

ATTORNEYS' EYES ONLY

11:10:29

1 collection purposes?

2 MS. STERK: Objection. Calls for speculation. Vague.

3 THE WITNESS: I know that our finance department did
4 calculations of the cost of our space.

11:10:41

5 BY MR. LiMANDRI:

6 Q Have you seen those at all?

7 A No. It wasn't part of my job to see those.

8 Q Okay. Other than the consenting of the time --
9 strike that.

11:10:52

10 Other than the time it would have taken a medical
11 assistant to consent a patient to donate fetal tissue, and
12 other than incremental costs of the use of the space at a
13 PPMM facility for tissue collection purposes, are there any
14 other costs you can identify associated with the tissue
15 procurement process that would have not been costs that PPMM
16 would have already been incurring as part of their regular
17 practices?

11:11:17

18 MS. STERK: Objection. Vague. Compound. Calls for
19 speculation.

11:11:32

20 THE WITNESS: Well, there was their use of our
21 equipment such as a microscope and supplies that they would
22 use. And there's always overhead costs, everything that's
23 done. And I don't believe you can -- you can't discount
24 that and just say that it would have already been paid.

11:11:50

25 It's part of the cost of doing -- providing any service.

ATTORNEYS' EYES ONLY

11:11:54

1 BY MR. LiMANDRI:

2 Q Okay. Do you know what supplies would have been
3 actually used by any TPO's as part of their work collecting
4 tissues?

11:12:04

5 MS. STERK: Objection. Calls for speculation. Asked
6 and answered.

7 THE WITNESS: I did not observe the process, but I
8 could imagine they would be using gloves and four-by-fours
9 and cleaning -- cleaning fluids and --

11:12:23

10 BY MR. LiMANDRI:

11 Q Do you know if any of the TPO's brought their own
12 supplies with them?

13 A I --

14 MS. STERK: Objection. Calls for speculation. Vague.
15 Compound.

11:12:31

16 THE WITNESS: I do not know. I do not imagine that
17 they did, but I don't know.

18 BY MR. LiMANDRI:

11:12:43

19 Q Do you know if the types of costs that are allowed
20 to be included by PPMM were specified in any statutes that
21 dealt with fetal tissue collection practices?

22 MS. STERK: Objection. Calls for a legal conclusion.
23 Calls for speculation. Vague.

11:13:12

24 THE WITNESS: I -- I do believe that there are
25 specific -- within the regulations, there are -- they list

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11:13:16

1 the reasonable costs.

2 BY MR. LIMANDRI:

3 Q Okay. Do you know if the reasonable costs that are
4 listed within the regulations include fixed overhead
5 components such as staff time?

11:13:26

6 MS. STERK: Objection. Calls for a legal conclusion.
7 Vague.

8 THE WITNESS: I do not know.

9 BY MR. LIMANDRI:

11:13:34

10 Q Okay. We'll look at some of those as we go along.
11 Again, though PPMM would only be reimbursed if a sample was
12 actually usable; is that correct?

13 A Yes.

11:14:01

14 Q So would it have been in PPMM's best interest in
15 seeking to recoup its cause if it didn't try to maximum its
16 number of usable samples?

17 MS. STERK: Objection. Vague. Calls for speculation.

18 THE WITNESS: In our mission to support medical
19 research, it would be -- we would have liked to provide
20 usable samples to further medical research.

11:14:23

21 BY MR. LIMANDRI:

22 Q And it's only by furnishing usable samples would
23 you have your costs reimbursed, correct?

24 A Correct.

11:14:39

25 MS. STERK: Objection. Asked and answered. Vague.