

To: The Medical Board of California, David T. Thornton, Executive Director

Re: Accusation against Dr. Paul Fleiss, Case #17-2005-169843

Dear Mr. Thorton,

I wish to report the following experiences with regard to Dr. Paul Fleiss' patient, Eliza Jane Scovill who I have known since the day she was born. I was a professional nanny for four years when I started working with the Maggiore-Scovill family. Their son Charlie was my charge while his mother, Christine Maggiore, was pregnant with his sister, Eliza Jane.

From infancy, Eliza Jane was the type of baby that held your gaze while you played and spoke to her. As this vibrant baby grew into an inquisitive toddler, my son and Eliza Jane played together regularly and also had a school class together. Eliza Jane was a precocious child that was well ahead of her peers when it came to things like reasoning and problem solving. And when it came time for good old-fashioned fun and games, Eliza Jane exploded with energy—enough for the whole playgroup.

I remember Eliza Jane having a runny nose, but what 2 to 3 year-old doesn't? As for any other outward signs of sickness, I never noticed any—no loss of weight, no loss of appetite, no sallow or pallid complexion, no sores or lesions. I mention this because I have had the unfortunate experience of having several of my close friends die of AIDS, one of whom I nursed and cared for until his death. My experience with AIDS, its myriad physical symptoms and downward spiral starkly contrast with Eliza Jane's blossoming young life. Eliza Jane was a thriving child who was very much engaged in life and the joy of living it.

With regard to your allegations that Eliza Jane's small size meant she had "failure to thrive," my very healthy four year-old son has spent most of his life in the same low growth percentile as Eliza Jane. At age two, he actually slipped below the fifth percentile and fell off the charts. Our doctor, who is head of pediatrics at Cedars-Sinai, has never regarded his small stature as a problem. Three of my son's friend's are also quite healthy and vibrant despite spending their lives in the lowest growth percentiles.

Please feel free to contact me should you need further information.

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Re: Accusation against Dr. Paul Fleiss, Case #17-2005-169843

To Whom It May Concern,

My name is \*\*\*\*\* and I am writing this letter to share my personal experience of Eliza Jane Scovill and her family.

I was E.J.'s music teacher from September 2004 up until her passing. I teach group classes for children ages ranging from infants to five year olds and through my work have had contact with many families. I have also had terminally ill and autistic children in my classes. The only thing notably different about E.J., when compared to her peers, was her remarkable personality, her intelligence and a maturity far beyond her years.

Physically she was always in great health and she never exhibited any bodily signs of illness. Unlike many of her classmates who would miss class because of colds or flus, E.J. and Christine were never sick and rarely absent except for an occasional vacation day.

Christine was a caring, devoted, loving mother to E.J. Unbelievably patient and understanding, Christine allowed E.J. to express herself fully, always giving her complete attention and support. It was truly lovely to see them together. They were always the last to leave the studio, usually sitting outside having a snack, or E.J. just waiting to talk to me or to play hide and seek. After class, they had their routine: go to the part, have lunch, and maybe another fun activity.

I believe I can attribute much of E.J.'s personality to Christine and Robin's parenting. Their engagement with their children and their true and deep relationships with both E.J. and Charlie produced two beautiful souls full of vitality and great curiosity. They are tremendously responsible and conscientious parents for whom I have great respect.

Eliza Jane was an incredibly special little girl that left a huge hole in our class when she left. I am forever grateful for my time with her and Christine.

Respectfully,

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The Medical Board of California Case #17-2005-169843

To Whom It May Concern,

My name is \*\*\*\*\* and I work as an after-school care provider at Charlie and Eliza Jane Scovill's school, and occasionally, as a personal babysitter. Presently, I am working on a Master of Arts in Education/Multiple Subject Teaching Credential at Pepperdine University. This letter will address what I observed during my time with Eliza Jane Scovill.

I met the Maggiore/Scovill family in September 2004 and was a babysitter for their daughter Eliza Jane from November of 2004 to May of 2005. In the time I spent with Eliza Jane – engaging in activities such as playing at the park, going to the mall, dancing, singing and playing make believe – I found her be extremely healthy, energetic, creative and intelligent. There was never a moment to sit down with Eliza Jane because she was always on the move, and no matter where we were; her favorite thing to do was to play make-believe. She would use her imagination to create characters and situations that were totally original – and she never tired of this. Eliza never ceased to amaze me with her sophisticated vocabulary and her quick wit – she seemed to notice everything and could articulate how she felt in a way that, in my opinion, was incredibly sophisticated for a three-year-old.

After knowing Christine Maggiore and Robin Scovill for a short amount of time, it became apparent to me that the health and well being of their children was at the very top of their priority list. I would arrive at their house in the morning to be greeted at the door by Christine and Eliza Jane. At this time, breakfast was usually on the table and it was always food that was nutritious. When it was time to get Eliza Jane dressed, Christine would ask her what she wanted to wear and, if weather permitted, she would dress her in what was chosen. Christine encouraged Eliza Jane to express herself in every way from choosing her own clothing to verbalizing her feelings. I admired Christine and Robin's unwavering patience and gentleness, and during the time I spent at their house, I never heard them raise their voices or punish their children. Everything about their parenting seemed to be thought out and intentional, never impulsive or accidental. Every time Eliza Jane and I would leave to go on some outing, Christine would profess her love to Eliza, hug and kiss her, and tell her how glad she was to have her in her life; if a child ever knew she was loved, it was Eliza Jane.

In her life Eliza Jane was a healthy, bright and well-cared-for little girl, and this is why I was absolutely shocked to hear of her passing.

Sincerely,

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To:  
David T. Thornton,  
Executive Director Medical Board of California

Re:  
Accusation against Paul Fleiss M.D. Case #17-2005-169843

From:  
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\*\*\*\*\*, CA \*\*\*\*\*

January 12, 2007

Dear Mr. Thornton,

My name is \*\*\*\*\*. I currently work as a waiter at Chin Chin restaurant in Studio City while completing the remaining hours I need to become a licensed pilot. Previously, I worked as a live-in childcare provider to the Maggiore-Scovill family, and as such, spent extensive time with both Eliza Jane Scovill and her brother Charlie. Since moving on to other work, I have stayed in close contact with the Maggiore-Scovill family and have been a frequent visitor to their home.

I understand that Dr Fleiss is being charged with gross negligence in his handling of Eliza Jane's medical care, in part based on the medical board's conclusion that EJ suffered from "failure to thrive" and that Dr Fleiss failed to notice. I am writing to recount my observations of Eliza Jane and describe a day I spent with her three weeks prior to her death on May 15, 2005. My experiences with EJ on that day, as well on other days, contrast sharply with the conclusion drawn by the medical board that EJ suffered from "failure to thrive."

As a live-in childcare provider, I spent a great deal of time with Eliza Jane Scovill from when she was less than a year old. She was a beautiful girl, full of life and joy. As she grew older, EJ was always energetic and fun to be with, although somewhat challenging at times due to her intelligence.

Three weeks before her death on May 15th, I spent the entire day playing with EJ while her mom worked at the home office. EJ and I wandered around her yard and looked at flowers, we watched a movie together, had a tea party,

played on her swing and engaged in her favorite game of chase with a horse puppet she named "Spirit." We both laughed a lot that day.

There was nothing about EJ's appearance or behavior that day, or any other day, that indicated she was weak or sickly. My observation was that she was full of life and energy, and I cannot imagine how anyone who actually knew Eliza Jane could say she suffered from "failure to thrive." Her zest for life could bring a smile to anyone's face.

I hope my observations are of help to the medical board in reaching a fair decision about Dr Paul Fleiss' care of Eliza Jane Scovill.

Respectfully,

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David T. Thornton, Executive Director Medical Board of California  
Regarding: Dr. Paul Fleiss, Case #17-2005-169843

Dear Mr. Thornton,

January 7, 2006

I worked from January 2005 to April of 2005 as a part-time babysitter for Dr. Fleiss' patient, Eliza Jane Scovill, and am writing to provide my observations of Eliza Jane from my professional perspective as a teacher and childcare provider. I am currently teaching yoga in Arizona, and have taught kids yoga on the toddler and early elementary level. I have also worked at middle school and high school levels as a full-time teacher.

My experience with Eliza Jane is from the time we spent together late mornings and early afternoons approximately two days a week. I took care of E.J. when her brother Charlie was at school and usually while her mother Christine was present at the house working in her office space.

The time with E.J. was busy and usually quite physically active. The exceptions were when we stopped to eat lunch or to read stories and during her regular nap-time. Some of the activities that E.J. engaged in with me through these months included dancing to music and playing with her musical instruments, stretching and playing with yoga postures. Other activities Eliza Jane enjoyed during our time together included outdoor recreational activities such as running around the yard, sometimes with neighbor friends, and playing in her "playhouse." Her favorite make-believe game was restaurant where she would be the waitress taking my lunch order and then make the dish and serve it.

E.J. and I also spent time together at an indoor gymnasium/play center for children near her home. There she would run, climb up the steps and slide down the long indoor slide many dozens of times in the course of an afternoon.

Eliza Jane had a beautiful spirit of play just like other kids. As far as her weight and height, she was the same size as my niece who is her same age so I never thought twice about it. She ate healthily at each meal and was very active during the time we spent together. Although I am not a medical professional, my observations are at odds with the conclusion of the medical board that Eliza Jane suffered from "failure to thrive."

If you need any further information regarding my time with Eliza Jane Scovill, please don't hesitate to ask. She was a wonderful young girl who was obviously loved dearly and deeply by her family and friends. May she now rest in peace.

Sincerely,

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