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July 31, 1992

Mr. James E. Finch
Texas Medical Liability Trust
P.O. Box 14746
Austin, Texas 78761

VIA FACSIMILE

Re: Portlock vs. Turng

Dear Jim:

Enclosed please find expert reports on the above referenced case from Dr. Frederick N. Friedman and Dr. Lowell R. King. I am also enclosing the CV of Dr. Friedman. As you can see, both physicians have come to the opinions that Dr. Turng deviated from acceptable standards of care and that her deviation was a proximate cause of the death of Erica Portlock. Accordingly, this letter is written pursuant to the *Stowers* doctrine and is intended to invoke the *Stowers* doctrine. We are, therefore, at this point in time offering to settle this case for the \$500,000.00 limits of Dr. Turng's policy with TMLT plus taxable court costs.

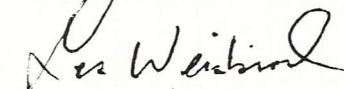
This offer will be held open for two weeks from your receipt of this letter at which time it will be withdrawn. As you know, the Duncanville Diagnostic Center is not adequately insured in this matter and is involved in a policy dispute with its carrier which is the subject of separate litigation. As you also know, our case against Mr. Perry, individually, resulted in a summary judgment against us and in favor of Mr. Perry which in essence provides him immunity to suit. As I am sure you also know, that issue is the subject of a pending Court of Appeals case. Therefore, TMLT will be in the position of acting as an excess insurance carrier in this matter for Duncanville Diagnostic should Dr. Turng's policy limits not be tendered.

I am sure that, as usual, you will recommend to Dr. Turng that she obtain an attorney beholdng only to her to review the offer contained in this letter as well as all information available to TMLT and to advise Dr. Turng as to the merits of this offer as well as how to protect her personal assets.

Mr. James E. Finch
July 31, 1992
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Should you have any questions or wish to discuss this matter further, please do not hesitate to contact me.

Yours very truly,

A handwritten signature in dark ink, appearing to read "Les Weisbrod", written over the typed name.

Les Weisbrod

LW/ccj
Enclosures

cc: Mr. Mark A. Stinnett
Cowles & Thompson
4000 NCNB Plaza
901 Main Street
Dallas, Texas 75202

cc: Mr. Melvin D. Morgan
Mr. Michael S. Box