy of Organizational and Occupational Psychiatry
- American Academy of Psychiatry and the Law,
- Fellow, American Psychiatric Association
- California Psychiatric Association
- Northern California Psychiatric Society (Public Information Committee)
- <u>International Psychoanalytic Association</u> (officer of Local Arrangements Committee for 1995 IPA International Congress in San Francisco).
- John W. Mudd, M.D. Memorial Western Conference on Clinical Psychoanalysis, founding Board member.
- National Association of Medical Communicators
- San Francisco Foundation for Psychoanalysis, Founder, Chairman and Immediate Past President.
- San Francisco Psychoanalytic Institute and Society:
  - faculty member

Scientific Editor of News Room, a bi-monthly mental health newsletter for the media

Public Information Committee member

former officer and Member Board of Directors (1987-91),

former Chairman of Finance and Management Committee.

California Trial Lawyers Association - former "technical member"

#### California Medical Association - former member

• Marin Medical Society –former member (prior Chairman of MMS Litigation Support Committee, member of Impaired Physician `DOC" Committee and Ethics Committees);

## **Attending Medical Staffs:**

- <u>University of California, San Francisco, Department of Psychiatry</u>, Assistant Clinical Professor, 1976 present.
- **Mount Zion Hospital**, San Francisco, (formerly, when practicing inpatient hospital psychiatry);
- **Marin General Hospital**, Greenbrae (formerly, when practicing inpatient hospital psychiatry)
- **Ross General Hospital**, Ross, California (formerly, when practicing inpatient hospital psychiatry).

## **Biographical listings:**

- Marquis Who's Who In the West, since 23rd edition;
- Northern California Register of Experts and Consultants published by the Bar Association of Northern California 1999 and 2000 edition;
- Southern California Experts & Consultants Directory 1999 and 2000 edition published by the Los Angeles Bar Association;
- Expert4Law (published by LABA) online listing of medical-legal experts.
- California Trial Lawyers Association Listing of Technical Support (``Expert Witness'') Members 1993-94;
- Claims Providers of America print and online listing of experts 1999 and 2000 edition
- **Foundation of California State Bar,** Listing of Experts and Consultants 1999 and 2000 print and online
- FindLaw online listing
- The Online Directory of Expert Witnesses
- The Internet Directory of Expert Witnesses
- **Defense Research Institute** online listing