

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA . Case No. CR-15-037-CDJ
Plaintiff, .
vs. . 601 Market Street
JEFFREY BADO, . Philadelphia, PA
Defendant. . November 28, 2016
. 10:02 a.m.
.
.

TRANSCRIPT OF TESTIMONY OF DR. LEE BLUM
BEFORE HONORABLE C. DARNELL JONES, II
UNITED STATES DISTRICT JUDGE

APPEARANCES:

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1 DR. LEE BLUM, PREVIOUSLY SWORN

2 DIRECT EXAMINATION

3 BY MR. SCHELL:

4 Q Good morning, Doctor.

5 A Good morning.

6 Q Doctor, one of the items that you reviewed to prepare you
7 for your testimony was the autopsy report prepared by Dr. Edwin
8 Lieberman, correct?

9 A Yes.

10 Q And Dr. Lieberman's autopsy revealed that Joseph Armstrong
11 had pulmonary edema at the time of his autopsy. Correct?

12 A Yes.

13 Q And a pulmonary edema is a medical term you are familiar
14 with based on your training and experience?

15 A Yes.

16 MR. MAURER: Objection. It's beyond the scope. This
17 is the beyond the scope of his direct.

18 THE COURT: I'll give Counsel some latitude.

19 BY MR. SCHELL:

20 Q A pulmonary edema is something that you're familiar with
21 based on your background and experience, correct?

22 A It's fluid on the lung -- in the lungs.

23 Q Okay. And fluid in the lungs can impact how a person
24 breathes, correct?

25 A Yes.

1 Q It can decrease the oxygen content of the blood, correct?

2 A I -- I'm not a pathologist. I'm not a clinician. But I
3 know it affects breathing.

4 Q Do you know if it can increase the carbon dioxide content
5 of the blood?

6 A I don't know.

7 Q Do you know that as the oxygen level goes down, and the
8 carbon dioxide level goes up and the blood is being pumped
9 through the body that certain organs that depend on oxygen
10 saturated blood aren't getting enough oxygen? Do you have any
11 knowledge of that?

12 MR. MAURER: Objection.

13 THE COURT: Sustained, Counsel.

14 BY MR. SCHELL:

15 Q You reviewed Dr. Lieberman's report that noted a "frothy
16 liquid" in the lungs of Joseph Armstrong, correct?

17 A May I review my notes?

18 Q Sure.

19 THE COURT: Yes.

20 MR. SCHELL: Andrew, if we could while he's reviewing
21 just go to D-2, page 3 please? And if you could blow up the
22 middle section, Andrew?

23 THE WITNESS: Yes, I see it.

24 BY MR. SCHELL:

25 Q Okay, sir.

1 MR. SCHELL: And the portion that I'm referring to,
2 Andrew, if you could blow that up is under the section
3 Respiratory System. Do you see that?

4 THE WITNESS: Yes, I do.

5 BY MR. SCHELL:

6 Q That was something that you reviewed prior to issuing a
7 written report prior to testifying, correct?

8 A Yes.

9 Q And the respiratory system refers to that of Mr. Armstrong
10 as examined by Dr. Lieberman at autopsy, agreed?

11 A Yes.

12 Q I want to read the second sentence; second line down in the
13 respiratory system. "The parent schema is congested with a
14 moderate to large amount of clear frothy fluid oozing from the
15 cut surfaces." Did I read that accurately?

16 A The parent schema is congested with a moderate to large
17 amount of clear frothy fluid oozing from the cut surfaces."
18 Yes, sir.

19 Q Okay. So the -- the term "clear frothy fluid" was
20 something that you reviewed prior to issuing a report and
21 testifying?

22 A Yes.

23 MR. SCHELL: Your Honor, may I please approach the
24 witness with -- with the document that was previously marked as
25 D-10? Counsel has a copy.

1 THE COURT: Yes.

2 MR. SCHELL: Thank you.

3 MR. MAURER: What's D-10?

4 BY MR. SCHELL:

5 Q Dr. Blum, I'm handing you a two-page document. The first
6 page is entitled Karch's Pathology of Drug Abuse, Fifth Edition.
7 In the second page -- it's specifically page 141 of that -- of
8 that textbook. Do you see both of those pages in front of you?

9 A I see the first page and the second page.

10 Q Okay. And you're familiar with Karch's Pathology of Drug
11 Abuse as a textbook that's used to teach the pathology of drug
12 use and abuse in individuals, correct?

13 A No, sir. I'm not familiar with this book.

14 Q Okay. Well, let's go to then the second page of the
15 document that I gave you. Do you see a highlighted section,
16 sir?

17 MR. MAURER: Objection. He's not familiar.

18 THE COURT: Sustained.

19 MR. MAURER: Beyond the scope.

20 THE COURT: Sustained.

21 BY MR. SCHELL:

22 Q I'm not going to ask you if you're familiar with the book.
23 I'm going to ask you if you're familiar, sir, if pulmonary edema
24 that's caused by heroin causes a frothy fluid in the lungs. Are
25 you aware of that, sir?