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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 FOR THE COUNTY OF SANTA CLARA

12 DR. GORDON AUSTIN,  
13 Plaintiff,

14 v.

16 JOHN DOES 1-10,  
17 Defendants.

) No. 1 15 cv 288372

) **AFFIDAVIT OF SAMANTHA HOILETT**  
) **SUPPORTING MOTION TO QUASH**


) DATE: February - , 2016  
) TIME: — AM  
) PLACE: Department -

- 18
- 19 1. My name is Samantha Hoilett. I am office manager at Public Citizen Litigation Group.
- 20 2. Paul Alan Levy, one of our attorneys, asked me to watch the video that appears on
- 21 YouTube at <https://www.youtube.com/watch?v=vtCVHcT2mB0>, and to prepare a transcript. I
- 22 attach the transcript that I prepared as Exhibit I

23 I certify under penalty of perjury under the laws of the State of California that the foregoing

24 is true and correct.

25 January 12, 2016

  
Samantha Hoilett

**Reporter 1:** A Carroll County grand jury has handed down a 12-count indictment, accusing a prominent oral surgeon about abusing his patients during surgery. The indictment alleges Doctor Gordon Austin hit some of his patients with both his fist and a metal instrument.

**Reporter 2:** Two patients and a former employee of Doctor Austin sat down with senior IT reporter Dale Russell. They provide chilling details at this alleged abuse in what is an exclusive interview with Dale.

**Reporter 3 (Dale Russell):** Well it's quite a story. Laura Crowder went to Doctor Austin two years ago for extensive oral surgery. She says Doctor Austin struck her during that surgery and she spent the past two years trying to get someone to listen to her story. A grand jury in Carroll County finally did.

**Laura Crowder (Victim 1):** This has got to stop.

**Reporter 3:** For two years, Laura Crowder did everything she could think of to get someone to hear her story. That her dentist abused her during surgery, a claim she made in a recently filed law suit.

**Laura Crowder:** I want him punished and I don't want another human being hit in his office.

**Reporter 3:** The dentist is Doctor Gordon Austin, a prominent and politically connected oral surgeon in Carrollton. According to his web site, Doctor Austin, a naval reservist, did two tours in Iraq as a surgeon. He's president of the Northwest district at the Georgia Dental Association, and has testified before Congress, but Laura Crowder says there's another side to Doctor Austin.

**Laura Crowder:** All of a sudden, bam, I'm hit in the face, very very hard hit in the face.

**Interviewer 1:** You remember?

**Laura Crowder (Victim 1):** And the quote – oh yes sir – the quote out of his mouth after that was 'I told you not to do that'.

**Reporter 3:** Crowder went to Doctor Austin to have all her teeth removed, but her lawsuit claims during the surgery, the medication hadn't taken effect. She could feel Doctor Austin remove her teeth, and began to moan in horrific pain.

## Hoilett Affidavit Exhibit I

her day in court. But there was another key witness in this case, an ex-employee of Doctor Austin, and tomorrow night, we'll talk with the dental assistant and hear why she quit working for Doctor Austin, after only ten days.

**Youtube Annotation** [00:04:13-00:04:19]: Stay Tuned for Part 2

**Reporter 1:** Very disturbing allegations. You mention the Board of Dentistry, did they look at the case?

**Reporter 3:** Well that's a good question. We asked them that and we had a hard time getting a straight answer, frankly, from them. What we found out is that there was a complaint filed by the Carrollton Police two years ago but there was no public action taken on the case, now that doesn't mean there might not have been disciplinary action because there can be a private reprimand as well, and in that case, the public has no way of knowing what happened. Those are the rules of the dentistry board and so it's there in a sense something could have happened, but nobody would know it. But we don't know if anything happened or not. We do know nothing publicly happened.

**Reporter 2:** Well horrific story from those patients, tomorrow night former employee –

**Reporter 3:** Former employee, one of three by the way, that have come forward so far [inaudible: 00:05:05] sits down and talks to us, she's really the one who broke this thing wide open.

**Reporter 2:** Alright Dale, thanks a lot.

[new reporting segment]

**Reporter 4:** Now, one of Doctor Austin's former dental assistants speaks out, saying she believes the patients because she witnessed the abuse. It is another exclusive interview in those in the story with senior IT reporter, Dale Russell. Dale.

**Reporter 3:** Amanda, her name is Melanie Head. In a two year old investigation and Doctor Austin was going nowhere, until she called Carroll County police sergeant, Tim Cald (spelling?). Police had a patient who claimed abuse, but now they had an employee who worked side by side with Doctor Austin.

**Melanie Head:** I will never get out of my mind what he's done to these people.

Then Melanie Head says at the end of the surgery, Doctor Austin took the child's hands and shoved them back into the girl's mouth.

**Melanie Head:** He was just saying you know 'I told you to be quiet', 'I told you to shut up', and he laughed about it. He laughed about shoving her hand down in her mouth.

**Reporter 3:** She said she was horrified, and while cleaning up the room after surgery, she talked to another dental assistant.

**Melanie Head:** I asked her 'is this a common thing he does?' And she said 'yeah, um it is, you'll get used to it just don't take it home with ya'.

**Reporter 3:** But Melanie had said she could not get used to it. She quit ten days after beginning a new job and a new career. Her testimony to police led to interviews with more employees and more patients. Laura Crowder was no longer alone.

**Melanie Head:** This man changed my life forever.

**Reporter 3:** But the price paid by Melanie Head was high, she had hoped the pay from her new job would halt ongoing foreclosure proceedings on her home where she was raising four children.

**Melanie Head:** I told my daddy one time that tree was my strength, it would get me through anything.

**Reporter 3:** But the home is gone. She's now fixing up a rental home for her family. She says no other dentist will hire her. Melanie Head says before going to police, a prominent dentist warned her if she talked, her dental career was over. She's finding that to be true.

**Melanie Head:** I don't regret anything that I've done because somebody needed to and if I went to school for two years to stop this man from doing what he was doing to those people than my job is done.

**Reporter 3:** Now after Melanie had come forward two other dental assistants who also worked with Doctor Austin talked to police. And according to police reports both women said they had seen Doctor Austin strike patients. One said she felt he did it to control those patients when they were acting out during surgery. They also told police they kept a list beginning in 2007, of patients that had been struck. They had names, dates and where they've been hit. There were six names on the list. Amanda.