

Danièle Favre-Panayotatos
Nikos Panayotatos, Ph.D.

95 Monmouth Ct
Orangeburg, NY 10962

Tel. 845-536-9088
dfpanayotatos@gmail.com
Npanayotatos@yahoo.com

October 3, 2023

The Honorable Wesley Pipes, Presiding Judge
Courtroom 6500
205 Government Street
Mobile, AL 36644

Dear Judge Pipes,

We are writing to you regarding Dr. Jonathan Pishoi Nakhla who was convicted with reckless murder on the 21st of March after three weeks of trial and sentenced to 25 years. We are not questioning the integrity of the judicial system, but we are shocked at the length of sentence, especially compared to many others in similar situations.

We are also writing to you on behalf of all the Daphnes and their families out there who may one day need the services of the brilliant doctor that is Dr. Jonathan Nakhla. You see, Dr. Nakhla saved our daughter, Daphne.

We met Dr. Nakhla in the middle of the night of October 24, 2014 when the world came crashing down around us. It was at the neuroscience critical care of the Roosevelt/Mt Sinai hospital in Manhattan. We were not quite sure how to write this letter to make sure we properly convey the incredible work of Dr. Nakhla, his professionalism, his talent, his compassion, his intelligence, and the quality of his care. We were sending daily update emails to family and friends so decided to copy extracts of those messages (in italics below) in this letter. If we may, we urge you to read the entire letter: we don't know how else to show you that only an exceptional physician recognizes that such a diagnosis affects not only the patient but the entire family. We saw Dr. Nakhla many, many times over more than a month, and there was never one minute we did not feel in good hands. He cared for Daphne, he listened to her, he respected her. He did the same for us, and for our son. Furthermore, Dr. Nakhla was there, not only for that fateful night, but every step of the way, to help, guide, support us, for more than 40 days.

We arrived with our daughter at the hospital in an ambulance from another local hospital where - out of the blue - she had been diagnosed with hydrocephalus and a brain tumor. Dr. Nakhla was waiting with his staff at the top of the elevator. After examining Daphne, he told us: "I have to drill a hole in your daughter's skull because if I don't do it, we will lose her. I am not telling this to scare you but to make sure you understand how dire her situation is. I will see you in 45 minutes." Those words are forever embedded in our minds, and they hurt as much today as they did then. But the "we" he used, immediately told us we were not alone. We next saw Dr. Nakhla in his office in the ICU when he showed us pictures of our daughter's skull and the drain he had just inserted to relieve the spinal fluid. Very successfully, he added. Not to praise himself, oh no, but to make us feel a little less scared. The following day, we learned that Daphne had about two hours left before dying. She was alive because of the timely and expert intervention of Dr. Nakhla.

October 27. Day 3.

Daphne will unfortunately need surgery to remove her tumor because of its location in the pineal region of the brain. Scheduled for Friday, the surgery, suboccipital craniectomy, rare and delicate, will last about six hours. We met the neurosurgeons, Dr. G and Dr. Nakhla, in Daphne's room and listened quietly as they informed her that in addition to the hydrocephalus, she has a brain tumor. We will spare you her disarray, her empty and frightened look, her tears. Two hours later, both doctors are back at her bedside, for one hour, ONE hour, with laptop, charts, and pictures to explain in many details the whys, the ifs, the benefits, the risks, the expected results, etc. Antonis puts up a brave face, hiding his profound anxiety from his sister. The surgeons want to see him prior to the surgery to answer all his questions as well. We loved them for taking the time to educate us all about what is ahead, without ever losing a sense of humor. Their confidence, their trust in the intervention, their lack of cockiness is something we have never experienced to this level before. We contacted everyone we know in the field, and after a lot of research on their expertise, experience, and background, we decided, with Daphne, that she was in very good hands with this incredible team.

October 30. Before midnight, the day before the surgery,

We spent another 30 minutes with the neurosurgeons this afternoon. Both physicians, Dr. G. and Dr. Nakhla wanted to be sure they had answered all our questions so we could remain as confident and calm as possible.

November 1.

We were so exhausted yesterday, physically and emotionally, that we only sent you a very short message following the surgery. When Daphne woke up from the surgery, she greeted Dr. Nakhla who's Egyptian, in arabic. The night was tough for her with terrible headaches and nausea. This morning, she told us she was dying and it was so wonderful for us to be able to tell her that, no, and we just knew it, she was not dying.

November 3. Day 10.

Exactly one week ago today, we heard rare and risky surgery, vegetative state, brain damage, death, eye patch for six months, permanent drain. Today, we heard speedy recovery, miracle patient, all star, A+, home, discharge. Daphne called five minutes ago to say that Dr. G. and Dr. Nakhla, had just come to visit her. "Anyone who is doing the New York Times crossword puzzle and reading the New Yorker should

not be in the hospital." So, SHE IS COMING HOMETOMORROW. The news is just too big for us. We shaking. Crying. Laughing. How can it be? Ten days after being a couple of hours from dying? Four days after major brain surgery? Her faith, her strength, her determination, your prayers, your support, your love, and last but not least, the magical hands of her surgeons, are bringing our Daphne home. Forever humble. Forever grateful.

November 8.

Following a leak from the incision, we called the hospital ER and rushed to Manhattan. Dr. Nakhla was there waiting for us. He had given instructions to be called if and whenever Daphne had a problem. Daphne is back in the ICU for another night. She was back home on November 11.

November 16.

Another leak. Another trip to the ER. Another welcome face when we got there, Dr. Nakhla, who very expertly, placed a lumbar drain for the extra cerebrospinal fluid that had filled and surrounded the spinal cord.

November 22.

The lumbar drain gave her serious spinal headaches with nausea. Two days became four days and four days became eight days. After a successful surgery and rapid recovery, no one was expecting such a step back, least of all Daphne. The idea of a permanent drain scares her. She feels weak and tired. She has had enough! The analogy her neuro-surgeons used was a successful climb of Mt. Everest. She is back down to the base camp. All she needs to do now is get back to the hotel. On Tuesday morning, Dr. Nakhla brought Daphne popcorn in anticipation of his evening visit when he came back to show us a 6-minute edited version of her surgery which had been filmed.

December 1.

For the third time in that many weeks, we are back in the ICU (this is the third weekend the poor chief resident, Dr. Nakhla, is called in for us. We wonder how much longer he will refer to us as his "favorite people"). We came in yesterday afternoon because of a on-and-off fever, nausea, and headache. We will see an infectious disease specialist and her chief neurosurgeon later today and hopefully learn a little more. The ups and downs, the uncertainty, the waiting, it's killing us! But Daphne continues to fight courageously. She is braver than we are. This IS going to end. It has to!

December 4, Day 40.

The doctors are pretty certain now that Daphne has an aseptic meningitis. Large doses of antibiotics, antiviral, steroids, and sodium took care of the "easiest" issues. Unfortunately, Daphne will need a permanent drain for the excess cerebrospinal fluid and to relieve pressure in the brain. She will have a ventriculo-peritoneal shunting. The surgery is scheduled for tomorrow. We are extremely sad and worried.

December 5.

Half an hour after we sent yesterday's email, the chief neurosurgeon suggested we postpone the surgery, disagreeing with his colleague, the chief of neurology. Confused as never before, we met with both of them and the chief resident (Dr. Nakhla) at 7am this morning. After a long and difficult discussion, we decided to side with the surgeons and skip the surgery. After the meeting, Dr. Nakhla told us that if Daphne were his sister, he would not proceed with the permanent shunt.

This was eight years ago. Daphne is doing well.

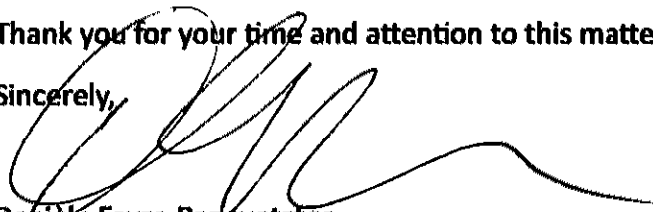
It was an extremely difficult and long ordeal (40+ days) for all us, and we say with all our heart and soul, that Dr. Nakhla did not only save Daphne's life. He saved our sanity. He saved our family. His maturity was way beyond his age. In fact, one friend inquired about his age two weeks ago, and we said, oh around 46. We could not believe when a Google search a few days later informed us that he is 36. Was he really only 28 when he took care of Daphne?

Your honor, we plead to you personally and the whole justice system to take the totality of the situation when considering an adequate sentence for Dr. Nakhla. From what we have heard, Dr. Nakhla had never previously acted in a way that exhibits extreme indifference to human life. He was found guilty, yes, but he is most certainly not a threat to society.

A lengthy incarceration sentence will deprive the community of a very caring, talented, and intelligent physician. While we fully respect the outcome and recommendation of the judicial system, we desperately want to believe that our justice system could prioritize rehabilitation and reintegration into society when appropriate. Therefore, we kindly request your intervention in exploring alternative sentencing options for Dr. Nakhla, one that would allow him to serve the community, and continue to save many Daphnes.

Thank you for your time and attention to this matter.

Sincerely,



Danièle Favre-Panayotatos



Nikos Panayotatos, Ph.D.