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DECLARATION OF JACOB GE EEN. M.D., PhD.

I. Jacob Green, have personal knowledge of the facts—tated in this declaration and, if called as a witness, I could and would testify competently thereto under oath. I declare as follows:

- 1. I am a medical doctor specializing in neurology is Jacksonville, Florida, practicing at the Southeastern Neuroscience Institute, P.A.
- 2. I have been in practice as a physician for 38 year, and am certified by the American Board of Psychiatry and Neurology in neurology. I hold a Ph.D. as well as an M.D. degree, and I did post-graduate residencies in both neurology and new rological surgery at the University of Alabama Hospital at Birmingham, as well as a residency in neurology at the Medical University of South Carolina Medical Center. Presently, I am or have been licensed to practice medicine in Florida Alabama, Georgia, Virginia, and Kentucky. I have published six textbooks and more than sixty papers published in various pear-reviewed journals.
- 3. Although I have not physically examined Theres Marie Schiavo, I base my opinions about her condition on a review of her medical records and on scrutiny of a videotape of the patient, dated January 22, 2000.
- 4. Ms. Schiavo is not in a persistent vegetative state. Based on the fact that Ms. Schiavo can look around, smile, and make verbalizations, it is my op nion that she is not in a persistent vegetative state.
- 5. Since the time of the original court's ruling in the Terri Schiavo matter, a new neurologic entity has, subsequently, been defined. This entity is known as "minimally conscious state," (MCS). The American Academy of Neurology's own journal has published four articles on this condition in the last several months.
- 6. This new diagnostic brain-damaged category of trly indicates that Terri Schiavo should be re-evaluated for the correct diagnosis, (MCS).

Declarant initials:

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Declarant initials

- 7. Based upon my medical experience and review of the information available in this matter regarding Terri Schiavo, it is my professional opinion that the correct diagnosis for Terri is, in fact, minimally conscious state and not persistent vegetat ve state.
- 8. Since the court previously ruled that Terri is in a ersistent vegetative state, new technology has become available to more accurately dia; sose the current mental functioning of a patient. This new technology, which is called functional magnetic resonance imaging or fMRI, can measure brain activity by creating multidimensional mages of blood flow to various parts of the activated brain. For the first time, doctors using the MRI may predict a patient's capability for emerging or recovering from those who do not, and lso to guide us in therapeutic techniques and strategies that would help a patient recover from a r inimally conscious state.
- 9. Terri Schiavo deserves the opportunity to be tres ted for her minimally conscious state condition and she deserves to have the benefit of new to chnology that was not available prior to the court's original ruling on her condition.

I declare under the penalty of perjury under the law of the State of Florida that the Executed this 22 day of Feb 2005 in Jack and the Florida. foregoing is true and correct.

Jacob Green

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