

March 2, 2020

To Whom It May Concern:

I had the pleasure of meeting Elsie Cruz and her brother [REDACTED] in the pediatric orthopaedic surgery clinic at the Cleveland Clinic Foundation on February 4, 2020. The purpose of their visit was for evaluation of Elsie's short stature and potential for an underlying metabolic bone disorder.

Elsie and her brother [REDACTED] are both in the care of their mother as there is a legal case pending in Oregon over possible non-accidental trauma involving Elsie's father.

When [REDACTED] was quite young he had a history of some low impact fractures and very low serum vitamin D. There were no substantiated findings of abuse.

When Elsie was 4 months of age her father was carrying her down the stairs when he fell. She sustained a humerus fracture and radiographs at that time were also thought to be consistent with bilateral femoral fractures and a metatarsal fracture. While the humerus fracture is a common injury in a fall with a parent - as they are held more tightly with the patient starts to fall - the femoral fractures and a metatarsal fracture were considered suspicious. Both femoral fractures were later felt by several experts not to be traumatic injuries and the metatarsal fracture was considered questionable as well.

Elsie was seen in the Shriners Hospital in Spokane, Washington and based on her blue sclera, short stature, Elvin facies and some other clinical findings was thought to have osteogenesis imperfecta.

Subsequent molecular testing did not confirm classic osteogenesis imperfecta despite the clinical findings.

Elsie has subsequently seen Dr. Miller, a nationally known pediatric geneticist who feels that she has a bone mineralization density disorder.

What is particularly striking about Elsie and which makes a diagnosis of a **bone mineralization disorder all the more likely** is that on February 24<sup>th</sup> of this year - after I saw the patient - she was diagnosed with a true femur fracture. While at daycare, she was going down the slide and caught her foot. The daycare worker called the mom about the injury. The mom noted when she picked Elsie up from daycare that she would not bear weight. She was subsequently seen in the local emergency department where an x-ray noted a **non-displaced low energy femur fracture** for which she was treated with a Spica cast.

**It is my professional opinion based upon my review of x-rays, clinical records and having examined Elsie that she does indeed have a bone mineralization defect the exact nature of which is unclear. This is the cause of her appearance and more importantly her history of fractures (Humerus and recent femur)**

**I *do not* believe that Elsie is the victim of non-accidental trauma. Her most recent femoral fracture in the care of daycare provider's following a low impact/low energy injury makes it abundantly clear Elsie's bones are not normal.**

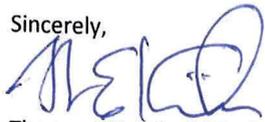
Not only do I believe Elsie was NOT a victim of non-accidental trauma; I believe, based on the clinical history that her brother [REDACTED] has a less severe form of the disorder from which Elsie suffers.

Mrs. Cruz is struggling to care for her 2 children while at the same time dealing with the legal system. This should be resolved so that her husband can participate in the care of her children and that she can focus on their medical needs not the legal aspects.

Mom is scheduled to travel to Omaha Nebraska soon for bone fragility workup.

If I may be of further assistance to you with respect to Elsie Cruz or her brother [REDACTED] please do not hesitate to contact me directly.

Sincerely,

A handwritten signature in blue ink, appearing to read 'T. Kuivila', with a stylized flourish at the end.

Thomas E Kuivila, M.D., F.A.O.A.

Pediatric Orthopaedic and Scoliosis Surgeon

Vice-chairman for Education, ORI.