

Exhibit B

Unofficial Copy Office of Chris Daniel District Clerk

DAVID CHRISTOPHER DUNN	§	IN THE DISTRICT COURT OF
	§	
	§	
V.	§	HARRIS COUNTY, TEXAS
	§	
THE METHODIST HOSPITAL	§	189 TH JUDICIAL DISTRICT

AFFIDAVIT OF JUSTINE MOORE, LMSW

THE STATE OF TEXAS	§
	§
COUNTY OF HARRIS	§

Before me, the undersigned authority, on this day personally appeared Justine Moore, LMSW, who after first being duly sworn upon her oath, deposed and states as follows:

“My name is Justine Moore, LMSW. I am over eighteen years of age and fully competent and authorized to make this affidavit. This affidavit is made of my own personal knowledge and the statements made herein are true and correct.

1. I am a Social Worker licensed to practice in the State of Texas since 2013. I have been employed as a Social Worker at Houston Methodist Hospital since June 24, 2013.
2. I served as one of the social workers for David Christopher Dunn (“Dunn”) in the Medical Intensive Care Unit (MICU) at Houston Methodist Hospital from October 12, 2015 until his death on December 23, 2015. I am familiar with the progression of his condition throughout his hospitalization.
3. In my role as a social worker for Dunn, I have personal knowledge of the efforts Houston Methodist Hospital made to identify a potential facility willing to accept a transfer of Dunn. As a Social Worker at Houston Methodist Hospital, I am often involved in efforts to coordinate the transfer of patients like Dunn. I was personally involved in Houston Methodist Hospital’s efforts to locate a transfer facility for him.

4. When contacting potential transfer facilities, we provide the facility with the patient's demographic information, and recent clinical information to be reviewed by the facility's transfer center.
5. With respect to our efforts to locate a potential transfer facility for Dunn, I contacted the following facilities for potential transfer of Dunn, all of which declined the requested transfer:
 - 1) Graham Oaks Care Center;
 - 2) Meridian Healthcare;
 - 3) Southern Specialty;
 - 4) Casa Rio Healthcare and Rehabilitation;
 - 5) Liberty Healthcare Center;
 - 6) Valley Grande Manor;
 - 7) Gilmer Care Center;
 - 8) Willowbrook Nursing and Rehabilitation;
 - 9) Christus Dubuis – Port Arthur;
 - 10) Creekside Terrace;
 - 11) Colonial Belle;
 - 12) River City Care Center;
 - 13) Casa Juan Diego;
 - 14) Crestview Manor Nursing and Rehabilitation;
 - 15) Christus St. Michael in Texarkana;
 - 16) West Houston Rehabilitation and Healthcare;
 - 17) Village of Richmond;
 - 18) Trinity Nursing and Rehabilitation;
 - 19) Season's Hospice;
 - 20) Christus Dubuis Hospital of Beaumont;
 - 21) Huntsville Health Care Center;
 - 22) Christus Dubuis Hospital of Houston;
 - 23) Christus Dubuis – Corpus Christi;
 - 24) The Village at Richardson;
 - 25) Park Manor of McKinney;
 - 26) Conroe Healthcare Center;
 - 27) Advanced Healthcare of Garland;
 - 28) Spanish Meadows;
 - 29) Clear Brook Crossing;
 - 30) Grace Care Center;
 - 31) Cornerstone – Clear Lake; and
 - 32) Paramount Senior Care.
6. Rosalyn Reed, RN, BSN, ACM, Case Manager contacted the following additional facilities, all of which declined transfer:

- 1) Houston Northwest Hospital;
- 2) North Cypress Medical Center;
- 3) Ben Taub General Hospital;
- 4) LBJ Hospital;
- 5) Memorial Hermann Hospital and 9 affiliated facilities;
- 6) Cornerstone Long Term Acute Care;
- 7) St. Joseph's Hospital;
- 8) Bayshore Hospital;
- 9) MD Anderson;
- 10) Kindred Long Term Acute Care;
- 11) CHI Baylor St. Luke's Medical Center;
- 12) East Houston Medical Center;
- 13) Cypress Fairbanks Medical Center;
- 14) Methodist Healthcare System Medical Center;
- 15) Northeast Methodist Hospital Medical Center;
- 16) Metropolitan Methodist Hospital Medical Center;
- 17) Methodist Texan Hospital Medical Center;
- 18) Methodist Stone Oak Hospital Medical Center;
- 19) Methodist Specialty and Transplant Hospital Medical Center;
- 20) Baptist Hospital System, San Antonio;
- 21) Baptist Hospital Medical Center;
- 22) Plaza Specialty Hospital;
- 23) North Central Baptist Medical Center;
- 24) Northeast Baptist Hospital;
- 25) Clear Lake Regional Hospital;
- 26) Conroe Regional Hospital;
- 27) Kingwood Medical Center;
- 28) Mainland Medical Center;
- 29) Pearland Medical Center;
- 30) Texas Health Resources to include all 24 affiliated facilities in the Dallas area;
- 31) Baylor Scott and White Health System to include all 14 affiliated facilities;
- 32) Select Specialty Hospital;
- 33) St Luke's Baptist Hospital; and
- 34) Mission Trail Baptist Hospital.

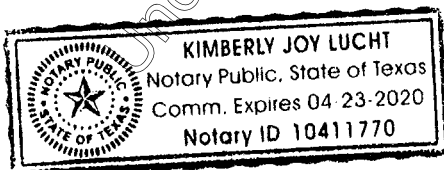
7. I continued to call, recall and call again facilities throughout Dunn's hospitalization in an attempt to locate a facility willing to accept his transfer. Despite the exhaustive measures described above, I was unable to locate a single facility that was willing to accept transfer.

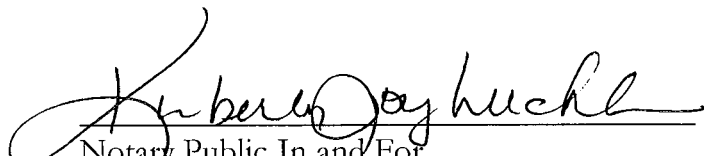
8. I contacted Seasons Hospice, who was willing to clinically accept Dunn, and provide health care in Evelyn Kelly's home. Mrs. Kelly declined to accept this care in her home.
9. It is my understanding that in situations where an unmarried adult patient like Dunn is unable to assist his healthcare providers in making treatment decisions, then in absence of an advanced directive, healthcare providers are to look towards the patient's parents for treatment decisions. In Dunn's case, however, his parents were wholly unable to agree on a desired course of treatment. As a result, healthcare providers at Houston Methodist Hospital, including myself, were caught in the middle of a firestorm between Dunn's mother, his father and outside forces influencing them. Having no other place to turn for treatment decisions, it was determined that guardianship proceedings be filed to give Dunn's healthcare providers one clear voice in which to look for treatment decisions.
10. It has been alleged that I attempted to gain personal guardianship of Christopher Dunn through guardianship proceedings. I never sought personal guardianship of Dunn. I merely sought the Court's appointment of a person that could legally direct the care of Dunn during his hospitalization.

FURTHER AFFIANT SAYETH NOT."


JUSTINE MOORE, LMSW

Sworn to and subscribed before me by JUSTINE MOORE, LMSW on June 10, 2016.




Notary Public In and For
The State of Texas