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10 *Attorneys for Defendant Michael L. Ham*

11
12 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
13 **IN AND FOR THE COUNTY OF YAVAPAI**

14
15 STATE OF ARIZONA

16 Plaintiff,

17 v.

18 MICHAEL L. HAM,

19 Defendant.

Case No. P1300 CR2019 01558

**MOTION TO DISMISS COUNT 25
OF THE INDICTMENT**

(Assigned to the Hon. Tina R. Ainley)

20
21 Defendant Michael L. Ham (“Dr. Ham”), by and through undersigned counsel, hereby
22 moves, pursuant to Rules 13.1(a) and 16.4(b), Arizona Rules of Criminal Procedure, to
23 dismiss Count 25 of the Indictment.

24 **ARGUMENT**

25 **A. Count 25 Must be Dismissed Under Rule 16.4(b)**

26 Under Rule 16.4(b), the Court must dismiss an indictment if it is insufficient as a
27 matter of law. An indictment based on a grand jury proceeding that makes no mention of,
28 much less present evidence about, a crime is legally insufficient. Although a trial court cannot

1 attack an indictment on the “nature, weight or sufficiency of the evidence presented to the
2 grand jury,” *Crimmins v. Superior Court*, 137 Ariz. 39, 42-43 (1983), “where the evidence
3 presented to the grand jury does not constitute criminal conduct, the indictment should be
4 dismissed,” *State v. Ditko*, No. 1 CA–CR 06–0633, 2007 WL 5187937, at *1 ¶ 8 (App. 2007)
5 (citing *Costello v. United States*, 350 U.S. 359, 363 (1956)). Stated differently, “if it is shown
6 that the grand jury had before it no substantial [] evidence upon which to base its indictment,
7 that indictment should be quashed. To hold a person to answer to such an empty indictment
8 for a . . . crime robs the Fifth Amendment of much of its protective value to the private
9 citizen.” *Costello*, 350 U.S. at 363 (J. Burton, concurring).

10 Count 25 of the Indictment alleges that Dr. Ham engaged in money laundering of
11 payments received “from Medicare after performing cataract surgery on [“P.H.”]’s *left eye*.”
12 *See* Excerpted Indictment, attached hereto as **Exhibit A** (emphasis added).

13 P.H. was seen at Kokopelli on November 20, 2017, at which time manifest refraction
14 was observed as 20/40 in the left eye (“OS”) and 20/30 in the right eye (“OD”).¹ A copy of
15 these results were sent to her primary care physician, Michael Lacaze DO, on November 20,
16 2017. *See* November 20, 2017 Letter to Dr. Lacaze, attached hereto as **Exhibit B**. Next, on
17 November 28, 2017, a note was made in MedInformatix to change the *right eye* only to
18 20/40.² *See* MedInformatix Message Report, attached hereto as **Exhibit C**. Finally, on
19 December 6, 2017, surgery was performed on P.H.’s *left eye*. *See* Operative Note, attached
20 hereto as **Exhibit D**.

21 Given the lack of any evidence that P.H.’s manifest refraction was changed in her left
22 eye, it comes as no surprise that the State *did not present any evidence* to the grand jury that
23 changes to the acuity were made to the left eye. Instead, the State’s grand jury presentation
24 discusses changes to the acuity of the right eye. Critically, Dr. Ham never performed surgery
25 on P.H.’s *right eye*, nor received payment for the surgery to the right eye. Therefore, the

26
27 ¹ Manifest refraction tests a patient’s vision.

28 ² MedInformatix was the Electronic Medical Record software platform used by Kokopelli.

1 Court must dismiss the indictment for lacking any evidence supporting a finding of probable
2 cause.

3 **B. Count 25 Must be Dismissed Under Rule 13.1(a)**

4 “Few constitutional principles are more firmly established than a defendant’s right to
5 be heard on the specific charges of which he is accused.” *State v. Martin*, 139 Ariz. 466, 471
6 (1985). In furtherance of this principle, Rule 13.1(a) requires that an indictment contain “a
7 plain, concise statement of the facts sufficiently definite to inform the defendant of a charged
8 offense.” Count 49 alleges, in relevant part, that Dr. Ham “knowingly initiated, organized,
9 planned, financed, directed, or supervised the acquisition, or maintained an interest in,
10 transaction, transference, transportation, receipt, or concealment of the existence or nature of
11 racketeering proceeds[.]”

12 Count 25 is nothing more than a recitation of the statutory elements. *See* Ex. A.
13 Moreover, because the State did not present any evidence with respect to P.H.’s left eye, Dr.
14 Ham is left without a concise and definite statement of the facts informing him of the
15 underlying conduct resulting in the allegedly ill-begotten gains subject to laundering.

16 Rule 13.1(a) implements Ariz. Const. art. 2, § 24 and § 30, and the Due Process clauses
17 of our State and Federal Constitutions. Ariz. Const. art. 2, § 30 limits felony prosecutions to
18 those initiated by indictment or information. Here, the prosecution chose indictment to
19 commence prosecution. Once the indictment path is chosen, an accused can only be tried on
20 charges in an indictment returned by a grand jury.

21 In order for a citizen to be charged with a felony, the grand jury must find that probable
22 cause exists to believe an offense has been committed. To do that, it must find facts, not law.
23 There is no allegation of fact in Count 25. Nor was the grand jury presented with any facts
24 regarding P.H.’s left eye, which is the focus of Count 25. Absent dismissal, the prosecution
25 is left with carte blanche to seek conviction on a set of facts that were never decided by the
26 grand jury. Such a result does not comport with the State’s due process protections.

27 Respectfully submitted this 31st day of July 2020.
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POLSINELLI PC

By: /s/ Edward F. Novak
Edward F. Novak
Melissa S. Ho
Andrew T. Fox
Attorneys for Defendant Michael L. Ham

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ELECTRONIC FILING VIA EMAIL

Pursuant to the Court’s April 1, 2020 Administrative Order No. 2020-07, the foregoing is deemed the ORIGINAL and it is deemed filed by email this 31st day of July, 2020, to:

The Clerk of the Court
Filing Counter
YAVAPAI COUNTY
120 S Cortez
Prescott, Arizona 86303
COSe-mailsubmissions-Prescott@courts.az.gov

COPY of the foregoing emailed this 31st day of July, 2020 to:

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/s/ Erika Cano _____

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12 **IN AND FOR THE COUNTY OF YAVAPAI**

13 STATE OF ARIZONA

14 Plaintiff,

15 v.

16 MICHAEL L. HAM,

17 Defendant.

Case No. P1300 CR2019 01558

**EXHIBITS TO MOTION TO
DISMISS COUNT 25 OF THE
INDICTMENT**

(Assigned to the Hon. Tina R. Ainley)

18
19
20 **EXHIBITS TO DEFENDANT'S MOTION TO DISMISS COUNT 25 OF
INDICTMENT**

21 **Exhibit A Indictment (excerpted)**

22 **Exhibit B November 20, 2017 Letter to Dr. Lacaze**

23 **Exhibit C MedInformatix Message Report**

24 **Exhibit D Operative Note**

EXHIBIT A

MARK BRNOVICH
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Firm Bar No. 14000

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BRETT HARAMES
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Attorneys for Plaintiff

FILED
5 O'clock P.M.
DEC 23 2019
DONNA McQUALITY, Clerk
By: A. BAYARD

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff,

v.

Michael Lee Ham (001)

Counts: 1, 2, 4, 5, 6, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 101, 103, 105, 107, 109, 111, 113, 115, 117, 119, 121, 123, 125, 127, 129, 131, 133, 135, 137, 139, 141, 143, 145, 146, 147, 148

Laura Lynn Crain (002)

Counts: 1, 3, 4, 5, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 147, 149, 150

86 SGJ 33

P1300CR201901559

INDICTMENT

CHARGING VIOLATIONS OF:

COUNT 1: CONSPIRACY, a class 2 felony, in violation of A.R.S. §13-1003

COUNT 2: ILLEGAL CONTROL OF AN ENTERPRISE, a class 3 felony, in violation of A.R.S. §13-2312(A)

COUNT 3: ILLEGALLY CONDUCTING AN ENTERPRISE, a class 3 felony, in violation of A.R.S. §13-2312(B)

COUNT 4: PARTICIPATING IN A CRIMINAL SYNDICATE, a class 2 felony, in violation of A.R.S. §13-2308(A)

COUNT 5: FRAUDULENT SCHEMES AND ARTIFICES, a class 2 felony, in violation of A.R.S. §13-2310

COUNT 6: THEFT, Class 3 Felony, in

Tricia Kay Fagelman, aka Tricia Kay McMillan (003)

Counts: 1, 3, 4, 5, 6, 40, 42, 44, 46, 58, 60, 80, 82, 84, 106, 124

Jennifer Lynn Head (004)

Counts: 1, 3, 4, 5, 6, 26, 32, 52, 54, 56, 58, 60, 92, 106, 142

Sheradri Ann Compson, aka Sheradri Khan (005)

Counts: 1, 3, 4, 5, 6, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144

Elizabeth Nancy Price, aka Elizabeth Kieren (006)

Counts: 1, 3, 4, 5, 6, 28, 30, 52, 130, 132

Jessica Lynn Erks (007)

Counts: 1, 3, 4, 5, 6, 14, 16, 66, 68, 70, 116, 118, 144

Ann Marie Nelson (008)

Counts: 1, 3, 5, 10, 12

Heidi June Elmer (009)

Counts: 1, 3, 4, 5, 6, 18, 20, 22, 24, 28, 30, 50

Bethany Jill Pachel (010)

Counts: 1, 5

Hollie Rebecca Tomaszycski (011)

Counts: 1, 5

Lindsay Brooke Rader (012)

Counts: 1, 5

Jennafer Eileen Topitzhofer aka Jennafer Harrison (013)

Counts: 1, 5

Renee L. Azzarello (014)

Counts: 1, 5

violation of A.R.S. § 13-1802(A)(3)

COUNTS 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 101, 103, 105, 107, 109, 111, 113, 115, 117, 119, 121, 123, 125, 127, 129, 131, 133, 135, 137, 139, 141 & 143: MONEY LAUNDERING IN THE FIRST DEGREE, Class 2 Felonies, in violation of A.R.S. § 13-2317(A)

COUNTS 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142 & 144: MONEY LAUNDERING IN THE SECOND DEGREE, Class 3 Felonies, in violation of A.R.S. § 13-2317(B)

COUNT 145: FRAUDULENT SCHEMES AND ARTIFICES, a Class 2 Felony, in violation of A.R.S. §§13-2310, 13-2301

COUNT 146: TAKING THE IDENTITY OF ANOTHER, a Class 4 felony, in violation of A.R.S. §13-2008

COUNT 147: OBTAINING PRESCRIPTION-ONLY DRUG BY FRAUD, a Class 1 Misdemeanor, in violation of A.R.S. §13-3406

COUNT 148: OBTAINING PRESCRIPTION-ONLY DRUG BY FRAUD, a Class 1 Misdemeanor, in violation of A.R.S. §13-3406

COUNT 149: FACILITATION TO COMMIT FRAUDULENT SCHEMES AND ARTIFICES, a Class 6 Felony, in violation of A.R.S. §§13-1004, 13-2301.

Jose Luis Alvarez (015)

Counts: 1, 5

Shawnee Andrea Clarida (016)

Counts: 1, 5

Taylor Michelle Hahn aka Taylor Lavine (017)

Counts: 1, 5

Nina Marie Kinsey (018)

Counts: 1, 5

Jessica Nicole Bicker, aka Jessica Church (019)

Counts: 1, 5

Sarah Marie Duncanson (020)

Counts: 1, 5

Natasha Florence Klein aka Natasha Aho (021)

Counts: 1, 5

Theresa Marie Velasco, aka Theresa Rupp (022)

Counts: 1, 5

Janae Lynne Furr (023)

Counts: 1, 3, 4, 5, 6, 8, 14, 16, 18, 20, 48, 50, 52, 54, 142

Samantha "Sam" Tuesday Denny (024)

Counts: 1, 5

Christopher Jon Bohn (025)

Counts: 1, 5

Lindsay Renee Martell (026)

Counts: 1, 5

Amber Dawn Havenner (027)

Counts: 1, 5

Miranda Shanee Kendall, aka Miranda Guffey (028)

Counts: 1, 5

Bobbie Jo Scarbrough (029)

Counts: 1, 5

13-2310

COUNT 150: CRIMINAL

IMPERSONATION, a Class 6 felony, in violation of A.R.S. §13-2006(A)(2)

Kelsi Bentley, aka Kelsi Jayne Popik (030)

Counts: 1, 5

Sarah Anne Morgan (031)

Counts: 1, 5

Katalina Reda (032)

Counts: 1, 5

Jeffrey Scott Harris (033)

Counts: 1, 5

Katherine Paije Chapman aka Katherine Golledge (034)

Counts: 1, 5

Alexis Sarah Anne Fagg (035)

Counts: 1, 5

Gabriel Monique Anderson (036)

Counts: 1, 5

Brooke C. L. Croy aka Brooke Schmalz (037)

Counts: 1, 5

Clarissa

~~Carissa~~ Faye Wall (038)

Counts: 1, 5

Daina Marie Christian (039)

Counts: 1, 5

Jeffrey Thomas Chambers (040)

Counts: 1, 5

Jordan Alyson Montoya (041)

Counts: 1, 5

Daniel Paul Gagnon (042)

Counts: 1, 5

Danielle Renee Pascoe (043)

Counts: 1, 5

Carlos Garcia (044)

Counts: 1, 5

Dinusha Indra Bandaranayake (045)

Counts: 1, 5

COUNT 25

MONEY LAUNDERING IN THE FIRST DEGREE

On or between December 6, 2017, and January 3, 2018, **Michael Ham (001)**, knowing or having reason to know that U.S. Currency was the proceeds of an offense, knowingly initiated, organized, planned, financed, directed, or supervised the acquisition, or maintained an interest in, transaction, transference, transportation, receipt, or concealment of the existence or nature of racketeering proceeds, in violation of A.R.S. §§ 13-2317, 13-2301, 13-701, 13-702, and 13-801.

Said conduct occurred when **Michael Ham (001)** received payment from Medicare after performing cataract surgery on **PHI** left eye.

COUNT 26

MONEY LAUNDERING IN THE SECOND DEGREE

On or between December 6, 2017, and January 3, 2018, **Laura Crain (002)**, **Jennifer Head (004)**, **Sheradri Compson, aka Sheradri Khan (005)**, knowing or having reason to know that U.S. Currency was the proceeds of an offense, acquired or maintained an interest in, transacted, transferred, transported, received, or concealed the existence or nature of racketeering proceeds, in violation of A.R.S. §§ 13-2317, 13-2301, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, and 13-801.

Said conduct occurred when **Michael Ham (001)**, received payment from Medicare after performing cataract surgery on **PHI** left eye.

COUNT 27

MONEY LAUNDERING IN THE FIRST DEGREE

On or between November 8, 2011, and November 28, 2011, **Michael Ham (001)**, knowing or having reason to know that U.S. Currency was the proceeds of an offense, knowingly initiated, organized, planned, financed, directed, or supervised the acquisition, or maintained an interest in, transaction, transference, transportation, receipt, or concealment of the existence or nature of racketeering proceeds, in violation of A.R.S. §§ 13-2317, 13-2301, 13-701, 13-702, and 13-801.

EXHIBIT B



OUR VISION IS TO CARE ABOUT YOURS

- Prescott - Prescott Valley - Sun City / Peoria - Sun City West -
Phone: 844-565-6393 Fax: 844-329-5656

RE: PHI DOB: PHI

Dear DR. MICHAEL LACAZE, DO,

I had the opportunity to see PHI on 11/20/2017. A copy of the history, assessment, and plan follows. A complete copy of the examination note can be forwarded upon request. I appreciate your kind consideration in allowing me to participate in PHI care.

CHIEF COMPLAINT: BLURRY OR DECREASED VISION Both Eyes

HISTORY OF PRESENT ILLNESS: On 11/20/2017, PHI, presented with the following history. Patient states that she her vision has gotten blurrier over the last year. Patient states that reading street signs has become very difficult. She states that she has to have a good light to be able to read her book and newspaper. She states that she can see halos around lights at night. Patient states that her eyes are burn and she uses refresh gel twice daily and it provides temporary relief.

AUTO REFRACTION:

OD: +1.50 +0.75 x 001
OS: +2.25 +1.00 x 004

CORRECTED VISUAL ACUITY:

OD: -0.50 +0.50 x 062 Add +2.75 = 20/50 P/H NI
OS: -2.50 +1.50 x 110 Add +2.75 = 20/60 P/H NI
Corrected by: Glasses

MANIFEST REFRACTION:

OD: +1.25 +0.75 x 175 Add +2.50 = 20/30
OS: +2.00 +0.75 x 165 Add +2.50 = 20/40

Impression and Plan:

1. Meibomianitis, Hordeolum internum right lower eyelid, warm compresses and artificial tears as needed. Start systane balance 3-4 times a day.
2. Meibomianitis, Hordeolum internum left lower eyelid, warm compresses and artificial tears as needed. Start systane balance 3-4 times a day.

Patient: PHI MRNO: 73079 DOB: PHI - Continued

3. Cataract, Cortical age-related cataract, bilateral eye, Phaco Left eye prn. Risks, benefits, and alternatives reviewed. Check axial length with IOL calculations both eyes. Right eye to be determined when Left eye is stable. Discussed Distance, Monovision, Multifocal. Elects both eyes for distance.
4. Cataract, Nuclear sclerotic cataract, bilateral eye, Phaco Left eye prn. Risks, benefits, and alternatives reviewed. Check axial length with IOL calculations both eyes. Right eye to be determined when Left eye is stable. Discussed Distance, Monovision, Multifocal. Elects both eyes for distance.
5. ARMD, Nonexudative, early dry stage, bilateral, Observe. Get OCT at next DE. Dry, follow up as scheduled. Follow up immediately with any changes in vision or amsler grid. Recommend AREDS 2 supplements.
6. Posterior Vitreous Detachment (PVD), vitreous degeneration, bilateral, No retinal breaks or holes found on exam. Signs and symptoms of retinal detachment (flashes, floaters, and veil) reviewed with patient. Patient instructed to follow up immediately with any of these symptoms or other concerns.

Discussion: The Medical history was reviewed; complete ophthalmic and physical exams have been completed. The heart was evaluated and found to be regular rate and rhythm with no murmurs or abnormalities and the lungs were auscultated and found to be clear. The patient is cleared for surgery in an Ambulatory surgical setting under local with Monitored Anesthesia Care (MAC).

I appreciate the opportunity to participate in PHI care. If there are any questions or concerns, please feel free to contact me.

Sincerely,

Michael L. Ham, M.D.

This document has been electronically signed by Michael L. Ham, M.D.

This record contains confidential health information that is privileged and legally protected from disclosure by federal law, the Health Insurance Portability and Accountability Act (HIPPA). This information is intended only for the use by the providers participating in care, and so given permission.

Copy to:

DR. MICHAEL LACAZE, DO

SCHEDULED FOLLOWUP:

1. Feb 7 2018 10:00 AM Cataract Pre-op
2. Feb 15 2018 10:20 AM EP Ovop
3. Feb 27 2018 07:40 AM Cataract Sx Left / Dr. Ham
4. Feb 28 2018 11:20 AM Post Op / Dr. Ham

EXHIBIT C

MedInformatix Message Report

Messages Report

Date: 3/ 6/2020

<u>MSGDATE</u>	<u>MSG</u>	<u>STATUS</u>	<u>FROM</u>	<u>TO</u>	<u>FROM</u>	<u>MSGID</u>
11/28/17 13:08:47	[Reply]charting VA's OD are 20/30. Please change to 20/40. Patient plans on getting both eyes done. Thanks! [Message from: SKHAN]	X	Jose Alvarez	Sheri Khan	JALVAREZ	A68658 A68658 A68658 A68658 A68658 A68658 A68658 A68658 A68658 A68658
11/22/17 13:03:58	Done Sheri, Soeey ;0(charting VA's OD are 20/30. Please change to 20/40. Patient plans on getting both eyes done. Thanks!	V	Sheri Khan	Jose Alvarez	SKHAN	A68525 A68525 A68525 A68525
11/20/17 13:29:32	NEED CAT SX DATE No surgery date available. Needs to be scheduled.	X	Jose Alvarez	JEN HEAD	JALVAREZ	A68419 A68419 A68419 A68419
11/20/17 11:17:12	Patient Portal Registration You have been registered with our Patient Portal. Your username is PHI and your password is PHI 7. Please login here to complete your registration process.	O		PHI	Pat Portal	A68401 A68401 A68401

EXHIBIT D



OUR VISION IS TO CARE ABOUT YOURS

**Prescott - Prescott Valley - Sun City / Peoria - Sun City West - Surprise - Kingman -
Fountain Hills - Wickenburg - Glendale
Phone: 844-565-6393 Fax: 844-329-5656**

OPERATIVE NOTE

PATIENT: PHI

DATE OF SURGERY: 12/06/2017

Facility: Kokopelli Eye Institute - Prescott Valley

SURGEON: MICHAEL L. HAM, M.D.

PREOPERATIVE DIAGNOSIS: CATARACT IN THE Left EYE

POSTOPERATIVE DIAGNOSIS: CATARACT IN THE Left EYE

OPERATIVE PROCEDURE: PHACOEMULSIFICATION OF CATARACT, POSTERIOR CHAMBER
INTRAOCULAR LENS IMPLANTATION

ANESTHESIA: TOPICAL PROPARACAINE, INTRACAMERAL 1% NON-PRESERVED LIDOCAINE,
WITH MONITORED ANESTHESIA CARE

PROCEDURE NOTE: Prior to arrival the patient dilated the Left eye with 2.5% Phenylephrine and 2% Cyclogel. Upon arrival the patients Left eye's pupil was noted to be dilated to approximately 7mm. A marking pen was used to place a mark above the brow of the Left eye to indicate the eye to be operated on today. The patient was taken to the operative suite, then prepped and draped in a sterile fashion. A lid speculum was placed to maintain the eyelids open. A 0.7mm paracentesis was made, followed by an injection of 1% non-preserved lidocaine. Viscoelastic was then injected into the anterior chamber to maintain it. The anterior chamber was then entered temporally at the limbus with a 2.8mm diamond keratome. A continuous curvilinear capsulorhexis was performed. The nucleus was then hydrodissected with balanced salt solution and a cannula. The nucleus was removed with phacoemulsification. The remaining cortex was removed with irrigation and aspiration. An anterior chamber maintainer was placed into the paracentesis and irrigating fluid was allowed to flow freely into the anterior chamber, maintaining it. A foldable 6mm intraocular lens with a power of 23.5 diopters (AMO Tecnis Z9002 (silicone) Lot # 1032731610) was placed in the capsular bag and rotated into position. Balanced salt solution was then injected into the anterior chamber irrigating out any remaining viscoelastic. The anterior chamber maintainer was removed. The clear corneal wound and paracentesis were hydrated with balanced salt

HAM_AG_000008

Patient: PHI MRNO: 73079 DOB: PHI - Continued
solution and checked for leaks. None were noted. The pupil was noted to be round and the visual axis clear. The lid speculum and drapes were removed. The patient was given post operative instructions. Once the patient was fully recovered and stable the patient was discharged without any complications, The patient is to follow up the next day with Dr. Ham.

Michael L. Ham, M.D.

This document has been electronically signed by Michael L. Ham, M.D.
on 12/06/2017 at 08:29:56.

Electronically signed by Sheri Khan 12/06/2017 08:30:03