

1 DECLARATION OF TERRY SCHIAVO'S MEDICAL CONDITION

2 I, Dr. Leonard P. Rybak, have personal knowledge of the facts stated in this declaration and,
3 if called as a witness, I could and would testify competently thereto under oath. I declare as
4 follows:

5 I am a board-certified otolaryngologist with 26 years of professional medical practice, which
6 includes the treatment of patients with brain injury and speech and swallowing difficulties. I am
7 professor of surgery in the division of otolaryngology at the Southern Illinois University School
8 of Medicine in Springfield, Illinois, and I have been a faculty member at this medical school
9 since 1981. I was awarded the M.D. degree by the Medical College of Wisconsin in Milwaukee
10 in 1973. I completed an internship at the Hennepin County Medical Center in 1974. I completed
11 one year of surgery residency from 1974-5 and five years of residency in otolaryngology at the
12 University of Minnesota School of Medicine in Minneapolis from 1975-79. I also received the
13 Ph.D. degree in otolaryngology from the University of Minnesota in 1979. From 1979-81, I was
14 assistant professor of otolaryngology at the University of Minnesota. I received certification
15 from the American Board of Otolaryngology in 1979. I have been a fellow of the American
16 Academy of Otolaryngology since 1980, a fellow of the American College of Surgeons since
17 1981, a fellow of the American Laryngological, Rhinological and Otological Society since 1985.

18 1. My knowledge of the case of Terry Schiavo's condition is based on viewing videotapes
19 that show that she is responsive, that she follows objects with her eyes, she smiles appropriately.
20 Also, statements by Dr. Bill Hammesfahr, a physician who was nominated for a Nobel Prize in
21 Medicine for his outstanding work in the field of rehabilitation of brain injury. Based on 10
22 hours of personal examination of this patient, Dr. Hammesfahr has publicly stated that Terri
23 Schiavo is not in a persistent vegetative state, that she is aware, conscious and responsive. He
24 has publicly stated that persons with even more severe brain dysfunction than that of Terri
25 Schiavo have made dramatic recoveries, including one patient who was able to talk after only
three months of appropriate rehabilitation therapy.

26 2. The diagnosis of persistent vegetative state is incorrectly applied to patients in at least
27 43% of cases, based on recent studies. The patient, Terri Schiavo, needs further evaluation,
28 including a complete and unbiased neurological examination, electroencephalogram (EEG) and a
29 magnetic resonance scan (MRI) to evaluate her condition appropriately.


Declarant initials: LPR

1 3. Several nurses who had taken care of Mrs. Schiavo have filed affidavits stating that the
2 patient can already swallow. With appropriate speech and swallowing therapy, she is likely to
3 regain speech and swallowing function to a much greater degree.

4 4. At least 33 other physicians in the U.S., who are brain injury specialists from such
5 prestigious institutions like UCLA, Wake Forest University, Tulane, Louisiana State University
6 and Boston University, have publicly stated that this person can be rehabilitated. They have
7 stated that she is not in a persistent vegetative state, she is not in a coma and that she can be
8 rehabilitated if given proper medical care.

9 I declare under the penalty of perjury under the laws of the State of Illinois that the
10 foregoing is true and correct.

11 Executed this 24th day of March, 2005, in Springfield, Illinois

12
13
14 
15 Leonard P. Rybak, M.D., Ph.D., Declarant

16
17
18
19
20
21
22
23
24
25

Declarant initials: _____