

Neal Adams, MD is a medical physician and expert in Ophthalmology and research design. He is expected to testify that the presence of nystagmus is neither a reliable nor a valid indicator of the use of central nervous system depressant(s) such as alcohol. He is expected to opine that the DRE evaluation, and specifically that the DRE evaluation of nystagmus is not a reliable, valid, accurate, or generally accepted method in the relevant scientific community for allowing a trained DRE to form an opinion as to the presence or absence of impairment or its source(s) or its source from one or more categories of drugs interfering with operation of a motor vehicle.

Furthermore, Dr. Adams is expected to opine that the DRE evaluation is not a reliable, valid, accurate or generally accepted method in the relevant scientific community for allowing a trained DRE to even form an opinion as to whether nystagmus is present or absent.

He is expected to testify that the components of the DRE evaluation either individually or collectively do not indicate alcohol presence or impairment. He is expected to opine that in order for a test to be considered valid, it must be evaluated and be applicable without external bias. He is expected to testify that there are many medical conditions that may mimic or cause nystagmus and / or the indicators that may be observed using the DRE testing methodologies.

His opinion is based on his training and experience as a licensed medical physician and a materials to include, but not limited to:

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