

Affidavit

I, **Michael Douglas Hosking**, an adult male of Rivonia, Sandton, Gauteng,
a Berufsingenieur (Professional Engineer) Germany; employed as the
Executive Director - South African Society for Professional Engineers;
Vice President and CEO of the International Society for Professional Engineers
Chairman of Professional Engineering Placements
Member Board of Control - International Union of Professional Engineers,
UIDIP Strasbourg France;
Member of Council of Society for Professional Engineers UK,
President Medical Malpractice Association
Full Professional Profile attached (Annex. A)

Do make the following Affidavit under oath and in English.

CHARGES AGAINST DR COLIN NATES.

Presenting a Medical Bill to the Patient before the operation took place.

Faxing a Medical Bill to the wife of the Patient before the operation took place.

Faxing a Medical Bill to the Patients Medical Aid before the operation took place.

Backdating a Medical Bill and presenting it to the Medical Aid and to the Patient
before the operation took place.

Charging rates that were not agreed to with the patient.

Charging additional time which did not respond the Hospital Theater Time on the
Hospital Bill.

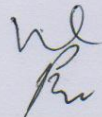
Smelling of alcohol while attending to the patient.

He had Dilated Pupils, Bloodshot Eyes Nasal Irritation and Jittery. It is clear that he
was neglecting his appearance and personal hygiene. It was clear that he was a
Substance Abuser.

Making false Statements in a Affidavit and Attaching an Altered Invoice to Court
Proceedings.

1.

On the 4th March 2009 I had an Infected Hip removed in a 5 Hour Operation.



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2.

The Operation took place at the Mill Park Hospital and was carried out by Prof. Lautenbach. who had appointed a Dr Colin Nates of 47 Erlswold, Saxonwold
Tel No 011 646 0627 Fax No 011 486 2458 as the Anaesthesiologist.

3.

I had made all the arrangements with my Medical Aid Discovery Health and Prof. Lautenbach that Discovery would pay the Doctors Directly, and that the Doctors would charge the same rate as the Discovery Medical Aid Rate. The Doctors (Prof Lautenbach, Dr Hsu, Dr N. Rapeport S.D.Hansen, and MillPark Hospital accepted this arrangement and all have been paid in full, at Medical Aid rates. Dr Colin Nates charged his own rates without permission or authorisation, and sent his bills to the Medical Aid Directly without my permission or authorisation.

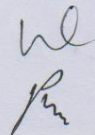
4.

The first time I met the Anaesthesiologist Dr Nates was on the 4th March 2009 outside the Operating Theatre, as he did not examine me in the ward, or prep me for the operation. He had been hired by Prof. Lautenbach and had sight of my file and all the authorisation Codes, and the amounts that had been authorised. He had been used by my wife's Doctor Dr Macintosh at the Donald Gordon on the 13th January 2009 and she had informed me that he was a nasty type of doctor and she was not happy with him. He had charged her Medical Aid Rates, and no excess was payable. I made it very clear to Dr Nates that his rates had to comply with the Discovery Medical Aid rates and comply with the Discovery authorisations fully, and that there was to be no shortfall. He sent his account to the Medical Aid and failed to send me or fax me a copy of the bill. (Annex B)

5.

On the 31st March 2009, I was readmitted to the Milpark Hospital. Dr Nates appeared in the Ward with his Invoice book and presented me with an Invoice made out for the operation which was going to take place the following day. He asked me if I had a cheque book with me to settle the Invoice dated 31st March 2009 as he had already faxed it to the Medical Aid. (Annex C) THERE IS A BLANK CIRCLE WHICH WILL BE DISCUSSES UNDER (Annex)

He smelt as if he had been drinking, and left the ward very annoyed that I did not have a cheque book or money with me.



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The Next Day the 1st April 2009 (3 weeks after the first operation) Dr Nates arrived at my Bedside while I was being taken down to the Operating Theatre with his suit case. He was jittery and it was clear that he was neglecting his personal hygiene.

6.

Dr Nates is an obnoxious little man who carries around a old suitcase with an Invoice Book, and a calculator and eats his food out of his suitcase while talking to you. He produced the Invoice again which he had already made out on the 31st March 2009 the day before and again asked me to pay him before the operation. He enquired if I had a cheque book or cash with me with me and then asked if I would phone my wife and ask her to bring a cheque book with her or cash. He had already faxed a copy to my wife on our home fax on the 31st March 2009, the day before the operation. He had also sent a copy to the Medical Aid the day before the operation had taken place. (see Annex C). He did not examine me or prep me before the Operation.

7.

When I came around in the ICU on the 1st April 2009 after the Operation Dr Nates was standing over me demanding money from me, and again he produced his Invoice dated 31st March 2009 (Annex C) He smelt of Alcohol and his eyes were glazed and had Dilated Pupils, Bloodshot Eyes a Nasal Irritation and smelt (a problem with personal hygiene.) I have had many years as a trained Police officer in the Police Reserve, and could recognise a substance abuser.

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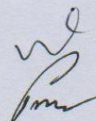
The Invoices he sent to the Discovery Medical Aid (Annex C) failed to comply with the requirements of the VAT Act, and failed to specify the VAT component of the Invoice and had the incorrect codes.

Further Investigation confirmed that he has failed to register for VAT although his turnover well Above the minimum level which does not require registration.

A formal complaint has been forwarded to SARS, about his non registration for VAT.

9.

Dr Nates had backdated the Invoice to the Medical Aid and Invoiced the Medical Aid before the operation took place, that is on the 31st March 2009 (Annex C).



Dr Nates had over invoiced the number of minutes in the operation by 32 minutes and 46 minutes respectfully. The Operation on the 4/3/2009 started at 14:15 and Completed at 19:18 giving a 05:03 (5hrs and 3 Min) and Dr Nates invoiced it as 5hrs and 35 Min.(Additional 32 minutes over invoiced)
 Operation no 2 on the 1/4/2009, which Dr Nates Invoiced out before the operation on the 31st March 2009 started at 13:59 and completed at 17:05 giving a 03:06 (3hrs and 6 Min) and Dr Nates invoiced 3hrs and 50 Min (Additional 46 minutes over invoiced)

Dr Nates had over invoiced his fees and the amount which he charged and this was not in terms of the arrangement Prof. Lautenbach, with the Hospital or the Medical Aid as shown in 3 & 4 above and accepted by all the Doctors.

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We refused to pay the bills until such time as Dr Nates corrected his bills and charged the correct amount both for the rates and the corrected time.

11.

Dr Nates then issued a summons in the Randburg Magistrates and stated in his affidavit signed by him on the 17th September 2009, that I as the Defendant have no bona fida defence to the Particulars of Claim,(Annex D) and he then filed a Fraudulent invoice (Annex E) which he had changed and written an additional notation on it (See Annex C in conjunction with E)
 The originally invoice given to me and the one he had sent to Discovery Medical Aid and filed by them under reference 0090100001B36AY.000 is shown in (Annex C)
 Dr Nates had given it to me by hand on the 31st March 2009 the day before the operation and faxed to my home before the operation (Annex C)
 Dr Nates had sent the Invoice (Annex C) to Discovery Health (dated 31st March 2009 the day before the operation) who have confirmed that it was filed at Discovery Health Ref under reference 0090100001B36AY.000 and that this Invoice (Annex E) with an additional notation was never received by them

12.

Dr Nates then applied for Summary Judgement by filing a Fraudulent Claim and attaching a changed document misleading the Court that the Document as shown as (Annex E) and stated in the Affidavit that this was the document he had sent to the Medical aid and sent to me.(Annex F)

13.

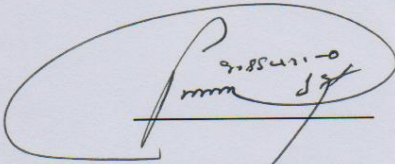
Dr Nates is a very dangerous Doctor (Anaesthesiologist) who not only has problems with Alcohol and Substance abuse, but is committing acts of fraud on an ongoing basis by submitting false and Backdated claims to Medical Aids, making false statements under oath in Court Cases and filing false and amended Invoices, and changing documents. He is in a position of trust, but is unprofessional and dishonest.
 As an Anaesthesiologist he is not a fit person to practice Medicine and should be struck off the roll.

I, Michael Douglas Hosking ID No 4707305012086, the Author of the above, have no objection in taking the prescribed oath, and consider it binding on my conscience.



Signed : M.D.Hosking

Sworn and signed before me at *Sandton* this *29* day of *June* 2010.



Commissioner of Oaths



Full Names : *Phileas Maswanya*
Address : *2nd Summit Rd*
Morningside
Official Title : *Sgt*
Telephone Number : *(011) 722-4200*

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STATEMENT

DRC NATES

(SPECIALIST ANAESTHESIOLOGIST)

MB.BCh (Rand), DA.(RCS) Eng (RCP) Lond, F.F.A.R.C.S. (Eng)

P.O.BOX 87022

HOUGHTON, JHB.

2041.

Tel: 011 646 0627 Fax: 011 486 2458

PRACTICE NO : 1001892

ACCOUNT NO : 4309H

TO: MR. M. HOSKING

P.O. Box 783294

SANDTON

2146

PATIENT: MR. MICHAEL. HOSKING

MEDICAL AID : DISCOVERY

MEMBERSHIP NO : 00277140

AUTHORISATION NO : 11087424

SURGEON : DR. LAUTENBACH

OPERATION :

Rem (R) TOTAL HIP REPLACEMENT + INSERT SPACER + RESIDENT

HOSPITAL : UNIPARK

DATE OF OPERATION : 4.3.09

ICD CODES :

T84.0/T84.5

5425 3514

505

REFERENCE	MODIFIER CODES	TIME	AMOUNT
0151		T84.0/T84.5	402.00
0886 - 6 UNITS		T84.0/T84.5	878.94
0023 - 8 + 57 UNITS		T84.0/T84.5	9521.85
5445 - 5 UNITS		T84.0/T84.5	732.45
4 1/2 hrs) 0039 - 3 + 14 UNITS		T84.0/T84.5	2490.38
1204		T84.0/T84.5	700.20
1221		T84.0/T84.5	700.20

ACCOUNT DETAILS: DRC.NATES
 FIRST NATIONAL BANK
 FORDSBURG : CODE 252505
 ACCOUNT NO : 50311286287

TOTAL: R15425.97

KINDLY PAY INTO THE ABOVEMENTIONED ACCOUNT AND FAX PROOF OF
 PAYMENT TO FAX : 011 486 2458
 IT IS YOUR RESPONSIBILITY TO SEND ACCOUNT TO YOUR MEDICAL AID

STATEMENT

DR C NATES

(SPECIALIST ANAESTHESIOLOGIST)

MB.BCh (Rand), D.A.(RCS) Eng (RCP) Lond, F.F.A.R.C.S. (Eng)
 P.O.BOX 87022
 HOUGHTON, JHB.
 2041

Tel: 011 646 0627 Fax: 011 486 2458

PRACTICE NO.: 001892

ACCOUNT NO: 3130941

TO: MR. M. HOSKING

P.O. Box 783294

SANDTON

2146

PATIENT: MR. MICHAEL HOSKING

MEDICAL AID: DISCOVERY

MEMBERSHIP NO: 00277110

AUTHORISATION NO:

SURGEON: DR. LAUTENBACH

OPERATION:

(R) P200 TOTAL HIP REPLACEMENT + IRRIGATION + DRAINAGE

HOSPITAL: MILPARK

DATE OF OPERATION: 31/3/09

+ ICU + PCA

ICD CODES:

T84.0 / T84.5

3 HRS 50 MIN

REFERENCE	MODIFIER	CODES	TIME	AMOUNT
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0151			T84.0 / T84.5	402.00
0041	3 unit		T84.0 / T84.5	439.47
0023	8 + 36 unit		T84.0 / T84.5	6445.56
5445	5 unit		T84.0 / T84.5	732.45
2 HRS 50 MIN 0039	3 + 8 unit		T84.0 / T84.5	1611.39
1204			T84.0 / T84.5	700.20
1221			T84.0 / T84.5	700.20

ACCOUNT DETAILS: DR.C.NATES
 FIRST NATIONAL BANK
 FORDSBURG: CODE 252505
 ACCOUNT NO: 50311286287

TOTAL: R11031.27

KINDLY PAY INTO THE ABOVEMENTIONED ACCOUNT AND FAX PROOF OF
 PAYMENT TO FAX: 011 486 2458
 IT IS YOUR RESPONSIBILITY TO SEND ACCOUNT TO YOUR MEDICAL

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF RANDBURG
HELD AT RANDBURG

CASE NO: 32012/09

In the matter between:

Dr C Nates

Plaintiff

and

Mr Michael Hosking

Defendant

SUPPORTING AFFIDAVIT

I, the undersigned

Dr Colin Nates

Do hereby declare under oath:

1.

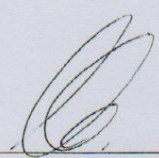
I am an adult male self employed as a Specialist Anaesthetist at the Milpark Hospital, 9 Guild Road, Parktown West, Johannesburg and the Plaintiff in this matter

2.

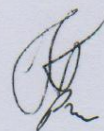
The Defendant is indebted to me in the sum of R26 457.24 and costs as set out in the Particulars of Claim of the summons.

3.

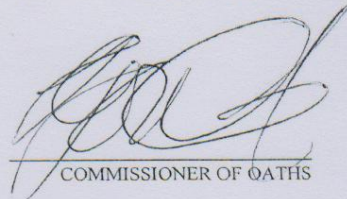
I am of the opinion that the Defendant has no bona fide defence to the Particulars of Claim and has entered an appearance to defend solely for the purpose of delay.


Dr Colin Nates

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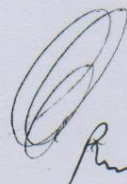


THUS SIGNED AND SWORN TO AT ROSEBANK ON THIS THE 17th DAY OF
SEPTEMBER 2009 BY THE DEPONENT, WHO HAS DECLARED THAT SHE KNOWS
AND UNDERSTANDS THE CONTENTS OF THIS AFFIDAVIT, THAT IT IS TRUE AND BINDING
ON HER CONSCIENCE.


COMMISSIONER OF OATHS

BLAKE BESTER ATTORNEYS
TARRYN JANE GOULD
COMMISSIONER OF OATHS
PRACTISING ATTORNEY
GAUTENG R.S.A
4th FLOOR ROSEBANK CORNER
CNR IAN SMUTS & 7th AVENUE
ROSEBANK (011) 830 4895

ne



STATEMENT:

DR C NATES

(SPECIALIST ANAESTHESIOLOGIST)

MB.BCh (Rand), DA.(RCS) Eng (RCF) Lond, F.F.A.R.C.S. (Eng.)

P.O.BOX 87022

HOUGHTON, JHB.

2041.

Tel: 011 646 0627 Fax: 011 486 2458

PRACTICE NO : 1001892

ACCOUNT NO: 3130941

TO: MR. M. HOSWING

P.O. Box 782294

SANDTON
2146PLEASE
NOTE

AMENDMENT

MR. HOSWING WAS
ADMITTED TO HOSPITAL
ON 31/3/09 BUT WAS
OPERATED ON THE
FOLLOWING DAY 1/4/09

PATIENT: MR. MICHAEL HOSWING

MEDICAL AID: DISCOVERY

MEMBERSHIP NO: 00271110

AUTHORISATION NO:

SURGEON: DR. LAUTENBACH

OPERATION:

(R) P200 TOTAL HIP REPLACEMENT + IRRIGATION & DRAINAGE

HOSPITAL: MILPARK

DATE OF OPERATION: 31-3-09

ICD CODES:

T84.0/T84.5

3425 SM

REFERENCE + MODIFIER CODES + TIME AMOUNT

0157		T84.0/T84.5	402.00
0641	3 units	T84.0/T84.5	439.47
0023	8 + 36 units	T84.0/T84.5	6445.56
5445	5 units	T84.0/T84.5	732.45
1128 S010039	3 + 8 units	T84.0/T84.5	1611.39
1204		T84.0/T84.5	200.20
1221		T84.0/T84.5	200.20

Fax: 011-5070821

ACCOUNT DETAILS: DR.C.NATES
FIRST NATIONAL BANK
FORDSBURG: CODE 252585
ACCOUNT NO: 50311286287

TOTAL: R11031.27

KINDLY PAY INTO THE ABOVEMENTIONED ACCOUNT AND FAX PROOF OF
PAYMENT TO FAX: 011 486 2458
IT IS YOUR RESPONSIBILITY TO SEND ACCOUNT TO YOUR BANKwe
Pm

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF RANDBURG
HELD AT RANDBURG

CASE NO: 32012/09

In the matter between:

Dr C Nates

Plaintiff

and

Mr Michael Hosking

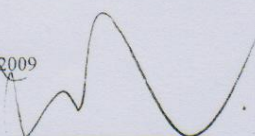
Defendant

APPLICATION FOR SUMMARY JUDGMENT

TAKE NOTICE that application will be made in the above Honourable Court on 6th the day of October 2009, at 09h00 or so soon thereafter as the matter may be heard for Summary Judgment against the Defendant in this action for R26 457.24 and costs as set out in the Particulars of Claim.

TAKE FURTHER NOTICE that the Affidavit of Dr Colin Nates attached hereto will be used in support of such Application and that you may reply thereto by affidavit.

DATED at JOHANNESBURG on this the 17 day of SEPTEMBER 2009


Grobler Rütsch Attorneys
Plaintiff's Attorney
c/o Couzyns Inc
1st Floor Standard Bank Building
191 Jan Smuts Avenue
Rosebank
Ref: N211/02/N1/J Rütsch
(012) 460 3863

TO: The Clerk of the Magistrates Court
Randburg

AND TO: Mr M Hosking
Defendant
Arbitration Group
c/o Suite 170 Postnet Suite, Paulshof
Cambridge Crossing Centre
Witkoppen & Stone Haven Streets
Paulshof, Sandton

Received copy on this the _____ day of September 2009

