

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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AMERICAN BOARD OF INTERNAL	:
MEDICINE,	:
	:
Plaintiff/counterclaim defendant,	:
	:
v.	: Civil Action No. 14-cv-06428-KSH-CLW
	:
JAIME A. SALAS RUSHFORD, M.D.,	:
	:
Defendant/counterclaim plaintiff/third-	:
party plaintiff,	:
	:
v.	: ORAL ARGUMENT REQUESTED
	:
RICHARD BARON, M.D., et al.,	:
	:
Third-party defendants.	:
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**CERTIFICATION OF ROBERTO A. RIVERA-SOTO
IN SUPPORT OF THE OPPOSITION ON SHORT NOTICE OF
ABIM AND THE ABIM INDIVIDUALS
TO DEFENDANT’S MOTION FOR A PROTECTIVE ORDER**

ROBERTO A. RIVERA-SOTO, being duly sworn according to law, certifies that:

- I am an attorney-at-law licensed in the Commonwealth of Pennsylvania (inactive), the State of New Jersey, the State of Nevada, the State of Delaware, and the District of Columbia. I am counsel of record for plaintiff/counterclaim defendant the American Board of Internal Medicine (“ABIM”) and third-party defendants Richard Baron, M.D., Christine K. Cassel, M.D., Lynn O. Langdon, Eric S. Holmboe, M.D., David L. Coleman, M.D., Joan M.

Feldt, M.D., and Naomi P. O'Grady, M.D. ("the ABIM Individuals") (ABIM and the ABIM Individuals are collectively referred to as "ABIM") in this matter, and I am authorized to and do submit this certification on ABIM's behalf in opposition to the motion of defendant/counterclaimant/third-party plaintiff Jaime A. Salas Rushford, M.D. for a protective order.

2. A true and correct copy of the May 9, 2016 notice of deposition by oral examination with request for production of documents is attached to ABIM's opposition to plaintiff's motion for a protective order as **Exhibit "A"** and is made a part hereof and thereof by reference.

3. A true and correct copy of ABIM's October 26, 2015 email to defendant's counsel is attached to ABIM's opposition to plaintiff's motion for a protective order as **Exhibit "B"** and is made a part hereof and thereof by reference.

4. A true and correct copy of the October 26, 2015 email from defendant's counsel to ABIM's counsel is attached to ABIM's opposition to plaintiff's motion for a protective order as **Exhibit "C"** and is made a part hereof and thereof by reference.

5. True and correct copies of the November 13, 2015 cover email, emailed letter and notice of deposition serviced on counsel for defendant are attached to ABIM's opposition to plaintiff's motion for a protective order as **Exhibit "D"** and are made a part hereof and thereof by reference.

6. A true and correct copy of ABIM's November 19, 2015 email to defendant's counsel is attached to ABIM's opposition to plaintiff's motion for a protective order as **Exhibit "E"** and is made a part hereof and thereof by reference.

7. A true and correct copy of the November 19, 2015 telecopied letter from defendant's counsel to ABIM's counsel is attached to ABIM's opposition to plaintiff's motion

for a protective order as **Exhibit “F”** and is made a part hereof and thereof by reference.

8. True and correct copies of ABIM’s November 20, 2015 email and electronic mail letter to defendant’s counsel are attached to ABIM’s opposition to plaintiff’s motion for a protective order as **Exhibit “G”** and are made a part hereof and thereof by reference.

9. True and correct copies of defendant’s November 20, 2015 email and electronic mail letter to ABIM’s counsel are attached to ABIM’s opposition to plaintiff’s motion for a protective order as **Exhibit “H”** and are made a part hereof and thereof by reference.

10. True and correct copies of ABIM’s November 21, 2015 email and electronic mail letter to defendant’s counsel are attached to ABIM’s opposition to plaintiff’s motion for a protective order as **Exhibit “I”** and are made a part hereof and thereof by reference.

11. True and correct copies of defendant’s May 13, 2016 email and “objections” are attached to ABIM’s opposition to plaintiff’s motion for a protective order as **Exhibit “J”** and are made a part hereof and thereof by reference.

12. True and correct copies of ABIM’s May 13, 2016 email and enclosed letter to defendant’s counsel are attached to ABIM’s opposition to plaintiff’s motion for a protective order as **Exhibit “K”** and are made a part hereof and thereof by reference.

13. True and correct copies of ABIM’s May 26, 2016 email and enclosed letter to defendant’s counsel are attached to ABIM’s opposition to plaintiff’s motion for a protective order as **Exhibit “L”** and are made a part hereof and thereof by reference.

14. True and correct copies of ABIM’s May 27, 2016 email and enclosed letter to defendant’s counsel are attached to ABIM’s opposition to plaintiff’s motion for a protective order as **Exhibit “M”** and are made a part hereof and thereof by reference.

15. A true and correct copy of the May 27, 2016 email from defendant's counsel to ABIM's counsel is attached to ABIM's opposition to plaintiff's motion for a protective order as **Exhibit "N"** and is made a part hereof and thereof by reference.

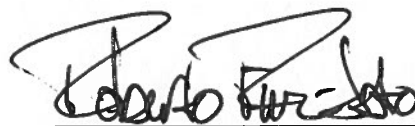
16. A true and correct copy of the May 27, 2016 email from ABIM's counsel to defendant's counsel is attached to ABIM's opposition to plaintiff's motion for a protective order as **Exhibit "O"** and is made a part hereof and thereof by reference.

17. Once transcribed, a true and correct copy of the record of proceedings, highlighting defendant's failure to appear, will be provided as **Exhibit "P"**.

18. An illustrative sample listing of flights between San Juan, Puerto Rico and Philadelphia, Pennsylvania on May 28, 2016, obtained through Google on May 27, 2016, is attached to ABIM's opposition to plaintiff's motion for a protective order as **Exhibit "Q"** and is made a part hereof and thereof by reference.

19. I hereby certify that the foregoing statements of fact made by me are true and correct as stated. I understand that if any of the foregoing statements is willfully false, I am subject to punishment.

DATED: May 31, 2016



Roberto A. Rivera-Soto