

MIDDLESEX, SS.

COMMONWEALTH OF MASSACHUSETTS

CAMBRIDGE DISTRICT COURT
NO.2352IN1

IN THE MATTER OF
INQUEST INTO THE DEATH OF SAYED ARIF FAISAL

COMMONWEALTH'S NOTICE OF DISCOVERY REGARDING WITNESS PREP

Now comes the Commonwealth in the above-entitled matter and states on May 15, 2023, members of the District Attorney's Office meet with Dr. Keith Marill and his attorney, Matt Dunn via zoom and the following statements were gleaned during witness prep.

- Dr. Marill has been in the Emergency Department at MGH since 2002 with the exception of 3 years where he was at the University of Pittsburgh
- In speaking about January 4th, Dr. Marill said he remembers Mr. Faisal's case well even though it was 5 months ago and he doesn't really remember the day otherwise
- He remembers it to be a Wednesday as typically resident physicians would have been in the ED, but they have conference days on Wednesday so they were present. He was assisted by a number of physician assistants that day- so he took a more hands on role.
- The ambulance came into the most acute portion of the ED. Prior to its arrival they had received notice via the radio that there was an incoming individual who had jumped from 2nd or 3rd story as well as had self-inflicted wounds and then was shot by police.
- As the ambulance arrived, Dr. Marill doesn't remember they actively doing chest compressions, but remembers Mr. Faisal's pulse was not strong. He was "in extremis", he was moving some but wasn't talking or awake and didn't look well.
- The doctor observed lacerations on his neck as well as a bullet wound to chest. He normally would use a video scope to intubate, but there was a lot of blood and the Doctor went about handling the intubation himself without the video. He doesn't even remember giving the patient meds before doing so- which normally they would.
- The patient was in a state of "para-code" meaning the doctor knew they were going to lose his pulse. Shortly thereafter they lost his pulse.
- The doctor then explained that when a trauma patient lost their pulse, the next questions is "what is going to kill him?" The doctors start going through the list of a possibilities

whether it be bleeding internally, the bullet hitting the heart or around the heart, etc. As it is common for the bullet not to go in a straight line.

- The next action taken by the Doctor and the trauma surgeon attending who was present in the ED was to open his chest. In doing so, they found no issue of the heart nor with the left side of the chest- there was not a lot of blood.
- They then put tubes in his chest to help and there was a lot of blood coming out of the right side chest tube. There was a determination that he was bleeding out internally and they needed to locate the source which would be done in the OR.
- The doctor also cross clamped the aorta to keep the blood in the upper body to the heart and organs there.
- The doctor said how the bullet ultimately went to the liver and that can be a bad scene as getting control of the bleeding in the liver is difficult.
- He also noticed gunshot wounds to the leg and arm, but they weren't really important as they weren't actively bleeding in the same way.
- Finally, the doctor mentioned looking at Mr. Faisal's chart recently and how there is an x-ray that he found quite informative. He specifically explained how this x-ray shows the chest and the bullet fragment in the liver. It also shows the air outside of the lung. He wasn't sure when it was taken either in the end of the patient's time in the ED or in the OR.

Respectfully Submitted
For the Commonwealth,

MARIAN T. RYAN
DISTRICT ATTORNEY

Dated: 5/15/23

By: /s/ Caroline Evans

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