

EXHIBIT 5 PART III

618 1 my overall thinking and assessment that form 2 the basis of my conclusions. 3 So that when I concluded that 4 this patient had been on Neurontin for a 5 long period of time, that that increased her 6 GABA levels in her brain, that increased 7 GABA levels in short or long periods of time 8 can increase the likelihood of suicide, 9 that, in a reflection of all of the risk 10 factors and all of the protective factors 11 that this woman demonstrated, that, in my 12 opinion, based upon my conclusion as 13 referenced by all the facts and all the 14 information that I've had to examine, that 15 that was the significant contributing 16 factor, being on Gabapentin for a protracted 17 period of time, and acutely on the day that 18 she committed suicide. 19 MS. SCHULTZ: Object and move 20 to strike the entire answer. 21 BY MS. SCHULTZ: 22 Q. My questions are very simple, and I 23 understand you don't want to answer them. 24 But I'm asking you -- you've attached a list 25 of exhibits to your report, correct, Doctor?	620 1 MR. FROMSON: Objection. 2 Asked and answered. 3 THE WITNESS: Yes. 4 BY MS. SCHULTZ: 5 Q. And so when I ask you if you included 6 a specific portion of a record in your 7 appendix, all I need is a yes or no answer. 8 A. And I've answered that, and I'll be 9 happy to repeat my answer. 10 Q. I don't want you to repeat your 11 answer. I'm going to ask you the next 12 question. I just want you to be clear with 13 the question I'm asking you. I'm not asking 14 you what you considered with all of the 15 documents you reviewed. I am asking you, is 16 it one of the facts that you pulled out and 17 placed in your appendix? That's all I'm 18 asking you on these questions. Okay? 19 A. And as I said very simply, I did not 20 inscribe that in my report. I included 21 that -- 22 Q. That's fine. That's all I want to 23 know. Yes or no. 24 A. It's not a yes -- 25 Q. Did you include it in the appendix?
619 1 MR. FROMSON: Hold on, 2 Doctor. 3 Objection to the colloquy. 4 It's argumentative. 5 BY MS. SCHULTZ: 6 Q. You've attached a list of exhibits to 7 your report, correct? 8 A. Yes, that's correct. 9 Q. And in that list of exhibits, and the 10 list is what, some-twenty pages long, 11 approximately? 12 A. I think we said Page 13 to 27. 13 Q. Okay. And in that list, you cite 14 portions of deposition testimony, correct? 15 A. That is correct. 16 Q. And you cite portions of medical 17 records, correct? 18 A. That's correct. 19 Q. And you cite portions of prescription 20 records, correct? 21 A. Yes. 22 Q. And you testified that you included 23 the facts as exhibits to your report that 24 you felt were important to your opinion, 25 correct?	621 1 MR. FROMSON: Why don't we 2 wait for the next question. 3 MS. SCHULTZ: It is a yes or 4 no answer. 5 MR. FROMSON: Is that a 6 question? 7 BY MS. SCHULTZ: 8 Q. Are you aware, Doctor, that Ron Bulger 9 interfered with Susan Bulger's attempts at 10 detoxification? 11 MR. FROMSON: Objection as to 12 form. 13 THE WITNESS: Yes. 14 BY MS. SCHULTZ: 15 Q. Did you cite any facts in any of the 16 exhibits attached to your report that 17 reflect that Ron Bulger interfered with 18 Susan Bulger's attempts at detoxification? 19 A. I do not believe that I did. 20 Q. Are you aware that Susan Bulger left 21 AMA, against medical advice, in July of 1997 22 and was convinced to leave by her husband 23 and refused to allow any follow-up 24 intervention? 25 A. I am aware of that, yes.

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622 1 Q. Do you agree that you did not place 2 that fact in the exhibits to your report? 3 A. That is not in my report. 4 Q. Are you aware that she left Somerville 5 Hospital on October 16th, 1997, and left on 6 the third day of her treatment on a 7 nonscheduled discharge? 8 A. I am aware of that. 9 Q. Did you include that fact in the 10 exhibits to your report? 11 A. That fact is not in my report. 12 Q. Are you aware that she entered Salem 13 Hospital in November 1997 and was discharged 14 for noncompliance and failure to attend 15 sessions? 16 A. I did mention earlier about her Salem 17 hospitalization. And, therefore, I am aware 18 of it. 19 Q. How did you rule out Susan Bulger's 20 failed attempts at detoxification and 21 rehabilitation in forming your opinion in 22 this case? 23 A. I considered them all, and I ruled it 24 out because of her failed treatments -- 25 failed attempts at treatment and her	624 1 A. He did say that as well. 2 Q. So James Gibbons gave no testimony as 3 to whether she used illegal substances 4 between 1998 and August 4, 2004, did he? 5 A. He said, the best I'm paraphrasing it, 6 he believed that that was the end of her 7 substance abuse in 1997 and 1998. 8 Q. Because that was the last time he saw 9 her, correct? 10 A. I'm not sure he put it in those words, 11 but we can look at the evidence if you would 12 like. 13 Q. So is it your opinion that she 14 recovered from substance abuse in 1998 based 15 on that statement of James Gibbons? 16 A. No, that is not. My opinion is that 17 she probably had relapsive and recidivistic 18 substance abuse behavior up until the end of 19 her life. 20 Q. So you believe she would have relapsed 21 on illicit drugs up until the day she killed 22 herself? 23 A. I just don't know. 24 Q. So she could have relapsed the day 25 before she killed herself, correct?
623 1 recidivistic and relapsive behavior and her 2 drug use was consistent with every known -- 3 it was consistent with the usual and 4 customary behavior of someone who is 5 addicted to substances. 6 As such, I reflected that on my 7 report that she had a significant risk 8 factor for substance abuse and all of the 9 behaviors subsumed under substance abuse 10 that I listed in my conclusions by using 11 that as two words, substance abuse, and as 12 well included the protective factors that 13 I've talked about previously. 14 Q. You listed as a protective factor at 15 the time of her death, recovery from 16 substance abuse, correct? 17 A. Yes. 18 Q. When did she recover from substance 19 abuse? 20 A. Her brother, James Gibbons, says that 21 she did not use substances after 1997 or 22 1998. 23 Q. Well, doesn't James Gibbons actually 24 say that she stopped in 1998, and then he 25 didn't see her after that?	625 1 A. She could have. 2 Q. She could have relapsed the day she 3 killed herself, correct? 4 A. Correct. 5 Q. So how did you rule that out as a 6 cause for her suicide, Doctor? 7 A. We don't have any evidence to rule it 8 in, specifically. The toxicology reports, 9 as you know, which were not comprehensive in 10 this case, only have her with a body fluid 11 positive for benzodiazepines. 12 We have her history of 13 treatment, failed treatment, substance 14 abuse, lack of substance abuse. We don't 15 have any specific information available at 16 the time of her death that she was actively 17 abusing substances. 18 Q. Well, the tox report wouldn't have 19 shown whether or not she had any illegal 20 substances in her at the time of her death, 21 would it? 22 A. Actually, let me check that. It may 23 be Exhibit E. I'm trying to find what the 24 forensic toxicology tested for and did not 25 test for. I've already stated that it did

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630 1 Q. But it could account or explain her 2 decision to commit suicide, correct? 3 MR. FROMSON: Objection. 4 Asked and answered. 5 THE WITNESS: It could, if 6 that evidence were available. 7 BY MS. SCHULTZ: 8 Q. Are you aware that Susan Bulger was 9 caught buying cocaine off the streets six 10 months before her suicide? 11 MR. FROMSON: Objection as to 12 form. 13 THE WITNESS: I do not recall 14 that. 15 BY MS. SCHULTZ: 16 Q. Wouldn't that be an important factor 17 to consider in determining there was no 18 onset of reutilization of illicit 19 substances? 20 A. That would not explain the cause of 21 her death, and it was not at the time of her 22 death, as you had just reported. 23 As I have stated earlier, my 24 assumption in my overall conclusions in this 25 case is that she was -- had relapsive and	632 1 of the cocaine metabolites. 2 BY MS. SCHULTZ: 3 Q. Well, if you have a drug addict that 4 has been clean for a long period of time, 5 and then starts using drugs six months 6 before their suicide, are you telling me 7 that that has no significance to a suicide 8 that occurred six months later? 9 MR. FROMSON: Objection as to 10 form. Lack of foundation. And improper 11 hypothetical. 12 THE WITNESS: Obviously, I'm 13 saying what -- I'll reiterate what I've 14 already said. I believe that 15 Susan Bulger, with the limited 16 information we have about her substance 17 use and abuse throughout her lifetime, 18 was likely abusing substances right up to 19 the time that she committed suicide. We 20 don't have any specific evidence that she 21 was using at the time of her suicide to 22 explain in my retrospective analysis that 23 that was a specific cause of her death. 24 That, indeed, it was a risk factor, I 25 have no argument with.
631 1 recidivistic behavior to substances of 2 choice, which I previously described as 3 cocaine, opiates, and alcohol. 4 Q. So you place no significance on the 5 fact that Susan Bulger was caught buying 6 cocaine off the streets six months before 7 her suicide? 8 MR. FROMSON: Objection as to 9 form. Asked and answered. 10 THE WITNESS: I believe I've 11 answered that. I do not see that as a -- 12 let me start again. 13 I believe that any relapsive 14 behavior on drugs and alcohol is an 15 increased -- increases your risk factor 16 for suicide. That relapsive behavior, as 17 you've just testified to me, occurred six 18 months before her death. I do not have 19 any evidence that she was actively 20 abusing cocaine on the day of her death 21 or the day before her death. It was not 22 tested for. And a history of using 23 cocaine six months prior would no longer 24 be a significant contributing factor 25 because of the very, very short half-life	633 1 BY MS. SCHULTZ: 2 Q. And I'm making a distinction here 3 between her being on cocaine at the time of 4 her suicide and the cocaine she's on 5 actually causing that suicide, okay -- 6 A. Okay. 7 Q. -- to having a drug addict who has 8 been trying to stay clean but then relapses 9 and starts using cocaine again. 10 A. Yes. 11 Q. So tell me your opinion. If 12 Susan Bulger had gone clean for a while, and 13 then relapsed six months before her suicide 14 on cocaine, and used cocaine up until the 15 day before her death, are you saying that 16 could not be a precipitating factor to her 17 suicide the next day? 18 MR. FROMSON: Objection as to 19 form. 20 THE WITNESS: I'm not 21 saying -- before I respond to that, I'm 22 going to ask you to read that back to me, 23 if you would. 24 (The record was read as 25 requested.)

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634 1 THE WITNESS: I'm saying 2 that, like any person who abuses 3 substances, including Susan Bulger, that 4 the relapsive and recidivistic behaviors 5 associated with substance abuse are 6 chronic risk factors. 7 The separate issue is the use 8 of cocaine six months before her death. 9 I do not believe that that was a risk 10 factor. I do not believe that was a 11 significant contributing factor to 12 explain her decision to submit suicide. 13 It is hypothetical because I 14 have no evidence that she was abusing 15 cocaine immediately before her death to 16 help explain her cause of death. 17 BY MS. SCHULTZ: 18 Q. How soon prior to her death would she 19 have had to use cocaine for it to account or 20 explain her decision to commit suicide? 21 MR. FROMSON: Objection as to 22 form. 23 THE WITNESS: Can you repeat 24 that? 25 BY MS. SCHULTZ:	636 1 form. Lack of foundation. Assumes facts 2 not in the record. 3 THE WITNESS: My response 4 would be the same. It's still six months 5 out in my overall assessment of risk 6 factors, risk factor is always when 7 someone relapses on substance abuse or 8 alcohol. 9 However, in my determination 10 of what was etiologically related to her 11 decision to commit suicide and my 12 explanation and my conclusions, I did not 13 believe that that was a significant 14 contributing factor, because there was 15 furthermore no evidence that she was 16 using cocaine at the time of her suicide. 17 BY MS. SCHULTZ: 18 Q. Well, you didn't even consider her use 19 of cocaine six months before in your 20 conclusions because you didn't know about 21 it? 22 MR. FROMSON: Objection as to 23 form. Lack of foundation. Assumes facts 24 not in the record. 25 MS. SCHULTZ: Right?
635 1 Q. How soon prior to her suicide would 2 she have had to use cocaine in order for it 3 to account or explain her decision to commit 4 suicide? 5 A. I don't have a specific timeframe. 6 Again, the cocaine and it's metabolites are 7 very short lived. So that's probably the 8 best response that I have. 9 Q. Well, can't the fact, just the fact 10 that someone has relapsed be a risk factor 11 for suicide? 12 A. It absolutely is, as I've already 13 stated. 14 Q. And can't just the fact that someone 15 relapsed account for or explain a suicide 16 even if there's no drug left in the 17 individual's system at the time they commit 18 suicide? 19 A. Yes. 20 Q. So why isn't Susan Bulger's relapse to 21 using cocaine six months prior to her death 22 considered a recent reutilization of illicit 23 substances that accounts or explains for her 24 precipitous decision to commit suicide? 25 MR. FROMSON: Objection as to	637 1 THE WITNESS: No. As I've 2 said today, I don't remember the specific 3 episode that you're talking about from 4 the records. What I did say, however, is 5 that I assumed that she likely had 6 recidivistic and relapsive behavior on 7 her substances of choice which were 8 cocaine, opioids, and alcohol throughout 9 her history, and that was elevated -- 10 that elevated her risk factor for 11 suicide. 12 BY MS. SCHULTZ: 13 Q. Do you agree that you did not rule out 14 her cocaine use six months prior to her 15 suicide as a cause for her suicide? 16 MR. FROMSON: Objection as to 17 form. Lack of foundation. 18 THE WITNESS: I believe I've 19 answered that already. 20 BY MS. SCHULTZ: 21 Q. Well, you couldn't have ruled it out 22 if you weren't aware of it, correct? 23 A. As I've I said -- I've already said 24 it. 25 Q. Were you aware of the fact that

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638 1 Susan Bulger was caught buying cocaine off 2 of the street six months before her suicide? 3 Yes or no? 4 MR. FROMSON: Objection. 5 Asked and answered. Lack of foundation. 6 Assumes facts not in the record. 7 Go ahead and answer again. 8 THE WITNESS: As I said, I 9 did not specifically remember that until 10 you reintroduced it into this 11 conversation. That does not mean that I 12 did not consider it, because I actively 13 considered, as reflected in my specific 14 causality report, that she was using 15 substances of choice, which included 16 cocaine, opioids, and alcohol. 17 BY MS. SCHULTZ: 18 Q. Did you include that fact anywhere in 19 the facts you set out in your appendix to 20 your report; the fact that she was caught 21 buying cocaine off the street six months 22 before her suicide? 23 A. I did not include that in my 24 appendices. 25 Q. Did Susan Bulger enter any	640 1 said to Linda Landry at the funeral about 2 Susan Bulger's drug use? 3 A. As I just said, I do not recall that 4 as I sit here today. So if you can tell me 5 exactly what was said, I'll tell you how I 6 considered it and what I did with the 7 information. 8 Q. Well, you can't tell me how you 9 considered it if you were never aware of it, 10 correct? 11 A. No. I said I recollect that I read 12 about it. As I sit here today, I cannot 13 specifically tell you what was said. 14 Because the records, again, were voluminous, 15 there's no possible way for me to do that. 16 If you want to me speculate about my 17 consideration, please show me the evidence 18 in the medical record, and I'll be happy to 19 tell you how I considered the information. 20 Q. And all I'm asking you is: What was 21 it that you did consider? You don't know? 22 A. How could I possibly answer what I did 23 or didn't consider if I don't remember the 24 specifics as I sit here today? 25 Q. Just tell me, generally, if you
639 1 detoxification center at any time from the 2 point that she was buying cocaine off the 3 street six months prior to her suicide and 4 the date of her suicide, to your knowledge? 5 MR. FROMSON: Objection as to 6 form. Lack of foundation. 7 THE WITNESS: Not to my 8 knowledge. 9 BY MS. SCHULTZ: 10 Q. Did you consider the testimony of 11 Linda Landry concerning the statements made 12 by Ron Bulger's family at Susan Bulger's 13 funeral regarding her drug use? 14 A. I remember reading it and, therefore, 15 I considered it, yes. 16 Q. And what was it that you read? 17 A. I don't remember the specifics as I 18 sit here. I remember there was discussion 19 of people who attended her funeral. 20 Q. Well, did you consider what was told 21 to Linda Landry at the funeral about 22 Susan Bulger's drug use, in your opinion, 23 that withdrawal did not cause her suicide? 24 A. I do not remember that I did that. 25 Q. Well, do you recall anything that was	641 1 remember what was said at the funeral. 2 A. I don't recall what was said at the 3 funeral. So if you want for me to describe 4 and opine on what was said and how I 5 considered it in my overall assessment of 6 this case, I'll be happy to do that. Just, 7 please, show me the evidence. 8 Q. Yes. I'll tell you the deposition 9 testimony. But what has been transpiring 10 throughout this deposition is you say that. 11 Then I show you the deposition testimony, 12 and you say, "Oh, yes. I considered that. 13 Of course, it's not in my report, but I 14 considered it and ruled it out." 15 So I'm trying to ask you what it 16 was that you ruled out. That's my question. 17 And I guess you can't answer that, correct? 18 MR. FROMSON: Objection to 19 the colloquy. Objection to the form of 20 question. 21 THE WITNESS: There's 22 thousands of pages of documents in this 23 case. If you show me what it is, as I've 24 already stated, I considered all of the 25 information that I reviewed in this case.

642 1 There is no possibility that I can 2 remember specific elements and tell you 3 what happened and how I considered that. 4 If you show me the evidence, 5 I'll be happy to tell you what it is I 6 remember about the consideration. 7 BY MS. SCHULTZ: 8 Q. Let me ask you about this deposition 9 testimony in Linda Landry's deposition. 10 "QUESTION: Let me just get 11 back on the -- you mentioned a 12 second ago that the family told 13 you at the funeral that she was 14 back on the drugs? 15 "ANSWER: Yes, that she had. 16 a relapse. 17 "QUESTION: Who told you 18 that? 19 "ANSWER: The mother. And 20 my son was there outside. He can 21 testify to that. My [REDACTED] 22 was sitting right there." 23 Did you rule out that testimony 24 concerning the fact that she was on drugs at 25 the time of her death in reaching your	644 1 BY MS. SCHULTZ: 2 Q. So if Ron Bulger's family is telling 3 Linda Landry at Susan Bulger's funeral that 4 Susan Bulger was quote, Back on the drugs, 5 unquote, that has no significance to you? 6 A. Do you have another page that I didn't 7 read just now? I have Page 22. I'm sorry. 8 I did read that. That was, again, this does 9 not specifically say when she relapsed and 10 when she was back on the drugs. That could 11 have been specifically that she had abused 12 cocaine and what we've already described in 13 the scenario six months before her death. 14 Q. So you're saying that statement to 15 Linda Landry at the funeral that 16 Susan Bulger was back on the drugs is not 17 significant because you're not sure if they 18 meant at the time she died, correct? 19 A. That's exactly right. This could have 20 been a year before her death. This could 21 have been six months before her death. This 22 was a family that did not stay in touch. As 23 we've already said, James Gibbons had not 24 seen her for a long time. Linda Landry had 25 long periods of time --
643 1 opinion that she had not relapsed on drugs? 2 MR. FROMSON: Objection as to 3 form. 4 THE WITNESS: Can I see the 5 exhibit, please? 6 MS. SCHULTZ: Yes. Let's go 7 ahead and mark it. 8 (Document was marked as 9 Exhibit 14 for the purposes of 10 identification.) 11 THE WITNESS: Yes. I can 12 tell you exactly now that I've reviewed 13 this why I didn't consider it an 14 important factor. 15 There's no mention here in 16 this report of Mr. Chaffin asking 17 questions to Linda Landry about when that 18 relapse occurred. In my estimation, and 19 what I've already said over the last two 20 days, is that relapses and recidivistic 21 behavior occur chronically in people who 22 abuse substances. 23 This does not give me any 24 more information to have reported this 25 specifically.	645 1 Q. Doctor, the mother is the one that 2 made the statement to Linda Landry. Do you 3 see that in the deposition testimony? 4 A. Yes, I do. 5 Q. And the mother testified that she had 6 just talked to Susan Bulger the week of her 7 suicide, correct? 8 A. Let's read this back into the record. 9 Q. No. I'm asking you, did you read 10 Pat Bulger's deposition testimony? 11 A. Yes. 12 Q. So you're aware that Pat Bulger 13 testified that she spoke to Susan Bulger the 14 week before her death, correct? 15 A. Yes. 16 Q. And you're aware, aren't you, that 17 Ron Bulger identified Pat Bulger, the 18 mother, as one of the people closest to 19 Susan Bulger, right? 20 A. Yes. 21 Q. In fact, he only listed three 22 people -- Ron Bulger, Ron Bulger, Jr., and 23 Pat Bulger, the mother, correct? 24 A. In terms of what? 25 Q. The people that were closest to

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650 1 consistent with what I've been stating, 2 that we have evidence from the records, 3 and as we've just described from family 4 members, that Susan Bulger had 5 recidivistic and relapsive behavior. 6 We do not have any objective 7 evidence that she was consuming any 8 illicit drugs at the time of her death. 9 BY MS. SCHULTZ: 10 Q. Doctor, did you consider possible 11 withdrawal from any of medication 12 Susan Bulger was taking as a potential cause 13 for her suicide? 14 A. Yes. We've already discussed that I 15 did. 16 Q. And that's because you list substance 17 abuse under the risk factors you considered, 18 right? 19 A. You were asking me just now about 20 withdrawal from any substances? 21 Q. Yes. 22 A. So there could be withdrawal from 23 substance abuse. And there could be 24 withdrawal from serotonin reuptake 25 inhibitors and neuro adrenergic serotonin	652 1 withdrawal effects when she ran out of her 2 OxyContin early and, therefore, stopped 3 taking it? 4 A. I don't remember that specific 5 citation. 6 Q. Did you consider whether Susan Bulger 7 may have run out of her OxyContin medication 8 prior to committing suicide? 9 A. I didn't have enough information to 10 know whether or not she had been taking her 11 OxyContin and methadone or not taking her 12 OxyContin and methadone. And, therefore, 13 the speculation that she was in withdrawal 14 from not having it or not taking it was too 15 far removed from the actual information that 16 I used to form my opinions. 17 Q. If she was taking the medication and 18 ran out of the medication prior to her 19 suicide, then she would be in a withdrawal 20 state, correct? 21 A. That's correct. 22 Q. If she was not taking the medication 23 and selling it instead, no withdrawal 24 effect, correct? 25 A. Correct.
651 1 reuptake inhibitors if she were not taking 2 the Effexor which we talked about earlier. 3 So I considered all of those. 4 Q. And did you determine that she was not 5 in a state of withdrawal at the time of her 6 suicide? 7 A. I did not determine that she was not 8 in a state of withdrawal or in a state of 9 withdrawal. 10 Q. You didn't rule that in or out one way 11 or the other, correct? 12 A. That's correct. 13 Q. You will agree, however, that 14 withdrawal can be the precipitating factor 15 for a suicide, correct? 16 A. I do believe that, yes. 17 Q. And are you aware of the effect that 18 running out of OxyContin reportedly had on 19 Susan Bulger when that occurred? 20 A. Can I ask you to re-ask that? I can 21 reframe it. Are you asking me, is there 22 evidence from the medical records that she 23 suffered withdrawal from previous nonuse of 24 OxyContin or other opioids? 25 Q. Is there evidence that she suffered	653 1 Q. And we know from -- all we know from 2 the police report is that Ron Bulger did not 3 tell the police that Susan Bulger was taking 4 OxyContin, correct? 5 A. That's correct. 6 Q. Did you consider the fact that 7 Susan Bulger ran out of methadone prior to 8 her suicide? 9 A. As I've already testified, I 10 considered both her possible use of both 11 opioids, her possible nonuse of both 12 opioids, her vacillating use of opioids, and 13 the possibility of withdrawal from opioids. 14 Q. Well, you're aware that at her 15 June 14th appointment, she had a discussion 16 with Dr. Goldman about her use of 17 methadone -- Methadose, right? 18 A. I don't recall as I sit here, but 19 entirely possible. 20 Q. But the month before, Dr. Goldman had 21 temporarily increased her methadone, 22 correct? 23 A. From fourteen to fifteen tablets a 24 day, yes. 25 Q. And at the June 14 appointment, he

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654 1 kept that methadone dose the same, correct? 2 A. Yes. 3 Q. But at the June 14th appointment, she 4 told Dr. Goldman that she was running out 5 early of her methadone, correct? 6 A. Yes, she did. 7 Q. And at her July appointment, 8 Dr. Goldman reduced her methadone from 9 fifteen to fourteen tablets a day, correct? 10 A. That's correct. 11 Q. And then on July 30, four days before 12 her suicide, she he called Dr. Goldman and 13 asked if she could increase her dosage, 14 correct? 15 A. I believe that's accurate, yes. 16 Q. And we know that there was no 17 methadone provided by Ron Bulger to the 18 police, correct? 19 MR. FROMSON: Objection. 20 Asked and answered. 21 THE WITNESS: Yes, we know 22 that. 23 BY MS. SCHULTZ: 24 Q. So it would be reasonable to conclude 25 that Susan Bulger had run out of her	656 1 to respond to your hypothetical. 2 Q. But what evidence is there that she 3 was taking some but not all of the 4 methadone, or taking it variably, as you 5 said? 6 A. As I've said, I'm trying to cover all 7 of the possible bases. She was either 8 taking all of her medicine or none of her 9 medicine or anything in between at variable 10 times, and we don't know what happened to 11 that medicine. 12 Q. Well, we know on the day of her 13 suicide that either she had run out of her 14 medicine or she had sold her medicine, or 15 Ron Bulger had sold her medicine, or 16 Ron Bulger just didn't give it to the police 17 because he wanted to keep it, right? 18 MR. FROMSON: Objection. 19 Form. 20 THE WITNESS: Yes. 21 BY MS. SCHULTZ: 22 Q. So on the day of, those are the three 23 alternatives, correct? 24 MR. FROMSON: Objection to 25 form.
655 1 methadone as of August 4th, 2004, correct? 2 MR. FROMSON: Objection. 3 THE WITNESS: Well, that's 4 not necessarily a correct assumption 5 based upon what we've been discussing in 6 the last few minutes. 7 BY MS. SCHULTZ: 8 Q. The only other assumption would be 9 that Ron Bulger lied, correct? 10 A. Well, the assumptions are: That she, 11 one, ran out of the medication, as you just 12 indicated; that she was taking some of the 13 medication, but not all of it; and that she 14 was taking it variably at different times; 15 or that there was medicine left over, and 16 Ron Bulger was not giving that medicine to 17 the police; or that there was no medicine 18 and that she had not been taking a 19 significant amount of medicine because the 20 medicine had already been sold, or had been 21 diverted in some other way. 22 Q. Well, there's nothing to base a 23 statement that she was taking some but not 24 all of the methadone, is there? 25 A. I'm just giving you the hypotheticals	657 1 THE WITNESS: Yes. 2 BY MS. SCHULTZ: 3 Q. And alternative one, that she had run 4 out, would mean that she was in withdrawal, 5 correct? 6 A. It could mean that, yes. 7 Q. And alternatives two and three require 8 an assumption that Ron Bulger was lying, 9 correct? 10 MR. FROMSON: Objection to 11 form. 12 THE WITNESS: They require 13 more assumptions, that she was not in 14 withdrawal because either she was not 15 taking all of her medicine, or it had 16 already been diverted and she was using 17 less medicine and, therefore, not in 18 significant withdrawal or not in any 19 withdrawal. 20 BY MS. SCHULTZ: 21 Q. Well, no. If there's no medicine in 22 the house that day, either she has run out 23 of it or Ron has sold it, correct? 24 MR. FROMSON: Objection to 25 form. Lack of foundation.

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658 1 THE WITNESS: That's not 2 correct. 3 BY MS. SCHULTZ: 4 Q. Well, where would it be? 5 A. It could certainly be in the house and 6 Mr. Bulger just didn't turn it over to the 7 police. 8 Q. But my question was, if there's no 9 methadone in the house that day, then either 10 she had run out of it, or Ron Bulger had 11 sold it, correct? 12 MR. FROMSON: Objection as to 13 form. 14 THE WITNESS: Yes. 15 BY MS. SCHULTZ: 16 Q. The only other option would be that 17 there was methadone in the house and 18 Ron Bulger did not provide it to the police, 19 correct? 20 MR. FROMSON: Objection to 21 form. Lack of foundation. 22 THE WITNESS: Yes. 23 BY MS. SCHULTZ: 24 Q. But did you reach a determination, 25 Doctor, that Susan Bulger was not in	660 1 a long period of time. She had, as you've 2 described, great love of her child, [REDACTED] 3 great love of [REDACTED], a variable 4 relationship with her husband, a 5 relationship that's not well quantified for 6 me with Pat Bulger, and off again/on again 7 relationship with Linda Landry and a 8 previous relationship with James Gibbons. 9 And she also had the support, 10 which we've talked about, of CAB and 11 outpatient counseling and whatnot. 12 Q. Well, she didn't have any support of 13 CAB and outpatient counseling at the time of 14 her death, correct? 15 A. She did not. 16 Q. In fact, that was what we talked about 17 before as being a potential risk factor not 18 having the mental health counseling, 19 correct? 20 A. That's correct. 21 Q. Now, were you aware that she had no 22 friends, none at all, at the time of her 23 death? 24 A. I was aware that she had virtually no 25 friends.
659 1 withdrawal from methadone on the day of her 2 suicide? 3 MR. FROMSON: Objection. 4 Asked and answered. 5 THE WITNESS: My same 6 response. I did not reach an opinion 7 that she was or was not in withdrawal 8 because there was not adequate evidence 9 to suggest either. 10 BY MS. SCHULTZ: 11 Q. Did you include on your list of issues 12 that increased Mrs. Bulger's risk of suicide 13 a lack or loss of social support at the time 14 of her death? I'm looking, again, at 15 Page 12 of your list of issues that increase 16 her risk of suicide. It's not there, 17 correct? 18 A. It's not there, correct. 19 Q. Loss of a social support network is a 20 risk factor for suicide, correct? 21 A. It is, yes. 22 Q. Did you rule out that risk factor as 23 being a cause for Susan Bulger's death? 24 A. I did, and did not include it because 25 she had a variable social support system for	661 1 Q. Are you aware that she did not have 2 the support of a father or mother? 3 A. I am aware of that. 4 Q. Are you aware that she had no support 5 from her siblings at the time of her death? 6 A. I'm not aware of that because 7 Linda Landry had testified that she was 8 planning to move in with Linda and move away 9 from Ron Bulger, Sr., that the children were 10 the love of her life, and she could not wait 11 to move on, particularly with Regina, and 12 out of the confines of Mr. Bulger. 13 Q. In fact, you list forward future 14 outlook and supportive sister as a 15 protective factor at the time of her 16 suicide, right? 17 A. Yes. 18 Q. Doctor, are you aware that Ron Bulger 19 did not allow Susan Bulger to speak with her 20 sister for the five-month period prior to 21 her death? 22 MR. FROMSON: Objection as to 23 form. 24 THE WITNESS: I am aware, and 25 I have already spoken about that, that

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662 1 that relationship was variable. 2 Ron Bulger -- I didn't testify to this 3 before -- but it's adequately reflected 4 in the records, that he stood between 5 Linda Landry and Mrs. Bulger. 6 However, it was also the 7 testimony of Linda Landry that 8 Mrs. Bulger intended to move out with her 9 and they were planning for a future. 10 BY MS. SCHULTZ: 11 Q. But are you aware that that forward 12 future outlook that you're describing had 13 actually turned into a -- had actually 14 failed as of the time of Susan Bulger's 15 death? 16 MR. FROMSON: Objection as to 17 form. 18 THE WITNESS: There's no 19 evidence that it failed. 20 BY MS. SCHULTZ: 21 Q. Did you read Linda Landry's 22 deposition, Doctor? 23 A. Yes. 24 Q. Are you aware that she testified that 25 she had a plan that Susan Bulger was going	664 1 MR. FROMSON: Objection as to 2 form. 3 THE WITNESS: I am aware of 4 that. I'm also aware of the fact, as 5 I've reflected in my report, that 6 Linda Landry believed that Susan would 7 absolutely not hang herself and not 8 commit suicide because she was going to 9 move in with her. 10 BY MS. SCHULTZ: 11 Q. But Doctor, are you still considering 12 that Susan Bulger had a forward future 13 outlook of moving in with Linda Landry, her 14 sister, when she had not spoken to her for 15 the five months prior to her death? 16 A. Yes. There's no reason to believe 17 otherwise. 18 Q. Other than the fact that the plan 19 didn't carry through as Susan and Linda had 20 planned? 21 A. Like any plans, some of them do not 22 carry through at a specific point in time. 23 But that does not eliminate the plan for 24 future consideration. And it was certainly 25 in Linda Landry's assessment in her
663 1 to leave Ron Bulger and move in with her, 2 correct? 3 A. That's correct. 4 Q. And they were going to do this when 5 she went into the hospital, correct? 6 A. I don't remember the specific 7 circumstances, but -- 8 Q. Because she was going to come stay at 9 Linda Landry's house, correct? 10 A. Yes. 11 Q. Are you aware that when Linda Landry 12 went into the hospital, she kept trying to 13 call Susan Bulger's house and Ron Bulger 14 wouldn't let her speak to Susan? 15 A. I am aware of that. 16 Q. So are you aware that that plan never 17 carried through? 18 A. I am aware that the plan did not carry 19 through at that point. There's no evidence 20 that that plan was then terminated for the 21 future. 22 Q. Well, Doctor, there was zero 23 discussion from that point on for the next 24 five months between Linda Landry and 25 Susan Bulger. Are you aware of that factor?	665 1 deposition that she expected that 2 Susan Bulger would eventually move in with 3 her. 4 Q. No. Didn't Linda Landry actually 5 testify that the reason the plan failed was 6 because Ron Bulger was standing behind 7 Susan Bulger the last time they talked about 8 the plan and overheard it? Wasn't that her 9 testimony? 10 A. She did testify, and that's why the 11 plan failed at that point in time. 12 Q. And that's why, in Linda Landry's 13 opinion, the plan failed from that point 14 forward, correct? 15 A. That's not correct, to my knowledge. 16 Q. Now, you list in your list of issues 17 that increased Mrs. Bulger's risk of suicide 18 marital problems? 19 A. Yes. 20 Q. And I take it you are going to tell me 21 that included in marital problems is 22 physical and mental abuse by a spouse? 23 A. Yes. 24 Q. Is there a difference in a risk factor 25 for suicide if someone is having marital

666 1 problems versus someone that is physically 2 and mentally abused by their husband? Is 3 one situation a higher risk factor than the 4 other? 5 A. Depends how you define marital 6 problems. If you subsume under marital 7 problems that there's any domestic conflict 8 of any kind, including physical, emotional, 9 or sexual abuse, as I do, then it is 10 subsumed and they are the same. 11 Q. And you will agree that Ron Bulger was 12 physically abusive to Susan Bulger, correct? 13 A. I agree that there is evidence in the 14 record to support that he was physically 15 abusive. 16 Q. Well, you'll agree that close to the 17 time of her death he told her she was 18 nothing but a mental maniac like her mother 19 and the rest of her family, correct? 20 A. Yes. 21 Q. And you'll agree that Susan Bulger 22 told her treating physicians that he had 23 beat her up on multiple occasions, correct? 24 A. Yes. 25 Q. But you still can say that you think	668 1 would lose custody of [REDACTED] and Ron, Jr.? 2 A. I don't remember that being 3 specifically cited. It would be something 4 that I would suppose and suggest was likely 5 because she had already lost Ron Bulger once 6 previously and would be fearful of losing 7 custody of what's described as the love of 8 her life, Regina. 9 Q. Well, Ron Bulger told her that, didn't 10 he? Didn't Ron Bulger tell her if she left 11 that she would never get custody of the kids 12 because of her past drug abuse? 13 A. Yes, he did. 14 MS. SCHULTZ: We need to 15 change the tape. We have to take a 16 break. 17 THE VIDEOGRAPHER: We're 18 going off the record. The time is 19 3:47 p.m. This is end of tape Number 6. 20 (A brief recess was taken at 21 this time.) 22 THE VIDEOGRAPHER: We are on 23 the record. The time is 3:55 p.m. This 24 is the beginning of tape Number 7. 25 BY MS. SCHULTZ:
667 1 there's conflicting evidence as to whether 2 there was a physical abuse by Ron Bulger to 3 Susan Bulger? 4 A. I said there's conflicting evidence 5 about her use of substances and her 6 substance abuse treatment. I do not believe 7 that I used the word conflicting evidence 8 about the abusive nature of her relationship 9 to Ron Bulger. I do believe that that was 10 an abusive relationship at times. It was 11 also a relationship in which she left the 12 house and came back to him and stayed with 13 him for a long period of time and decided to 14 have another child after her first one from 15 1987, another one in 1999. 16 Q. Well, that's not unusual that a woman 17 that's being physically abused may return 18 home, correct? 19 A. That's correct. 20 Q. And you would agree that Susan Bulger 21 didn't think she had much of any place else 22 to go, correct? 23 A. I don't know what she was thinking. 24 Q. Do you agree that Susan Bulger worried 25 that if she did leave Ron Bulger that she	669 1 Q. Doctor, I'm going to run through a few 2 more risk factors as quickly as possible. 3 Okay? 4 A. Yes. 5 Q. Hopelessness is a risk factor for 6 suicide, correct? 7 A. Yes. 8 Q. And will you agree that you did not 9 list hopelessness in your report as one of 10 the issues that increased Mrs. Bulger's risk 11 of suicide? 12 A. I agree that I did not list it 13 separately. 14 Q. Well, did you list it in combination 15 with another risk factor? 16 A. No. 17 Q. Are tragic events in one's life a risk 18 factor for suicide? 19 A. Yes. 20 Q. Did you list tragic events that had 21 occurred in Mrs. Bulger's adult life as one 22 of the issues that increased Mrs. Bulger's 23 risk of suicide? 24 A. Only inasmuch as it would be subsumed 25 under my shorthand version of marital

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670 1 problems, for example. 2 Q. So, for example, her mother dying in a 3 house fire, that's not subsumed under 4 marital problems, correct? 5 A. That's correct. 6 Q. Or her brother being murdered. That's 7 not subsumed under marital problems, is it? 8 A. I considered that but, again, I did 9 not believe that that was a significant 10 contributing factor to explain her death at 11 the time that it occurred. 12 Q. Unemployment is a risk factor for 13 suicide, correct? 14 A. Yes. 15 Q. And you'll agree that Susan Bulger had 16 no gainful employment or potential for 17 future gainful employment, correct? 18 A. I don't think I opined or concluded 19 about future employment. I was aware, 20 however, that she was on disability and had 21 been on disability for several years; and 22 that her rheumatoid arthritis was advancing 23 which made her an unlikely candidate to 24 assume future employment. 25 Q. Did you list unemployment as an issue	672 1 factors for her suicide. 2 Q. Now, I want to run briefly through the 3 risk factors that you list here in your 4 report as issues that increased 5 Mrs. Bulger's risk of suicide. Okay? 6 A. Okay. 7 Q. First you have emotional trauma as a 8 youngster? 9 A. Yes. 10 Q. But you ruled out that as the 11 precipitating factor for her suicide, 12 correct? 13 A. That's correct. 14 Q. You list placement of son in foster 15 care as a risk factor, correct? 16 A. Yes. 17 Q. But you ruled that out, correct? 18 A. I ruled it in, but did not consider it 19 a significant contributing factor for her 20 suicide at the time that it occurred. 21 Q. Okay. Depression -- let me go in your 22 order. I'm sorry. 23 Absent or negative parenting and 24 foster care. You determined that those were 25 not precipitating causes to her suicide,
671 1 that increased Mrs. Bulger's risk of suicide 2 on Page 12 of your report? 3 A. I did not. 4 Q. Is aggression a risk factor for 5 suicide? 6 A. Yes, it is. 7 Q. Did you list aggression as an issue 8 that increased Mrs. Bulger's risk of 9 suicide? 10 A. I did not separately list that. 11 Q. Well, did you list it in combination 12 somehow with one of these other factors? 13 A. Only so much as it's subsumed in the 14 symptomatic complaints of depression and 15 posttraumatic stress. 16 Q. Subsumed in the systematic (sic) 17 complaints? What do you mean by that? 18 A. There are many signs and symptoms 19 associated with her multiple psychiatric 20 diagnoses. I did not separately list any of 21 the specifically emotional signs and 22 symptoms, but I did list her extensive 23 psychiatric history, and I tried to give a 24 shorthand version of the three diagnoses 25 that I thought were most relevant as risk	673 1 correct? 2 A. Yes. 3 Q. Substance abuse, you determined that 4 was not the precipitating cause of her 5 suicide, correct? 6 A. That's correct. 7 Q. With respect to the risk factors we've 8 already discussed that you determined were 9 not the precipitating factors to her 10 suicide, are there any other reasons for 11 that opinion that we've not already 12 discussed today or yesterday in your 13 deposition? 14 THE WITNESS: Let me hear 15 that question again. 16 MR. FROMSON: Note my 17 objection as to the form of the question. 18 Overbroad. 19 (The record was read as 20 requested.) 21 MS. SCHULTZ: Let me just ask 22 it quickly this way instead. 23 BY MS. SCHULTZ: 24 Q. Have we already discussed the reasons 25 why you would have ruled out emotional

686 1 I referred to. It was not only picking up 2 anonymous men at bars, but also being 3 physically abused by them. 4 Q. Did she have any prior suicide 5 attempts? 6 A. I don't think I know the answer to 7 that. 8 Q. Was she abused as a child? 9 A. I do not know. 10 Q. Did she abuse prescription drugs? 11 A. No. 12 Q. Did she abuse illicit drugs? 13 A. No. 14 Q. Was she in chronic pain? 15 A. No. 16 Q. Did she suffer from marital discord? 17 A. She was single. 18 Q. Did she have financial problems? 19 A. Yes. 20 Q. Did she suffer from depression? 21 A. Yes. 22 Q. And anxiety? 23 A. Yes. 24 Q. Did she have posttraumatic stress 25 disorder?	688 1 chronic pain is that in and of itself, 2 regardless of the duration, and as long as 3 it's not intractable pain, for the most 4 part, that when that gives rise to 5 hopelessness and a sense of desperation and 6 depression, that that becomes a very 7 significant risk factor. 8 Q. Do you agree that Susan Bulger 9 suffered from chronic pain? 10 A. I do. 11 Q. And are you aware that she told her 12 physicians, "I'm always depressed because 13 this disease has taken the life right out of 14 me. Before I got arthritis, I was very 15 active. Now I just exist. I feel I have no 16 desire whatsoever"? 17 MR. FROMSON: Objection as to 18 form. 19 THE WITNESS: Yes. 20 BY MS. SCHULTZ: 21 Q. Are you aware that she told her 22 physicians that she is pretty down, that she 23 is never without pain? 24 A. Yes. 25 Q. How did you go about ruling out
687 1 A. Not that I recall. 2 Q. Let me ask you about the risk factor 3 of chronic pain. I think I skipped over 4 that. So hold on one moment. 5 Doctor, you agree that chronic 6 pain is a risk factor for suicide, correct? 7 A. As I said yesterday, I agreed that 8 when chronic or intractable pain leads to 9 depression and hopelessness, that becomes a 10 significant risk factor for suicide. 11 Q. And you listed chronic pain as an 12 issue that increased Mrs. Bulger's risk of 13 suicide, correct? 14 A. Yes. 15 Q. Does the severity of pain contribute 16 to whether it's chronic pain? Or is chronic 17 pain an issue of duration? Or both? 18 A. Say that again. I'm sorry. 19 Q. Is it the severity of the pain that 20 would cause you to classify something as 21 chronic pain? Or would it be the duration 22 of the pain that would cause you to classify 23 it as chronic pain? 24 A. I believe that both factors can be 25 responsible. Again, my overall response to	689 1 chronic pain as the precipitating event for 2 her suicide? 3 A. Because I considered it and because I 4 was aware that she had lived with chronic 5 pain successfully. And I use the word 6 "successfully" because she had not, to my 7 knowledge, tried to hurt herself because of 8 the chronic pain. And, therefore, it was 9 not a significant contributing factor when 10 she did commit suicide, all factors 11 considered. 12 Q. Well, does chronic pain as a risk 13 factor, does the importance of that risk 14 factor increase over time? In other words, 15 is someone that has chronic pain for six 16 months less likely to commit suicide than 17 someone who has been living in chronic pain 18 for twenty-five years? 19 A. I believe so. 20 Q. Does a person in chronic pain ever get 21 to the point, once they've been in chronic 22 pain for a long period of time, where they 23 simple say, I can't live with this anymore? 24 A. I believe they can get to that point, 25 yes.