

**RELATED CORRESPONDENCE**

May 18, 1998

Dr. Aharon Ben-Haim, Pro Se

In the Matter of )

AHARON BEN-HAIM, Ph. D. )

Charles Bechhoefer, Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555



Dear Administrative Judge:

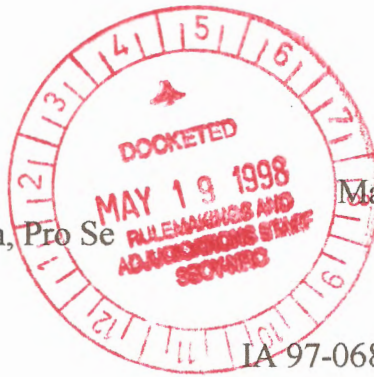
Please receive seven additional copies of my Answers to Interrogatories, Response to Requests for Production of Documents (BH-1 to BH-4), and additional Exhibits BH-5 to BH-12. These copies are being shipped to you by Federal Express, Standard Overnight.

Sincerely yours,

Dr. Aharon Ben-Haim

1910<sup>3</sup>

RELATED CORRESPONDENCE



May 18, 1998

Dr. Aharon Ben-Haim, Pro Se

In the Matter of )  
AHARON BEN-HAIM, Ph. D. )

1A 97-068

ANSWERS TO INTERROGATORIES

1. Marina Geylikman, Gerard W. Moskowitz, M.D., Aharon Ben-Haim, Sc.D..
2. Ms. Geylikman is expected to testify regarding the activities of Dr. Ben-Haim in his capacity as consultant and physicist to Newark Medical Associates.  
  
Dr. Moskowitz is expected to testify regarding his activities on Friday, February 16, 1996.
3. Marina Geylikman, 2044 Cropsey Avenue, Apt. 5G, Brooklyn, New York 11214;  
Gerard W. Moskowitz, M.D., 85 Cedar Drive, Great Neck, New York 11021, (516) 482-5320 (Present business address unknown);
4. In order to comply with the Memorandum and Order of May 13, 1998, issued by the Atomic Safety and Licensing Board and signed by Judge Charles Bechhoefer, my exhibits were relabeled
  - a) Exhibit BH-1: Copy of my 1996 diary. I will produce the original full 1996 diary in court as evidence to my meeting with Moskowitz on February 16.
  - b) Exhibit BH-2: A copy of Dr. Moskowitz's C.V., List of Publications, State of New Jersey Medical Practice LICENSE, ABR License, American Board of Nuclear Medicine License, Human Use License. It is understood that multiple copies of these credentials that make up 28 pages will be provided by the NRC Staff, since these documents have been previously provided in the above captioned matter.  
These are the documents I received from Moskowitz in person during the above meeting in order to prepare the License Application for the NRC and the NJDEP.
  - c) Exhibit BH-3: A copy of the so-called "prescription" labeled as "attachment" to Request for Admissions number 10 sent by the NRC staff. Some of the handwriting is Aharon Ben-Haim's and some of the notes are in someone else's handwriting. The original was a wrinkle sheet of paper which was in Dr. Lubika's possession.

d) Exhibit BH-4: A dose calibrator geometry correction record performed by Dr. Ben-Haim with a clear open space for the RSO to sign. Record was copied by Dr. Ben-Haim. The original would still be at Newark Medical Associates' office to the best of my knowledge.

In order to comply with the Board's request during the May 15, 1998 telephone conference, additional following exhibits are supplied.

e) Exhibit BH-5: A copy of Dr. Aharon Ben-Haim's Doctorate Diploma.

f) Exhibit BH-6: The English translation of Exhibit BH-5, written in German.

g) Exhibit BH-7: List of my publications.

h) Exhibit BH-8: My CV.

i) Exhibit BH-9, Exhibit BH-10 and Exhibit BH-11: Various acknowledgments of my services.

j) Exhibit BH-12: A letter from the US Department of Justice stating that I am not a "target" in the investigation of Newark Medical Associates.

5. Yes.

6. 4.1 -To verify that Dr. Ben-Haim did have a meeting with Dr. Moskowitz on Feb 16, 1996 in Dr. Moskowitz's office at UMDNJ.

6.4.2 -To verify that Dr. Moskowitz gave Dr. Ben-Haim these papers during the above meeting..

6.4.3 -To verify that this so-called "presription" was not a prescription and not an authorization.

6.4.4 - To verify that Dr. Ben-Haim did not assume the duties of the RSO.

6.4.5 to 6.4.11 - To verify Dr. Ben-Haim's expertise.

7. As a consultant, Dr. Ben-Haim was not involved and did not see either Dr. Moskowitz or Dr. Elamir or anybody else on any regular basis. He was only concerned with the maintainence and good operation of the equipment and visited NMA according to need and on call. He had no reason to think Dr. Elamir would not notify Dr. Moskowitz upon approval of the license application..

8. No.

9. No.

10. Never.

11. No.

12. Dr. Ben-Haim does not know.

13. Yes.

14. 10:30. Dr. Moskowitz and Dr. Ben-Haim. Dr. Moskowitz expected Dr. Ben-Haim in the hallway and led him into his office in the Nuclear Medicine department (and lab). Dr. Ben-Haim introduced himself and told Dr. Moskowitz that he was preparing the license application for Dr. Elamir at Newark Medical Associates. Dr. Moskowitz quickly went to his desk and handed Dr. Ben-Haim the 28 sheets he had obviously prepared for that purpose. Dr. Elamir gave Dr. Ben-Haim Dr. Moskowitz's phone number and asked him to set up an appointment with Dr. Moskowitz.

15. Dr. Moskowitz expressed his willingness to be the RSO and the user by giving Dr. Ben-Haim his papers. This was the only purpose of Dr. Ben-Haim's visit to him on February 16, 1996 at 10:30 in office H141 of UMDNJ.

#### RESPONSE TO REQUESTS FOR PRODUCTION OF DOCUMENTS

1. See attached.

2. Not applicable.

3. Not applicable.

4. See attached Dr. Moskowitz's C.V. and other documents.



# Exhibit BH-1

6000 -  
2400 SYRAC.  
PHILAD.

VEKALB  
 DECATUR, GEORGIA

\$500 UIC  
 7,500 LAB HST

## FEBRUARY '96

FEBRUARY						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

12 MONDAY PEREZ

Lincoln's Birthday  
 399-1959  
 527-15-18  
 1PM! 810 BROAD ST. NW  
 ESCINT SPECT ARK  
 FERRARA 787-1100

13 TUESDAY  
 MAGDY ELAMIR, M.D.  
 NEUROLOGIST  
 550 SUMMIT AVE  
 VERSEY CITY, NJ 07306  
 653-0022

Check to Hillman

14 WEDNESDAY  
 Sr. Valentine's Day

815 MISC SCHOOL: Michael

MARCH						
S	M	T	W	T	F	S
				1	2	
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

"The older you get, the more you like to tell it like it used to be."  
 - UNKNOWN

THURSDAY 15

get Mercedes to France

6PM; el BAWDIDO, DR. LEE

FRIDAY 16

H141, Dr. Moskowitz 10<sup>4</sup>s  
 982-6022

SATURDAY 17

SUNDAY 18

BRITTA, MARE, MICHAEL  
 (802) 422-7394 H11

Exhibit BH-3

RADIO PHARMACY:

MEDI-PHYSICS

715

1-800-242-8004

201 5967  
441

X BONE SCAN → MDP ~ 20mCi

HEART → MYOVIEW

2 SINGLE DOSES

1x 8mCi

1x 25mCi

NEWARK MOD OPS

beeper

2015

441 5967

Sullivan

718 326 5105

Jan 441 5967

MARINA

718 714 1169

# Exhibit BH-4

SITE: NEWARK

DATE: 8/14/96

## DOSE CALIBRATOR GEOMETRY CORRECTION

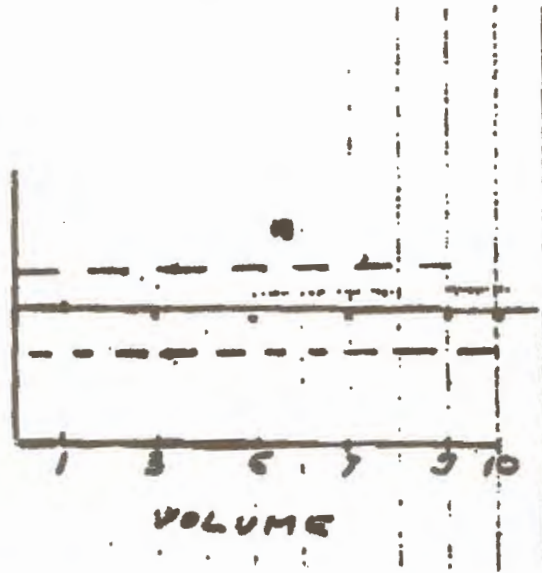
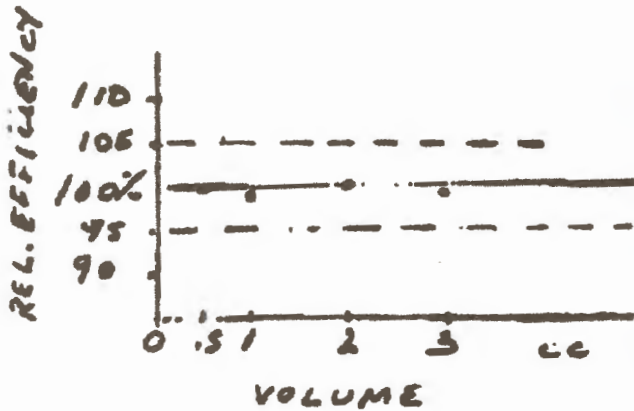
Manufacturer: VICTOR GEN

Model: 34-056

SN: 14973

Syringe:

Vial:



Performed by: DR. BEN-HAIM

RSO: \_\_\_\_\_

Exhibit BH-15

ABSCHRIFT

**DIE TECHNISCHE HOCHSCHULE IN WIEN**

verleiht unter dem Rektorate des

o. Hochschulprofessors Dipl.-Ing. Dr. techn. Jaros Merinsky

dem Herrn Dipl.-Ing. Aharon ben HAIM

geb. am 4. Juni 1932 in WIEN

**DEN TITEL UND DIE WÜRDE EINES  
DOKTORS DER TECHNISCHEN WISSENSCHAFTEN**

samt allen damit verbundenen Rechten, nachdem BE im vorgeschriebenen Wege durch die  
vorgelegte Dissertation

Einfluß der Teilchengröße, der Gitterverserrungen und der  
Stapelfehler auf die Breite der Debye-Scherrer-Linien  
(Untersuchungen an kubischraumszentrierten Kristallen)

sowie durch das abgelegte Haupttrigrosom seine wissenschaftliche Befähigung erwiesen hat.

Gegeben zu Wien, am 14. Dezember 1962

Dr. J. Merinsky o. h.

dtz. Rektor

Sequenz o. h.

ordnungsmäßig bestellter Promotor

Dr. Lihl o. h.

dtz. Dekan der Fakultät für

**Naturwissenschaften**



L.S.

Die Übereinstimmung mit dem  
S-Stempel-Marke versehenen Originale bestätigt die Rektorats-  
kanzlei der Technischen Hochschule zu Wien.

Wien, am 14. Dezember 1962



Exhibit BH-6

Translation from German

COPY

THE TECHNICAL UNIVERSITY IN VIENNA

under the rectorate of

Regular University Professor Dipl.-Ing. Dr. techn. Jaro Merinsky

confers to Mister Dipl.-Ing. Aharon ben Haim

born on the 4th of June, 1932 in VIENNA

THE TITLE AND THE HONOUR OF A

DOCTOR OF TECHNICAL SCIENCES

together with all related rights following his demonstration of his scientific capability through the presentation of the Dissertation

Influence of particle size, lattice deformations and stacking faults on the breadth of Debye-Scherrer lines (Analyses on body centered cubic crystals)

as well as through the main rigorous examination in the prescribed manner.

Granted in Vienna, on the 14th of December, 1962

Dr. J. Merinsky e. h.  
current Rector

Sequenz  
Duly invited Promoter

Dr. Lihl e. h.  
current Dean of the  
Faculty of Sciences

(Austrian revenue stamp: 6 AS) (Raised seal: TECHNICAL UNIVERSITY IN VIENNA)

The Rectorate Chancellery of the Technical University in Vienna certifies the conformance with the original with a 6 S revenue stamp.

Vienna, 14th of December 1962

(Illegible signature)

Director of the Rectorate Chancellery

Dr. Aharon Ben-Haim  
3 Cloverhill Place, Apt.3  
Montclair, NJ 07042  
Tel: (973) 783-3638  
Fax: (973) 783-8479

Exhibit BH-7

### LIST OF PUBLICATIONS

- 1) Stacking faults in B.C.C. crystals and their contribution to diffraction line width, A.E.C. Acc. No. 4827, Report No. 7705.
- 2) The contribution of spectrometer stabilization to the unscrambling of mixed gamma-ray scintillation spectra, Radiochemical Methods of Analysis, 2, IAEA, Vienna 1965.
- 3) Klinische Anwendungen der Ganzkörperzählung, Deutscher Röntgenkongress 1964, Teil B, Sonderbände zur Strahlentherapie, Band 61, München-Berlin 1965.
- 4) Calibration Problems in Whole-Body Counting with NaI (T1) detectors, Clinical Uses of Whole-Body Counting, IAEA, Vienna, 1966.
- 5) Chromosome Aberrations in Peripheral Blood Cells following Chronic Irradiation from Internal Deposits of Thorotrast, 3rd International Congress of Radiation Research, 1966, Cortina d'Ampezzo.
- 6) Chromosome Aberrations in Peripheral Blood Cells following Chronic Irradiation from Internal Deposits of Thorotrast, Radiation. Research, 29, 505 (1966).
- 7) Whole-Body Counting of Persons containing Sr-90 and Ra-226. An Interlaboratory Comparison, Health Physics 14, 209 (1968).
- 8) Assay of Skeletally deposited Sr-90 in Humans by Measurement of Bremsstrahlung, Health Physics 14, 449 (1968).
- 9) Comparison of Techniques for Whole-Body Counting of Gamma-Ray emitting Nuclides with NaI (T1) Detectors. I. Point Sources in Phantoms, Physics in Medicine and Biology 13, 181, 1968.
- 10) Comparison of Techniques for Whole-Body Counting of Gamma-Ray emitting Nuclides with NaI (T1) Detectors. II. Distributed Sources in Phantoms and Humans, Physics in. Medicine and Biology 13, 194, 1968.
- 11) Accurate Determination of Cu in Mixtures of Ores by Radioisotope excited X-Ray Fluorescence Analysis using Peak Ratios, Analytical Chemistry, 1973.

**Dr. Aharon Ben-Haim**  
**3 Cloverhill Place, Apt. 3**  
**Montclair, New Jersey 07042**  
**Phone (201)783-3638 Fax:(201)783-8479**

**CURRICULUM VITAE**

Born: June 4, 1932 in Vienna, Austria.

Grammar School in France. French High School in Vienna, Austria.

Master Degree in x-ray spectroscopy at the Faculty of Technical Physics, Vienna University of Technology, July 1959.

Doctor of Technical Sciences from the Faculty of Technical Physics. Vienna University of Technology, December 1962.

**Work experience:**

1959-1960: Research assistant in the Applied Physics Department at the Technion, Haifa, Israel.

1960-1961: Military service with Israel Defense Forces.

1962 -1967: Research physicist in the Medical Physics Laboratory of the International Atomic Energy Organization in Vienna, Austria. Fields of activity: Assessment of radioactivity in man, whole body counting, x-ray and gamma spectroscopy, dosimetry, instrumentation.

1967: IAEA technical assistance expert in Bucharest, Romania, for assessment of radioactivity in soils.

1967-1973: Dosimetry work at the Israel Atomic Energy Agency. Hospital Physics at Hadassah Hospital in Jerusalem and Beilinson Hospital in Petah-Tikva. Member of Israel Health Physics Society and Hospital Physics Society.

1974: Dosimetry and Gamma Spectroscopy IAEA expert in Montevideo, Uruguay. Gave course to Uruguayan physicians and medical technologists in radioisotope tracer techniques. Expert work in Santiago, Chile.

1975-76: Development of x-ray equipment at Seforad, Israel.

1977: Sales and Maintenance of Medical Instrumentation in Teheran, Iran.

1978-80: Development of x-ray fluorescence instrumentation with Interlab, Ltd., in Israel.

1980-85: Maintenance Training of Engineers for Elscint, Inc. in Computerized Tomography and Nuclear Medicine Equipment.

1986-present: Independent Service Organization for Sales, Consulting, Maintenance of Medical Imaging Equipment.

Exhibit BH-9

Alan Butler Clark, M.D., P.A.

MEDICAL NEUROLOGY

185 Central Avenue, Suite 611  
East Orange, New Jersey 07018

January 23, 1992

(201) 678-5607

Electroencephalography

TO WHOM IT MAY CONCERN:

In my capacity as the Director and General Partner of CATEC II, (A computerized axial tomographic laboratory located in East Orange), I hired Dr. Aaron Ben-Heim to work for the Laboratory as it's Chief Engineer and Assistant Manager. Dr. Ben-Heim displayed extraordinary knowledge and foresight in the discharge of his duties. I found Dr. Ben-Heim to be not only knowledgeable, but a dedicated, sincere and diligent employee, who on many occasions, performed crucial services which were time saving and cost effective. Dr. Ben-Heim would unhesitatingly devote extra time to the care and maintenance of this very sophisticated diagnostic system whenever necessary. I have the highest praise for Dr. Ben-Heim as an engineer and co-worker. Dr. Ben-Heim would be an extraordinary, valuable and valuable contributor to the establishment and maintenance of any other diagnostic center that he might be associated with.

Alan B. Clark

ALAN B. CLARK, M.D.



Exhibit BH-10

HEART DISEASE, TESTING, TREATMENT  
AND REHABILITATION CENTER

RAKESH SAHNI, M.D., P.A.

INVASIVE, NON-INVASIVE, AND NUCLEAR CARDIOLOGY

September 15, 1987

REPLY TO

MAIN & BUSINESS OFFICE  
53-59 WESTFIELD AVE.  
CLARK, NJ 07006  
(201) 396-9500

SPOTSWOOD OFFICE  
391 MAIN ST.  
SPOTSWOOD, NJ 08884  
(201) 251-6900

To Whom It May Concern:

Dr. Aharon Ben-haim has been servicing our Elscint Nuclear  
Ganna Camera as well as other equipment in the last two years to our  
full satisfaction.



Paul Sahni  
Controller

PS:dm

Exhibit BH-11

**Neurodiagnosis  
by Imagen, S.A. of C.V.**

PRIV. MUGUERZA No. 744 COL. OBISPADO  
Tel. 48-10-15 / 33-69-33  
MONTERREY, N.L. C.P. 64060, MEXICO

MONTERREY N.L. January 25, 1992

SERVICING IMAGING SYSTEMS, INC.  
267 PARK STREET  
UPPER MONTCLAIR, NEW JERSEY 07043

Attn: Dr. AHARON BEN-HAIM

With regards to the contract of maintenance service for our TOMOGRAFO brand ELSCINT 2002. We want to recognize the excellent handling of the control and service support provided by your company during the first service year. Therefore we are pleased to continue it indefinitely.

Looking forward to your continued good management.

Sincerely,

[signature]

C.P. ALBERTO VENEGAS YABER

ADMINISTRATIVE MANAGER



**U.S. Department of Justice**

*United States Attorney  
District of New Jersey*

*Exhibit  
BH-12*

*370 Broad Street, Room 302  
Newark, New Jersey 07102*

*(973) 643-2700*

**March 20, 1998**

**Certified P 840 576 117**  
**Mr. Aharon Ben-Haim**  
**3 Cloverhill Place**  
**Montclair, New Jersey 07040**

**Re: Newark Medical Associates**

**Dear Mr. Ben-Haim:**

**You have inquired about your status of an investigation relating to Newark Medical Associates being conducted by the United States Attorney's Office for the District of New Jersey ("this Office"). The allegations under consideration relate to alleged false statements made by Newark Medical Associates to the Nuclear Regulatory Commission.**

**The United States Attorney's Manual defines a "target" as "a person as to whom the prosecutor or the grand jury has substantial evidence linking him to the commission of a crime and who, in the judgment of the prosecutor, is a putative defendant."**

**At this time, based on information currently available to this Office, you are not a "target" in the investigation. Other than as stated in this letter, no promises or representations regarding your potential criminal liability, if any, have been made to you by this Office.**

**Please call me if you have any questions or if you would like to discuss this matter further.**

**Very truly yours,**

**FAITH S. HOCHBERG**  
**United States Attorney**

**By: BRUCE A. LEVY**  
**Assistant U.S. Attorney**