

1 MR. TRICE: Call Amanda Virden.

2 WHEREUPON,

3 AMANDA VIRDEN,

4 having been called for examination, and having been first
5 duly sworn by the undersigned notary public, was examined and
6 testified, as follows:

7 DIRECT EXAMINATION

8 BY MR. TRICE:

9 Q Ms. Virden, would you state your name and where you
10 live?

11 A Amanda Virden, Russellville, Arkansas.

12 Q Have you been a patient of Dr. Mann's?

13 A Yes, sir.

14 Q Okay. Why were you seeking treatment?

15 Did you have a -- we've heard talk that there was a
16 spider bite. Did you have some kind of a spider bite
17 problem?

18 A No.

19 Q No? Okay.

20 Ma'am, it's been alleged that you've engaged in improper
21 relations with Dr. Mann. Is that true?

22 A Those are false accusations.

23 Q Those -- were those made by your mother?

24 A Yes, sir.

25 Q But you didn't do that?

- 1 A No, sir.
- 2 Q Okay. Do you know if she did?
- 3 A No, sir. Not that I'm aware of.
- 4 Q Okay. I don't mean to cause you undue embarrassment,
5 but the board needs to have a comprehension of who your
6 mother is. Do you know where she is?
- 7 A McPherson Unit.
- 8 Q Is that a --
- 9 A It's a prison facility.
- 10 Q -- part of the Department of Corrections?
- 11 A Uh-huh.
- 12 Q For what reason is she down there?
- 13 A Negligent homicide.
- 14 Q Did you ever receive any controlled drug prescriptions
15 from Dr. Mann?
- 16 A Yes, sir. I got Xanax.
- 17 Q Pardon?
- 18 A Xanax.
- 19 Q Xanax?
- 20 A Uh-huh.
- 21 Q And do you know for what reason you were receiving it?
- 22 A Post traumatic stress syndrome, anxiety.
23 I'm not really sure what else.
- 24 Q Okay. And was your mother a patient of his as well?
- 25 A Yes, sir.

1 Q Do you know if she received the same type medications?

2 A She received Xanax and Hydrocodone.

3 MR. TRICE: Does the board have any questions
4 of Ms. Virden?

5 Tender the witness.

6 CROSS EXAMINATION

7 BY MR. MANN:

8 Q Ms. Virden, when we spoke in the past, you had expressed
9 concern about testifying in open circumstances. And I had
10 indicated that I would, if you wanted, ask that the room be
11 cleared of other perspective witnesses, so that you might
12 feel more comfortable testifying. Would you like for me to
13 do that still?

14 A Yes, sir.

15 MR. MANN: May I ask the board to --

16 MR. TRICE: Other than Dr. Ackerman.

17 MR. MANN: Fine.

18 MR. TRICE: If there is anyone here that's
19 been subpoenaed as a witness for either side, would
20 you wait outside?

21 THE WITNESS: I also have one more thing to
22 add for --

23 MR. TRICE: I'll let him --

24 THE WITNESS: Yeah, okay.

25 MR. TRICE: He's got you right now.

1 THE WITNESS: All right.

2 BY MR. MANN:

3 Q You said you had one more thing to add.

4 What was that?

5 A For the Xanax, I was also receiving it because I was
6 molested by my uncle when I was three; and then I was raped
7 at the age of 16, by a 51-year-old man.

8 Q All right. Now, the board ordered you to come here
9 because it's accused Dr. Mann of having sexual relations with
10 you. And I want the record to be clear. Is that true?

11 A No, sir. No, it's not.

12 Q Now, before you were served with the subpoena, you were
13 visited by other law enforcement officials. Weren't you?

14 A Yes, sir.

15 Q Describe for the board what happened.

16 A The ones that came and saw me were Chris Ridenhour, Tony
17 Haley, and Warren Newman.

18 MR. TRICE: And who? I'm sorry.

19 THE WITNESS: Chris -- Chris Ridenhour, Tony
20 Haley, and Warren Newman. And --

21 MR. TRICE: Okay. Who are they with?

22 BY MR. MANN:

23 Q Yes. Do you know which law enforcement agencies each
24 one works for?

25 A They are all supposed to be drug task force, I guess.

1 Q Okay. Good. Thank you.

2 A And all they -- all they wanted to do, to talk to me
3 about was, they wanted me to work for them. And they told me
4 if I could get Dr. Mann, they would give me \$500, or anyone
5 else. And if I testified, I would get \$500 a person.

6 Q All right. Has anyone in law enforcement ever
7 approached you with a similar arrangement like that before?

8 A Yes. Chris Haley and -- no, Chris Ridenhour and Tony
9 Haley. It's been over a year and a half ago. Sat my mother
10 and I down and told us that if we would say we had had sex
11 with him, they would give us money.

12 Q When you say him, you mean Dr. Mann?

13 A Dr. Mann.

14 Q So, over a year ago law enforcement officers approached
15 you and said they would pay you \$500 if you would say you had
16 sex with Dr. Mann. Is that right?

17 A Yes, sir.

18 Q All right. Do you believe Dr. Mann is a good doctor?

19 A Yes, sir. I do.

20 Q Why?

21 A He's not like most doctors. When you go in, when I went
22 in to see him, he would sit down, he would talk to me, he
23 would ask me how things were, spend time, you know, being
24 just -- asking me just normal things, you know. He would, at
25 least ten, 15 minutes at a time. He wasn't like most

1 doctors, just write you a prescription and send you out the
2 door. He would -- you know, he acted like he cared. He's a
3 real caring person, I believe, in my opinion.

4 Q Dr. Mann is here because the board believes he's written
5 too many prescriptions and gotten people -- handled his
6 prescribing practices the wrong way.

7 Do you believe that's the case in your instance?

8 A No, sir. I do not.

9 I think the only thing he should be charged for is being
10 too good of a doctor. He is the best doctor that I've ever
11 went to in my entire life.

12 I was also getting Xanax in South Carolina before I
13 moved up here for rape. He's not the only one that ever did
14 prescribe me Xanax.

15 MR. MANN: I'm finished with the board's
16 witness.

17 REDIRECT EXAMINATION

18 BY MR. TRICE:

19 Q Ms. Virden, just so we don't get confused between people
20 who have done investigations --

21 A Uh-huh.

22 Q The people that you say encouraged you to make
23 statements about Dr. Mann --

24 A Yes, sir.

25 Q -- were they local law enforcement up in your part of

1 the state there in Russellville?

2 A Yes, sir.

3 Q Were any of them working for the health department or
4 the State Medical Board investigators?

5 A Not that I'm aware of. No, they were all drug task
6 force.

7 Q You know that bunch up there that deals in drug law
8 enforcement?

9 A Uh-huh. My mother dealt with them.

10 Q Because she's had her own set of problems?

11 A Right.

12 Q And these were law enforcement, but not anybody involved
13 with this board?

14 A Not that I'm aware of. No.

15 Q Okay. Have I ever questioned you or requested any type
16 of answer from you at all?

17 A No, sir.

18 Q Okay. Have you ever seen me until today?

19 A No, sir.

20 MR. TRICE: Okay. Thank you.

21 DR. PIERCE: What dose of Xanax was Dr. Mann
22 prescribing for you?

23 THE WITNESS: When I first moved back from
24 South Carolina, I was on 90 blue Xanax. And I
25 guess that's what, one milligram?

1 DR. PIERCE: Yes.

2 THE WITNESS: Okay. And he kept me on those.
3 And then I kept having reoccurrent panic attacks,
4 so he upped the dosage to two milligrams.

5 DR. PIERCE: And over what length of time did
6 you take that?

7 THE WITNESS: I'm not sure. I think it was 2
8 1/2 years, three years.

9 DR. PIERCE: If you were having panic attacks,
10 did he have you on any other medication at that
11 time?

12 THE WITNESS: Yes, sir. I --

13 DR. PIERCE: What were you taking?

14 THE WITNESS: I -- I've taken Ativan, I've
15 taken Paxil, I've taken Zoloft. None of those
16 seemed to work.

17 DR. PIERCE: But were you taking those at the
18 same time that you were taking the Xanax?

19 THE WITNESS: I took -- I believe I took Paxil
20 when I was taking the Xanax.

21 DR. ZINI: Are you presently on anything with
22 the Xanax to treat your panic attacks?

23 THE WITNESS: No, sir. Not right now.

24 DR. PIERCE: Did Dr. Mann refer you for any
25 type of counseling?

1 THE WITNESS: Yes, sir. I went to Counseling
2 Associates and I also admitted myself in William S.
3 Hall psychiatric mental institution to try to get
4 off the Xanax. And they put me on clonazepam or
5 clonazepam. I don't know how to say that.

6 DR. ZINI: Clonazepam?

7 THE WITNESS: Yeah, they put me on that. And
8 it worked for a while. He kept me on that for a
9 few months, and then it just really wasn't working
10 as well. So, he put me back on the Xanax.

11 DR. ZINI: Any of those institutions that you
12 were in, did you see a psychiatrist?

13 THE WITNESS: Yes, sir, I did.

14 DR. ZINI: They put you on the clonazepam but
15 nothing else?

16 THE WITNESS: I don't believe they had me on
17 anything else. No.

18 DR. ZINI: No other antidepressant?

19 THE WITNESS: No, sir.

20 DR. ZINI: Are we to understand that the
21 officers who asked you about Dr. Mann, were they
22 asking you, in your opinion, to be untruthful?

23 THE WITNESS: Yes, sir.

24 DR. ZINI: Or were they asking you if it was
25 the truth, would you come forward?

1 THE WITNESS: They were asking -- in my
2 opinion, they were asking me to be untruthful.

3 DR. SIMMONS: Do you have an opinion as to why
4 they would do that?

5 THE WITNESS: Because they have been wanting
6 him for so long and they just -- they are pretty
7 much willing to do anything to get him.

8 DR. SIMMONS: And what do you mean by they
9 have wanted to get him?

10 THE WITNESS: They have just -- they have been
11 questioning, from hearsay, a bunch of people,
12 telling them they will give them stuff to say they
13 had sex with him or this or that.

14 DR. ZINI: But why do you feel they are doing
15 that? Do you have an opinion?

16 THE WITNESS: Well, it's not only him.
17 It's -- it's other people they were wanting me
18 to -- that's why I think that it's -- I don't know
19 how to word this.

20 DR. ZINI: Well, I guess my question is, is
21 what is it about him? What problem did they think
22 they are trying to address by asking you to do
23 that?

24 THE WITNESS: They think I will do it because
25 my mom says that it's true. And that so she can

1 get out of jail.

2 They want me to get -- she's wanting out of
3 jail. And if I come up and say that I had sex with
4 Dr. Mann, to try to get her out of jail, it would
5 help her get out.

6 DR. SIMMONS: But why do they have it in for
7 him? That's what we're trying --

8 DR. ZINI: That's what I was getting at.

9 THE WITNESS: Oh. I have no idea.

10 DR. PIERCE: Did Counseling Associates try and
11 take over your prescription for the Xanax?

12 THE WITNESS: They kept me on the Xanax.

13 DR. PIERCE: I guess my -- my belief would be,
14 if I referred you to a psychiatrist or to a
15 counselor --

16 THE WITNESS: Uh-huh.

17 DR. PIERCE: -- I would let them manage that
18 medication. But Dr. Mann continued to do that for
19 you?

20 THE WITNESS: Yes.

21 DR. PIERCE: And was that of you asking him to
22 do that or was that -- how did that happen?

23 THE WITNESS: No. I just went back in and saw
24 him and he prescribed what he thought was the best
25 thing to prescribe.

1 DR. PIERCE: And did you -- did he say to you,
2 are you continuing to go to counseling? Are they
3 willing -- are they taking care of your medication
4 there for you?

5 THE WITNESS: Yes.

6 DR. PIERCE: And your answer to him was?

7 THE WITNESS: Yes.

8 DR. ZINI: So, did the counseling --

9 DR. PIERCE: Were you getting medicine in two
10 places, then?

11 THE WITNESS: No, I thought you were saying --
12 he was giving me the medicine and they were making
13 sure that it was -- I don't understand that.

14 DR. CHAMBERS: Are you seeing a psychiatrist
15 at Counseling Associates or a psychologist?

16 THE WITNESS: I was seeing a psychiatrist.

17 DR. CHAMBERS: A psychiatrist. Okay.

18 DR. ZINI: And that's a doctor who can write
19 for medications. So that doctor prescribed
20 medicine for you?

21 THE WITNESS: Uh-huh.

22 DR. ZINI: When you left, what were their
23 instructions to you?

24 THE WITNESS: To follow up with Dr. Mann.

25 DR. ZINI: Okay.

1 MS. BRITTON: Yes, there is a -- something
2 about the EMS, that you were initially unconscious
3 when they arrived.

4 THE WITNESS: That was a drug overdose.

5 MS. BRITTON: And what -- what did you
6 overdose at that time on?

7 THE WITNESS: Methamphetamine.

8 MS. BRITTON: So, you were not just taking
9 prescription drugs, you were also taking street
10 drugs?

11 THE WITNESS: No. Not often. No.

12 MS. BRITTON: I'm sorry?

13 THE WITNESS: Not often, no. No, ma'am.

14 MS. BRITTON: But methamphetamine is a street
15 drug?

16 THE WITNESS: Right. But I didn't take it
17 every day or was not -- I was not addicted to it,
18 no. But I did overdose.

19 MS. BRITTON: When was the last time you used
20 meth?

21 THE WITNESS: It's been so long, I don't
22 even -- two years ago or more.

23 MS. BRITTON: Uh-huh. Are you in a -- in a
24 treatment program, then, for --

25 THE WITNESS: No, ma'am.

1 MS. BRITTON: -- problems with addiction?

2 THE WITNESS: ' No, ma'am. I was never
3 addicted. I don't have a problem.

4 CHAIRMAN JOUETT: Anyone else have questions?

5 MR. TRICE: May she be excused?

6 MR. MANN: With great thanks and praise for
7 her courage. Yes.

8 Thank you. Particularly considering the
9 potential consequences she faces with the law
10 enforcement folks.

11 BY MR. MANN:

12 Q Oh, yeah. Have you been threatened?

13 In addition to being promised money, were you also
14 threatened?

15 A I have not been threatened myself, but other people I
16 know, they have told them, you know, if you don't do this, we
17 will put cocaine in your car or, you know, things like that.
18 But I haven't been threatened myself, no, sir.

19 MR. MANN: Thank you.

20 CHAIRMAN JOUETT: Thank you, ma'am.

21 MR. TRICE: Call Ms. -- Shelley Green is not
22 here?

23 Call Mr. Jim Moss.

24 Mr. Moss, if you will be sworn in.

25 WHEREUPON,