

# Exhibit A

Unofficial Copy Office of Chris Daniel District Clerk

DAVID CHRISTOPHER DUNN	§	IN THE DISTRICT COURT
	§	OF
V.	§	HARRIS COUNTY, TEXAS
	§	
THE METHODIST HOSPITAL	§	189 <sup>TH</sup> JUDICIAL DISTRICT

**AFFIDAVIT OF ADITYA UPPALAPATI, M.D.**

THE STATE OF TEXAS	§
	§
COUNTY OF HARRIS	§

Before me, the undersigned authority, on this day personally appeared Aditya Uppalapati, M.D. who after first being duly sworn upon his oath, deposed and states as follows:

“My name is Aditya Uppalapati, M.D. I am over eighteen years of age and fully competent and authorized to make this affidavit. This affidavit is made of my own personal knowledge and the statements made herein are true and correct.

1. I am a medical doctor licensed to practice medicine in the state of Texas. I practice critical care medicine in the medical intensive care (“MICU”) unit at Houston Methodist Hospital (“Methodist”). I am board certified in internal medicine and critical care medicine. In my medical specialty I am commonly referred to as an intensivist.
2. The MICU is unit at Methodist that cares for critically ill adult patients with complex and multi-system medical illnesses such as cardiopulmonary arrest, respiratory distress, sepsis, renal failure, gastrointestinal bleeding and multi-system organ failure. As a board certified intensivist I have the education, training and experience to provide on-going and continuous care to these types of adult critically ill patients. David Christopher Dunn (“Mr. Dunn”) is

one such critically ill patient.

3. On October 12, 2015, I admitted Mr. Dunn to Methodist. I, along with the other members of the intensivist team, provide 24 hours care to patients in the MICU, including Mr. Dunn. I have provided on-going and continuous medical care and treatment to Mr. Dunn since his admission to Houston Methodist Hospital on October 12, 2015. In my capacity as Mr. Dunn's treating intensivist, I have made treatment decisions affecting his care. I am familiar with the progression of his chronic condition, his current condition, and prognosis.
4. Based on my education, training, experience as well as my care of Mr. Dunn, I, and members of my team, have advised his family members that Mr. Dunn suffers from end-stage liver disease, the presence of a pancreatic mass suspected to be malignant with metastasis to the liver and complications of gastric outlet obstruction secondary to his pancreatic mass. Further, he suffers from hepatic encephalopathy, acute renal failure, sepsis, acute respiratory failure, multi-organ failure, and gastrointestinal bleed. I have advised members of Mr. Dunn's family that it is my clinical opinion that Mr. Dunn's present condition is irreversible and progressively terminal.
5. On October 12, 2015, Mr. Dunn arrived unresponsive to Methodist. Since that time he has been on ventilator support as a life-sustaining treatment. This means that Mr. Dunn cannot verbally communicate. In addition to being unable to verbally communicate the severity of Mr. Dunn's critical illnesses as well as the use of narcotic pain medication have made him unable to participate in his care. On occasion he has been able to follow simple commands. However, the majority of the time he is completely unresponsive.
6. Since October 12, 2015, Mr. Dunn has been unable to participate in his health care decisions such as providing a review of systems or medical history due to his altered mental status, intubation and sedation.
7. Based on the foregoing, in my opinion, Mr. Dunn has a low probability that his mental status will return to his baseline. He is not oriented to person, time, place or situation. He cannot communicate. He cannot attend to any activities of daily living. He does not have the mental capacity to consent to any medical treatment. He does not have the mental capacity to consent to or make any business, managerial, financial, legal or other decisions. This

incapacity began October 12, 2015 and in reasonably medical probability will continue until his death.

FURTHER AFFIANT SAYETH NOT.”

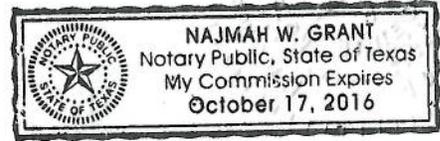
*A. Uppalapati*

ADITYA UPPALAPATI, M.D.

Sworn to and subscribed before me by ADITYA UPPALAPATI, M.D.  
on December 02, 2015.

*Najmah W. Grant*

Notary Public In and For  
The State of Texas



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