

RICHARD A. SHEPPARD, having been first duly sworn, was examined and testified as follows:

EXAMINATION OF RICHARD A. SHEPPARD

By Dr. Gerber:

- Q What is your name, please?
- A Richard Allen Sheppard.
- Q Where do you live?
- A I live at 23048 Westlake Road.
- Q What is your profession?
- A Osteopathic physician and surgeon.
- Q Would you speak up a little bit louder?
- A Osteopathic physician and surgeon.
- Q How long have you been an osteopathic physician and surgeon?
- A I graduated in 1911, June, 1911.
- Q How long have you practiced in and about Cleveland?
- A Since 1923.
- Q How long have you been connected with the Bay View Hospital?
- A Since its inception.
- Q And what year was that?
- A Well, let's see, it is a little over five years as I recall.
- Q Before that was it known under any other name and

located at any other place?

A We had another hospital which was called the Cleveland Osteopathic Hospital at 32nd and Euclid.

Q How long was that in existence?

A That was started in '35.

Q Were you a member or are you a member of both staffs?

A The Cleveland Osteopathic Hospital at 32nd and Euclid just gradually disappeared when we started out here at Bay.

Q Were you a member of --

A Both of them, yes.

Q Of the Cleveland Osteopathic Hospital at 32nd and Euclid?

A That's right.

Q Are you a member of the staff at Bay View Hospital?

A I am.

Q Do you hold any official position?

A Chief of Staff.

Q Do you hold any official position on the Board of Directors or Board of Trustees?

A Yes, I am a member of the Board.

Q Do you hold an office as a member of the Board?

A At the present time I am Treasurer.

Q Is Dr. Sam Sheppard a son of yours?

A He is my youngest son.

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Q Marilyn Sheppard, was Marilyn Sheppard your daughter-in-law?

A She, she was.

Q Did you ask Dr. Sam and his wife to come to Cleveland or the nearby environment to practice here?

A I encouraged them to come here. I thought there was a good location and good opportunity for them.

Q Did Dr. Sam Sheppard take any training at Bay View Hospital?

A He took some training in general surgery under me after he had finished his training in neuro-surgery at the Los Angeles County Hospital.

Q Was it at your suggestion, your family's suggestion, that Dr. Sam Sheppard move to Bay Village to live?

A We felt it would be much more advantageous if he would locate close to the hospital.

Q Any arrangements that were made with the City of Bay Village and the hospital, were they made prior to the arrival of Dr. Sam?

A I wouldn't know.

Q The understanding that you have with Bay Village in reference to the hospital, were they made in '49 or '50?

A I know nothing about them, if there is such a thing as an understanding with them.

Q Are there any understandings between --

A Not that I know of.

Q Between Bay Village and Bay View Hospital?

A Not that I know of.

Q Was there an understanding that all patients that were emergency and were picked up by ambulance, by the police ambulance, would be brought to Bay View Hospital?

A I know nothing about that.

Q Do you have any contract, the hospital, that is, with the City of Bay Village?

A I am quite sure that we have not. It has never been brought up at a board meeting.

Q Calling your attention to July 4, 1954, when did you first learn of the incident that occurred at Dr. Sam's house?

A On the morning of July 4 I was awakened by a telephone call from my daughter-in-law, Mrs. Dorothy Allison Sheppard, the oldest son's wife, stating that something terrible had happened down at Sam's, and they thought that Marilyn was dead. She got a call from Mayor Houk that they thought Marilyn was dead and Sam was very badly hurt, that her husband was going out to the scene immediately, and she had already called Dr. Steve who is my second son, and that I should go to the hospital and arrange for the admittance of the patients, get things ready for them.

Q Do you know what time that was?

A That was around 6:00 o'clock.

Q Then after that what did you do?

A I dressed as hurriedly as I could and immediately went to the hospital.

Q What happened then?

A We alerted the interns and residents and the hospital staff that something terrible had happened out at Sam's, and we should get ready for the emergency.

Q Then what happened?

A We waited around there for I expect ten minutes and then we brought Dr. Sam in.

Q About what time was this?

A About ten minutes after I got there, I imagine. I expect maybe 6:20, something like that.

Q Then what happened, doctor?

A Well, Dr. Steve came in with Dr. Sam, and immediately the interns and residents placed him on a cart, took his clothes off, and took him back into a room to be taken care of.

Q Did you talk to Dr. Sam?

A I didn't at that time.

Q Did you talk to him later?

A Sometime later that day I did.

Q How much later?

A I wouldn't recall. Sometime that morning.

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Q Was it an hour afterwards or two hours afterwards?

A Oh, I expect sometime within the hour.

Q Did you make an examination of Dr. Sam?

A I did not.

Q Did Dr. Sam tell you anything?

A I don't believe that he did. I was concerned about him and asked how he was feeling, and he told me a terrific pain in the back of his neck, and I didn't want to bother him. I was very happy to know that he was still alive and was able to talk.

Q Did you find out what else had happened at Dr. Sam's house?

A I found out through the brothers.

Q What did they tell you?

A Well, they told me that they had gone upstairs and found Marilyn was gone, and that the room was splattered with blood, the walls, bed, well, they described a very horrible situation, and that Sam was lying on the floor and they thought he was gone, too, when they got there. His desk, the drawers were open, that material was scattered on the floor, that his bag, his doctor's bag, was lying in the hall opened, and the contents dumped on the floor. Those are the things that I recall.

Q Later after this first time did you talk to Dr. Sam?

A I talked to him every day, I imagine.

Q What did he tell you? You talked to him later on in the day of July 4 in the afternoon?

A I imagine I did. I don't recall what we talked about.

Q Did you make an examination of him at that time?

A I made no examination, but I observed that he had a bruised place above his right eye, and his right eye was swollen practically shut, and his neck muscles seemed to be swollen, and he complained of the back of his neck very severely.

Q Did Dr. Sam ever confide in you?

A Yes. He was a boy who confided in me a great deal. We had a lot of things in common, professionally and otherwise.

Q Did he ever inform you that he was having difficulties with his wife, marital difficulties?

A He had told me, I don't know just when it was, that he had some difficulty with Marilyn in regard to she didn't understand that a doctor has to give so much time to his patients, and she somewhat resented it that he couldn't give her as much attention as she felt she should have.

Q Did this occur on more than one occasion?

A No, I don't believe it did. I think, I think it

only occurred once, and that has been some years ago in the early married life.

Q Is that when he was living in California or living in Cleveland, the suburbs?

A That was while he was living in California.

Q Did Marilyn confide in you?

A Yes, I think Marilyn felt very free to talk anything over with me that was bothering her.

Q Did she tell you anything about these marital difficulties?

A She did.

Q When?

A Well, I think it was sometime last year. She felt somewhat as if she was neglected, and I also told her at that time how difficult it was to be a doctor's wife, and advised her to read the biography of Harvey Cushing, that his wife was a very ideal doctor's wife, and that she might then realize some of the problems that she would have.

Q Did she inform you at that time that some of the difficulties were due to Dr. Sam's attentions to Susan Hayes?

A Marilyn was somewhat concerned about Susan Hayes, and she mentioned the fact that she thought maybe Susan was trying to make Sam, and she mentioned a couple of

times when she thought he might have been out with Susan instead of making certain house calls, and I investigated and I didn't find anything wrong at that time.

Q Did you inform Marilyn that you made, about these investigations?

A I don't recall that I informed her at all. I tried to let her know that this was something that every doctor's wife has to worry about, that the female patients have a tendency to make the doctor's wife jealous.

Q Did she, Marilyn that is, tell you anything about these difficulties since March of this year?

A No.

Q Did Marilyn ever tell you about the difficulties she experienced while she and Dr. Sam were in California?

A No, she didn't.

Q Did Dr. Sam tell you --

A No.

Q -- about what went on in California?

A No.

Q Do you recall the day that you made the diagnosis of pregnancy on Marilyn?

A Yes, I can recall the date if you want me to -- do you want the date?

Q Yes, please.

A Well, I have got it here. I looked up the record.

It was May 5.

Q Of 1954?

A That's right.

Q Did you make an estimate as to delivery date?

A I thought sometime in December would be the due time.

Q Early or late?

A Well, I think the latter part of the month, as nearly as I could figure, sometime around the 14th, I mean, the 16th or 17th, the early part of the latter part of the month.

Q And that was based on what?

A Well, that was based upon the size of the uterus and the history of her menstrual period. I didn't really set down in the chart the exact date of when we thought she would deliver.

Q Did she give you the history of her menstrual period?

A I don't recall now whether she gave me a detailed report of it or not.

Q Were there any other signs or symptoms that would lead you to the December date?

A No, that was all.

Q Did you make any recommendations at that time as to what she should do or shouldn't do?

A Yes, I told her to take good care of herself.

I didn't think it would be wise for her to do any more skiing, water skiing. She loved to water ski, she and Sam. I also asked her to stop smoking, and take just as good care of herself as possible, because she was going to have a baby.

Q Did Dr. Sam know of this imminent pregnancy or delivery?

A He knew I was examining her that day, and it was either that afternoon or the next day that Marilyn and Sam and I met in the parking lot just incidentally, and I shook hands with him and congratulated him on having a new offspring on the way, and he seemed to be very happy, and both were very happy over the possibility of a new baby.

Q From your examination and history do you believe that Marilyn knew she was pregnant?

A She knew it after I told her.

Q No, but before that?

A No, I don't think she did.

Q She knew that she wasn't feeling right?

A She wasn't feeling right.

Q She knew that she had missed menstrual periods?

A I am quite sure that she knew that.

Q Did you have occasion to treat her for amenorrhea on any occasion?

A No.

Q From your examination and history was there any reason to believe that there may be difficulty as the result of this pregnancy at the time of delivery?

A No, I thought she was quite a normal little female. I thought she could deliver normally.

DR. GERBER: That is all.

Thank you, doctor.

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