

# UNIVERSITY OF CALIFORNIA - LOS ANGELES

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## REPORT OF ANDREW SAXON, M.D.

**RE: Ms. Deborah Fleming vs Ms. Cynthia Baker-Kowliak**

### **I. QUALIFICATIONS**

My name is Andrew Saxon, M.D. I am a licensed physician in the State of California specializing in the area of Clinical Immunology & Allergy. I am the founder and emeritus chief of the Division of Clinical Immunology and Allergy at the UCLA School of Medicine, Los Angeles, California. I am currently a Professor of Medicine at the David Geffen School of Medicine at UCLA.

I received my medical degree from Harvard Medical School in Boston Massachusetts in 1972. I completed my residency in internal medicine at Harbor General Hospital in Los Angeles, California, in 1975 and my post-doctoral training in immunology in the Department of Microbiology and Immunology at the UCLA School of Medicine in 1977. I am licensed physician in California through the National Board of Medical Examiners. I am board certified in (1) Internal Medicine by the American Board of Internal Medicine, (2) Allergy and Immunology by the American Board of Allergy and Immunology, and (3) Diagnostic Laboratory Immunology by the American Board of Diagnostic Laboratory Immunology. I founded the Division of Clinical Immunology and Allergy in the Department of Medicine at UCLA in 1977 and served as its Chairman for 30 years. I also founded the UCLA Asthma, Allergy, and Immunologic Disease Center and served as Director until the time of my retirement. I have published over 190 scientific papers in peer-reviewed journals in the field of immunology and I provide many editorial/review services for such journals. I also have served on peer-review funding committees for the National Institutes of Health and other organizations as well as chair the Allergy/Asthma section of the Immune Tolerance Network, a major undertaking by the National Institutes of Health and private institutions to discover true cures for immune mediated disorders.

I am a co-author of the American College of Occupational & Environment Medicine (ACOEM) original Position Statement entitled: Adverse Human Health Effects Associated with Molds in the Indoor Environment that appeared in 2002. ACOEM represents more than 6,000 physicians and other health care professionals and is the nation's largest medical society of individuals specializing in the field of occupational and environmental medicine. I am also a co-author of the American Academy of Allergy Asthma and Immunology's (AAAAI) official Position statement entitled "The Health Effects of Molds" which appeared in 2006. The AAAAI, with

Stachybotrys Exposure. In his 11.28.16 report Dr. McMahon asserts that Ms. Fleming had no respiratory symptoms prior to her "Massive exposure to Stachybotrys documented in her residence."

Assessment and Opinion:

- It is my opinion that statement is highly misleading as it is simply not true. There is no evidence to support Ms. Fleming had an exposure to Stachybotrys in the residence in question. No Stachybotrys was found in the respirable air at any time and it is only through the respirable air that one would have a relevant exposure.

**D2. McMahon report of 1.31.17.** Dr. McMahon's 1.31.17 second supplemental report is primarily directed at the report of Dr. Ford. I will leave it to Dr. Ford to respond to those criticisms.

ACOEM position paper comments. Dr. McMahon criticizes the ACOEM 2002 and 2011 position papers (**Attachments "B" and "C"**).

Assessment and Opinion:

- It is my opinion that Dr. McMahon's characterization of the ACOEM Position Papers is egregiously incorrect, his claim that "uproar in the ACOEM rank and file lead to the Wall Street expose" is wrong, the article was engendered by a Ms. Sharon Kramer, a failed mold plaintiff and mold illness advocate, and his statement the "the board had already paid the three authors a substantial amount of money" is a complete falsehood as the ACOEM board never paid anything to the authors relating to this Position Paper.

Remainder of Dr. McMahon 1.31.17 report. In the remainder of his 1.3.117 report, Dr. McMahon provides a series of anecdotes about patients he has seen or knows of who he says got better after various mold treatments and then provides a disjointed discussion of his experience with 1100 alleged CIRS patients, his "data" including the rather striking claim of his "diagnostic accuracy" (whatever that is supposed to mean) in CIRS allegedly being 2/10,000 or 0.1%:

Assessment and Opinion":

- It is my opinion that the plural of the word anecdote is anecdotes, NOT data, and as such, the anecdotal information noted above from Dr. McMahon adds nothing of substance and has no dispositive value.

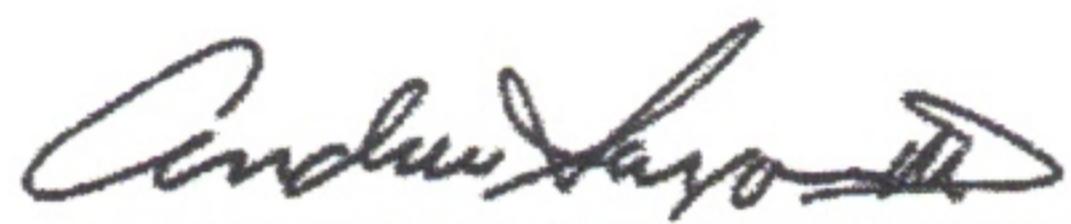
**III E. Summary of Opinions.**

- It is my overarching opinion that Ms. Fleming's medical complaints and issues past or present were or are not due to exposure to molds or mold byproducts that she may have experienced at 7656 East Mariposa Drive, Scottsdale, Arizona 85251 or anywhere else.
- It is my overarching opinion that the environmental testing of respirable air at Ms. Fleming's former home does not give evidence that the level of mold spores indicate any form of health hazard to Ms. Fleming.
- It is my overarching opinion that Dr. Scott McMahon does not practice evidence based medicine but follows the fatally flawed practices of Dr. Richie Shoemaker,

a former family practice physician from Maryland who is a self-styled mold "expert" and who surrendered his license to practice medicine when under investigation and about to be sanctioned by the Maryland Medical Board.

- The opinions expressed in this report are more probable than not.
- The opinions expressed in the report are based on the data available to me at the time of this writing. Should new data become available, I reserve the right to modify the opinions in this report based on that new information.

Respectfully submitted,



Andrew Saxon, MD

February 24, 2017

Date