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January 27, 2012

Mr. Jeffrey R. Clark
Mr. Patrick R. Sturdy
Cummings McClorey Davis & Acho, P.L.C.
33900 Schoolcraft Road
Livonia, MI. 48150

Re: Joseph Saad
City of Dearborn Heights
Claim No: 100744
Our File No: A-1211216A

Dear Mr. Clark,

In response to your request, I have examined Mr. Joseph Saad at my office in Southfield today, 1/27/12, in reference to a lawsuit that Mr. Saad and his mother, Zihra, have filed against the City of Dearborn Heights Police Department, stemming from an incident that occurred a few years ago at his parent's home in Dearborn Heights.

The following report contains the results of my evaluation and includes both a detailed history and a formal mental status examination. The examination itself lasted approximately one and three quarter hours.

Prior to my evaluation today, the only documents I reviewed were the Stipulated Order for Physical Examination and Other Discovery, and the Notice for the IME.

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BRIEF OVERVIEW

Mr. Saad is a sixty three year old gentleman of Arab American ancestry, who is divorced and has four adult children. He currently lives by himself in Dearborn Heights. He drove to my office unaccompanied this morning. He told me he had read my C.V., and thought it was quite impressive.

Mr. Saad was aware that the purpose of the psychiatric evaluation of today was in reference to his litigation with the City of Dearborn Heights. He appeared to enjoy the attention I afforded him, and was quite talkative throughout the interview. When the interview was completed, in fact, he told me that he was surprised that I was so pleasant, because he thought I was going to deliberately try to provoke him into becoming angry.

HISTORY OF THE INCIDENT

Mr. Saad explained to me that he had been living in Las Vegas for three years, selling reverse mortgages, but he said in talking with his mother over the phone several years ago, she told him she was planning on putting his father into a nursing home because of his Alzheimer's disease. He said His siblings were all married and had their own lives, and weren't able to help out his mother, so he thought it was his place to come back home and stay with his mother and father and help his mother out with his father, so that he could remain living in the family home in Dearborn Heights and stay out of the nursing home. He moved back to Michigan and moved in with his parents in either late 1997 or 1998.

His father, Mahmoud Saad, he explained, is ninety years old, and he and his mother originally came to this country from Lebanon. His mother, Zihra, is eighty years old or thereabouts, and although she is also of Arabic/Lebanese ancestry, she was born in Dearborn Michigan.

He seemed somewhat confused about the dates involved, but as he recalls, it was at some point in the spring or summer of 2010 that the last incident with the Dearborn Heights police occurred. He described some background information as to what actually led up to the situation.

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He told me there was an older, very "mean" lady living across the street from his parents, and her granddaughter, Krystal, was living with her, and the grandmother was helping raise Krystal's six year old daughter. Mr. Saad, as part of his daily habit, told me would go for a walk, and one day when Krystal came up to him on the street, and she more or less asked him out, and they began dating. He is in his sixties, but she was only twenty four years old, and he states unbeknownst to him, she had a heroin habit; he said that he later learned she was snorting heroin. She also had a nasty boyfriend who she used to use drugs with, but he did not know anything about him at the time.

He started dating her, but her grandmother found about it, and did not like it, and supposedly hated him, and his own mother found about it too, and she was not happy either, she warned him, "That girl is too young for you, and nothing good would ever come of it!" Nevertheless he continued in a sexual relationship with her, and he continued seeing her for several months. He states most of the sex they had was oral sex. He apparently has had an erectile problem, for which he uses Cialis. She would periodically borrow money from him, in retrospect, probably to use for her drug habit. He states since he always had to get up early in the morning to go to his medical clinic, which he owns and operates, he made sure to always bring her home before midnight.

He went into a somewhat rambling story about how he opened up the medical clinic, which originally was called J.A. Management; the J standing for Joseph, and the A for Anne, his listed partner, although the real partner was her brother, Bill. The clinic is located at Telegraph and Ford Road in Dearborn, and he is now the sole owner and the administrator. Anne, at some point, told him that she wanted out of the business, so he offered to buy her out. He states originally the building was owned by a psychiatrist, a Dr. Cham, who might be retired now, but he used to go in there on Fridays. He states he borrowed some money from a wealthy friend of his, and bought the business and named it Tel Ford Medical Walk In Clinic; a 5,000 square foot building.

He states people started warning him about Krystal, that she had a heroin problem, but he said he never saw any needle tracks on her arms. People

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said, however, that she used "blow, which he thought meant cocaine, but only meant she was snorting it, not shooting it.

He states one day, Krystal asked him to do a big favor for her. Krystal's father was in prison in the Upper Peninsula; possibly in Baraga Prison for criminal sexual misconduct, and she wanted him to rent a car for her, so that she could drive up there to visit with her father. He states he went over with her to a local Hertz agency, and rented the car in his name. He did not want her driving his car, so he told her to follow him back to his medical clinic. He got back to the office, and waited for her, but she never showed up. Two or three days went by, and he still did not hear from her. Because she was beyond a forty mile distance, he said her cell phone did not pick up a signal, and he could not reach her.

He went back to the Hertz agency, and they told him he should file a "missing car" complaint with the police department, so he went to the Dearborn Heights Police Department and filed a report. They apparently put out an APB on her.

He later learned that a female Michigan State trooper had arrested Krystal because she had been foolish enough to ask the officer for some directions. He states four days after he had rented the car, he then got a frantic call from Krystal's Aunt Kelly, begging him to do something; to get her out of jail, but he told her it was not his place to do that, and besides, she had stole the car. Kelly told him that Krystal's grandmother was very worried, thinking she had been lying dead in a ditch somewhere. He states that this is what led up to the incident, the fact that he decided to call this woman, Krystal's paternal grandmother, Mrs. Solak, who he states was one of the meanest women he ever met.

He states he was at his parent's home, and he could see plainly that her car was parked outside of her house, and he kept calling her and she would not answer the phone. The third time he tried, he got her voicemail, and he left her a nasty message, which apparently she interpreted as threatening. One of the things he said on the message was that "I wish you would die." She apparently called the police department, and the next thing he knows, there was a corporal police officer from the Dearborn Police Department, banging

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loudly on his parent's door. He said he opened the door, and he claims the officer immediately stuck his foot in the door so he couldn't close it. This was around 9:15PM. He was asked if he left that message on the grandmother's voicemail, and he admitted he had. He knew there was going to be a problem, so he took out his cell phone and called his attorney. The attorney he was talking with is Robert Hadous, apparently he is the father of one of the attorneys who is representing him now, Nemer Hadous. His attorney was on his way back from Chicago. He states for some reason or another there is also another attorney representing him now, a Mr. Faraj, but he is not sure why he needs two different attorneys.

His attorney told him to ask the officer if he had a warrant. He then told him to close the door after confirming the officer did not have a warrant, but he states he could not close it, because the officer still had his foot in the door. He states his attorney told him to tell the police officer that he would bring him into the station the following Monday; apparently the officer had come out to his house on the weekend.

He states his senile father was sitting there in his wheelchair, mumbling to himself, and his mother was upset over what was going on. The police officer demanded to see his mother's license. He went and got his mother's license. He states by then another officer arrived on the scene, a large female officer, who he referred to as a "he/she". She was six feet tall and weighed 300 pounds. She was apparently there to help with his mother. He states they had burst into the house, and ultimately, there were four officers; two came from behind him, and two were in front of him.

He said they tasered him, and he fell to the ground and altogether he was tasered three times. He states when he fell to the ground he hit his face, and his nose was bleeding, and he had blood all over him. He claims they repeatedly pounded his head on the floor. He said he re injured his neck, back, knee, and also injured his right shoulder. He said his attorney's son arrived on the scene, and began snapping photos. He states he was handcuffed, and as he was being placed in the police car, he saw his mother being dragged across the lawn by the large female officer, in her bedclothes without shoes, and without her babushka; the scarf she always wears when she is out in public. He states he still occasionally has dreams about that. As

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he was telling me this, he appeared somewhat upset, which was the only time during his description of the incident, or for that matter, the entire interview today.

He states he spent three days in jail and he was "treated like a dog." He hired a criminal attorney, Mark Hayder, to represent him. Nemer Hadous, his attorney, took photos of his body including where they had tasered him on his back; there were small marks that looked like snake bites. He was charged with resisting arrest.

They later dismissed the charges against his mother, but she had been transported to the hospital after she was arrested, and had to undergo additional surgery on her heart; she had one or more stents implanted. She had preexistent heart disease before the incident.

He went to court on the matter, and there was a jury trial; there was no plea deal. The case was heard before a female judge by the name of Youngblood, but four hours into the trial, the judge said she was going to dismiss the charges because she had already counted at least nine separate inconsistencies in the police officer's testimonies.

He states because he did not trust the police anymore, so he decided to move to Dearborn, and lived there for over a year, but then decided to move back to Dearborn Heights, which is where he is currently living, but he is planning on selling his house and moving back to Dearborn again.

He thinks perhaps one of the reasons the above described incident may have happened, beyond the situation with Crystal and the grandmother, was the fact that several months before this incident, he was going to pick up Krystal to take her out to lunch, but he realized he left his license and his money at home on the dresser. While driving down the street, close to his parent's home, he apparently did not make a complete stop at a stop sign, and a police officer came up to him in his driveway. He states when he was first stopped by the police officer Krystal came up to them but the officer threatened to charge her, so she left the scene. He apparently did not follow the officer's commands, and told him he was going into the house to get his license, but the officer was angry, thinking he was fleeing and eluding,

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which was what he was eventually charged with. He states the officer actually pulled a gun on him at one point, and said he was going to shoot him if he didn't stop. He could not believe he would do something like that but the officer later said he was lucky his gun jammed or else he would have shot him. Once inside, he states he was afraid to leave the house. He states there were probably fifteen or twenty police cars that eventually arrived on the scene. He states they were there with police dogs, and there were probably twenty officers in all that broke into his parent's home. He said one of the officers had put a gun to his mother's chest.

He was arrested, taken to the station and held in jail for three days. He hired a criminal defense attorney, Mark Hayder, and the charges were reduced, and they made a plea deal arrangement; he was charged with a misdemeanor and only had to pay a fine.

He thinks perhaps because of that incident, the police may have had more or less a vendetta against him. He is not sure, but he thinks it may also have something to do with his Arabic ancestry.

He states after the more recent incident, he used to meet occasionally with Dr. Cham, the psychiatrist who works for him in his clinic, they would meet for coffee and they would talk, including discussing his nightmares about his mother being dragged across the lawn. He may have met with Dr. Cham once a month for a period of time, but was not prescribed any psychotropic medications.

He states he missed approximately a month from work following the last incident with the police, and thereafter returned to work, but for approximately six months, he was only working part time hours; they would bring him some of the bills to sign. He currently works full time on an unrestricted basis, six days a week as owner/administrator of his own medical clinic.

I asked him if there had been any publicity about the last situation, and he told me there was, that it was covered in the newspapers, the Detroit News and the Herald, and it was on television, and at one point a reporter from Channel 7 asked him for an interview, but his attorney took care of that.

He states he has had a longstanding problem with his left knee as well as a longstanding problem with his back and his neck. He claims the incident with the police, however, aggravated all of these previous problems.

He states he has a few different doctors working for him in his clinic, including Dr. Lutwin, Dr. Donald Boxman and Dr. Fow III. They are all more or less internists. They x-rayed the areas where he states he was reinjured, and he uses a Lidoderm patch on his left knee, which he showed me today. He is taking Vicodin and Lorcet, up to three a day, but he states he is careful in how many he uses. He states he saw a Beaumont doctor who told him that his left knee was filled with arthritis, but they have a newer procedure now where they can take a muscle from your leg and put it into your knee.

He is diabetic, and he uses two forms of insulin as well as Metformin, and he is hypertensive and takes Zestril. He also uses Soma and he has Xanax 2-mg, but he breaks them in half and takes them when he is feeling anxious. Sometimes he takes Didrex for weight loss.

He states he is actively dating. He likes attractive women, primarily younger women. He also has been using Cialis for some time now for ED. He states he still does not trust the Dearborn Heights Police Department.

PAST PSYCHIATRIC TREATMENT

He and his ex wife had some marriage counseling. Twenty years or longer ago, he treated with a Dr. Warren Goodwin at Telegraph and 15 Mile Road because of some identity problems he had, insofar as deciding whether or not he was an Arab, an Arab American, or an American. He treated him for a number of years, and at one point, was taking several psychotropic medications.

He was treated for cocaine addiction prior to his divorce. He went into an unusual treatment facility in West Palm Beach, Florida, the West Palm Beach Institute. They had a procedure there where they would give the patients 10-mg Valiums, ten a day, to begin with, and then taper them down.

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He states needless to say, it did not work. He explained that how after his oldest, his son Casey was born, twenty five years ago, he decided to give up the cocaine, because one morning his wife could not get out of bed after they had a night of drug use. He was groggy himself, he took some Didrex diet pills, and he got a glimpse of himself feeding his infant son formula. There was a mirrored wall there, and he could see what to him looked like a "monster". He gave up drugs, and a while later, his wife gave them up as well. He has never had a problem with alcohol. He does not believe he is hooked on any prescription drugs currently.

PERSONAL HISTORY

He grew up in Dearborn. He denies any family history of psychiatric problems. He denies he was abused. He states he always thought his father was the cheapest person on earth, up until his father loaned him money to buy a medical lab. He denied being abused. He was raised Muslim.

His father suffers from Alzheimer's at the present time, and his mother and father still live in Dearborn Heights. He lives in Dearborn Heights, not far from them. His father owned and operated a grocery store in Detroit. His mother was trained to be a meat cutter, and eventually opened Sarah's Meat Market.

He is the oldest child, and he has a younger brother, Jamal, who is ten years younger than him, and works as an appraiser. He also has a four year younger brother, Samer, who he said somewhat sarcastically is a part time appraiser with his other brother. He lives in the same neighborhood as their parents in Dearborn Heights. He also has a sister, Samerah, whose son currently owns and operates Shore Mortgage, where he used to work himself. Samerah works in Wayne County District Court, apparently as a translator, and has worked in Boston as well. He has a sister, Mary, who is a psychology professor at Henry Ford Community College, and he has a sister Faten, who has a master's in teaching. She is fifteen years younger than him.

No one close to him has died in recent years. He has never been in the military service; he went in to one of his usual long winded stories, which was rather amusing. He states he was rejected by the military because he

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had a chronic pilonidal cyst; this was during Vietnam. He went to his doctor who told him not to have it removed, because it would keep him out of Vietnam. He later did have the surgery, and had it removed.

He graduated from Fordson High School in Dearborn in 1966. He attended Henry Ford Community College for two years, but did not complete an associate's degree. He did later complete a bachelor's degree at Wayne State University; he was pre-med with a major in psychology.

He worked as a substitute teacher for Detroit Public Schools for one year. He then obtained a job with the Upjohn Company in Kalamazoo, where he worked as a sales rep, and learned a lot about the medical field during the four years he worked there.

A former coworker of his at Upjohn, John Eagan, told him about a medical school in Guadalajara, Mexico, where he was enrolled, so he decided to enroll as a medical student himself. He attended school there for a year and a half, but President Kennedy passed some type of manpower act, which meant foreign medical graduates would have to serve five or six years of training and might have a problem practicing in the United States, so he decided to drop out of school.

When he came back to Michigan during summer breaks, he had worked at Metric Lab. Dr. Gilbert Zook later told him about Sterling Lab that was for sale, so he bought it and ran it. That was when he borrowed \$50,000 from his father. In 1978 or 1979, he sold the lab to some doctors, but retained partial ownership of the lab and it was still licensed in his name. He and one of the most prominent Arab American in the USA, Michael Berry were partners of sorts, and he bought 32 racehorses. He was living high,

As it turned out, however, he later wound up declaring bankruptcy, and lost everything he had. He discovered that the doctors had failed to pay taxes for over a year. They had renamed the lab MASS. He was still a 10% partner in the business, and had to assume responsibility. The IRS took everything he had; he owed them over \$500,000. He lost his home, his car, and his other possessions, and that was when his marriage really fell apart.

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He explained he got married in 1984, and his ex-wife, Tina Hammonds, was Ms. Michigan. She was ten years younger than him. He states he and his wife used cocaine for two years. They were married for approximately eleven years, and either she filed, or he filed for divorce. Unbeknownst to him, she had been cheating on him for over two years with a twenty year old blonde body builder.

He explained that after he went broke, he moved to New York for a year to open two or three Little Caesar's restaurants for his two brothers, who at that time owned some franchises. He came back after a year, and confronted his wife about her extramarital affair with this fellow, Rick, who had actually called him, and told him that he was fucking his wife with their daughter, Megan, in the same bed. He was apparently angry because his wife had broken up with him. He was so angry with Rick, he planned to murder him, but as he drove home, he changed his mind, realizing he would be the number one suspect.

He confronted his wife, and asked her if she actually has sex with Rick in their bed with their daughter Megan, and she told him that one of his brothers did the same thing with his daughter, Laura, in the bed. He states he smacked her across the face, and she threatened to call the police, but she did not. They were subsequently divorced, and shared custody of their children, and he paid child support and had visitation rights. He and his wife are on fairly good terms now, and she never did remarry.

His oldest child, Joseph, is twenty five years old, and he joined the Army four years ago. He is married with two children, and is currently stationed at Ft. Leonard in Seattle. He has also done tours in Iraq and Afghanistan.

His second oldest is a son, Casey, who is twenty three years old, and he is single and has no children. He graduated from EMU, and he has a law degree.

His daughter, Megan, is twenty one years old now, and she is single, she has no children, and is living with her boyfriend. His youngest, his daughter Whitney, is twenty years old, and she is also living with her boyfriend. None of his children have had any psychological problems.

After his divorce, he moved to Las Vegas, and was selling reverse mortgages for three years. He then returned to Michigan in 1998, and moved in with his parents to help his mother out with his father. That was when he and his partners, Anne and Bill opened up J.A. Management and bought the medical practice from Dr. Cham, as well as the building. He eventually bought out Ann and Bill, and he is now the sole operator of the business, Tel Ford Medical, where he is the owner and administrator.

PAST MEDICAL HISTORY

He is thinking about having surgery on his left knee. He states his knee, his back, and his neck, and his right shoulder still bother him.

He states he was previously involved in an automobile accident, wherein he states he was rear ended and had a whiplash injury, but never filed a lawsuit.

He has arthritis, high blood pressure, and diabetes.

Other than his pilonidal cyst the only other surgery he underwent was an appendectomy.

He quit smoking cigarettes after his son was born. He states several years ago, he was in the Accord study for diabetes through Henry Ford Health Systems.

His current weight is 260 pounds and he stands 5'11" tall.

CURRENT DAILY ACTIVITIES

He states he is actively dating. He does have a sex life but he has to use Cialis.

His appetite is good, and in fact, he appears overweight. He earns between \$80-100,000 a year; he told me that when I asked him how much he weighed; he misunderstood what I asked him. He is not experiencing any financial problems. He told me, in fact, he and his cousin a few weeks ago,

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won \$450,000.00 at an off track betting place, in some type of progressive races at Gulfstream Racetrack in Florida. They are now scheduled to go to Gulfstream for some publicity. The last trip he went on was to Las Vegas; he went there four months ago.

He states occasionally he still has dreams about his mother being dragged across the lawn.

He enjoys writing poetry, but he does not tell many people that.

I asked him if he was depressed, and he stated, "not really". He was depressed after he went through his divorce. He has never been diagnosed with a Bipolar disorder, but he thinks he might be.

He states if they would remove the officer who forced his way into his parent's home and the "he/she" female officer who manhandled his mother, he would reduce his demand, insofar as any settlement.

He states he was raised Muslim, but he is a non practicing Muslim.

MENTAL STATUS EXAMINATION

Mr. Saad presents as an overweight, neatly dressed, well groomed, sixty three year old Caucasian gentleman, who wears a neatly trimmed moustache and goatee. He was wearing eyeglasses. He was carrying a briefcase with him.

He limped a bit when he walked, but otherwise, he did not appear to be in any pain or physical discomfort

He appeared to enjoy the attention I afforded him, and was quite talkative.

At times, he tended to ramble a bit.

His mouth was dry, but he denies he has taken any other medication besides Claritin D this morning. I gave him a cup and he went and got some water from the fountain to drink during the interview.

He was very pleasant and very cooperative.

The only time during the interview he appeared somewhat upset was when he was describing his recollection of seeing his mother being dragged across the lawn by a female police officer. Otherwise he never really became upset when he was describing the incident with the police. He did not manifest any objective signs of a Posttraumatic stress disorder. For example, he was not in a state of hyperarousal or hypervigilance, and there was no detachment of affect, and he did not give the appearance of one who would startle easily, and he did not describe a foreshortened sense of future.

He did not appear clinically depressed, in that he was not tearful, agitated or withdrawn and denied suicidal preoccupation.

His sensorium was clear, and he was alert and oriented to time, place and person. He was able to subtract serial sevens. There were no defects in his attention, concentration or memory functions, either long term or short term.

His IQ was average, and was consistent with his educational and social background.

His insight was fair.

His judgment appeared intact, both on an operational and formal basis.

His intellectual functions were well preserved, and there were no signs of concretization or regression. He had no difficulty interpreting proverbs, including the "spilled milk" proverb.

At times, he appeared somewhat angry when describing what he described what transpired between himself and the Dearborn Heights police officers, both when he was stopped for running the stop sign, and when they came in to his home and charged him with leaving a threatening voicemail message with his neighbor.

He denies being homicidal. He states there was only time he was homicidal when he was coming back from New York to confront his wife's lover, Rick,
Diagnostic Impression:

Axis I: No current objective signs of mental disorder. Previous history of substance abuse.

Axis II: Deferred

Axis III: Diabetes. Hypertension. Arthritis, with complaints of pain in neck, back, knee, and right shoulder. Erectile dysfunction.

Axis IV: Pending litigation. Health problems.

Axis IV: Current GAF: 85.

SUMMARY AND OPINION

Mr. Saad presents as a very colorful, talkative, sixty three year old Caucasian gentleman of Arabic American extraction, whose personal, psychiatric, medical and occupational histories have been described in great detail during the body of this report.

Based on my evaluation of Mr. Saad today, I can find no evidence that this man is suffering from a current day psychiatric disorder which would be attributable to the incidents he described involving the City of Dearborn Heights Police Department.

He does not, for example, manifest any objective signs of a Posttraumatic stress disorder. He neither appears clinically anxious nor clinically depressed.

He is not currently under psychiatric care. The only psychotropic medication he takes is an occasional tranquilizer, apparently prescribed for him by one of the doctors who work for him in his clinic. The only psychiatric "treatment" he had following the last incident with the police was when he met a psychiatrist who works in his clinic for coffee on several


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occasions. I would see no reason to recommend psychiatric treatment for him at the present time.

Mr. Saad does have a prior history of cocaine addiction, but claims he gave it up twenty five years ago, shortly after his son was born. He does take a few potentially addictive drugs at the present time, including Vicodin and Lorcet, but denies he has ever become dependent on them.

I hope the preceding report will prove to be of some use to you in this matter. If there is any way I may be of further assistance, please don't hesitate to contact me.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Harvey G. Ager". The signature is fluid and cursive, with the first name "Harvey" being more prominent and the last name "Ager" following in a similar style.

Harvey G. Ager, M.D.
Board Diplomate,
American Board of
Psychiatry and Neurology

HGA/nra

RECEIVED
JAN 31 2012
By