

Plastic Surgeon to the Scars

Brad Jacobs went from shaping *Playboy* bunnies to defending himself against charges of butchery
by Chris Thompson

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Brad Jacobs calls himself "one of the most famous plastic surgeons in history." At his clinic on the Upper East Side, he's performed thousands of breast-augmentation and liposuction procedures, and his patients reportedly include *Playboy* Playmate Courtney Culkin and *Playboy* cover girl Monica Leigh. Last year, he expanded his practice to include a new specialty in reshaping buttocks at his "Star Butts" clinic. For \$11,000, patients reshaped their asses to resemble the behinds of Eva Longoria, Lindsay Lohan, Jessica Simpson, or Paris Hilton. Jacobs received his medical degree from McGill University, which his lawyer calls "the Harvard of Canada." He's a family man with a wife and a son and a house on Long Island.

He's also at the center of one of New York's most sensational medical-malpractice scandals in recent history. Over the course of the last eight years, Jacobs has settled or lost at least 26 malpractice lawsuits filed against him, and more are working their way through the courts. In late June, the state Department of Health suspended his license to practice medicine, and Jacobs is now fighting to save his career. State medical investigators have charged him with a wide range of misconduct, including giving his patients boob jobs that were much bigger than they requested, failing to treat a patient's abscess after surgery, humiliating a patient by undressing her post-operative wounds in front of Jacobs's then girlfriend, and removing too much cartilage from a patient's nose during rhinoplasty. In the most shocking case, state investigators claim that Jacobs smoked crystal meth with one of his patients, had sex with her while she was recuperating from a nose job, and ultimately deformed her face.

Jacobs has strenuously denied these allegations and spent the last few months appealing the decision. On June 20, he and his lawyer, Michael Kelton, convened a press conference at Kelton's office, where an emotional Jacobs read a prepared statement before leaving the room. Two of his patients stayed behind to sing his praises; one had flown in from Chicago to stand by her doctor. According to Kelton, over 100 patients have submitted letters attesting to Jacobs's professionalism; indeed, they claim they can't do without him. "Dozens of his patients are calling to say, 'What do I do now?'" Kelton says. "You know, his patients love him. And they can't even imagine going somewhere else."

Amid the furor, the identity of the patient who allegedly smoked meth and had sex with Jacobs was not revealed. Now, the *Voice* has learned her name and her story. She tells a lurid tale of Vegas strip clubs, of sex in Jacobs's Upper East Side apartment, and of the doctor performing surgery while under the influence of crystal meth. If her story is true, Jacobs is a menace who should never be allowed near a scalpel again.

But is her story true? Jacobs says his former patient is a delusional schizophrenic who invented the affair, a woman so haunted by self-loathing that she became fixated on the one man she thought could make her beautiful. Furthermore, Jacobs claims that he's been hounded in the press by greedy lawyers who saw a cash cow and milked it for all it was worth, while he was left with a life in ruins.

Since late June, a panel of two doctors and one layman has been reviewing Jacobs's case on behalf of the state Department of Health. They are considering whether to permanently revoke his license to practice medicine and are scheduled to render a decision at the end of September. (In the meantime, Jacobs cannot practice.) The panel's members must ask themselves: Is the man who describes himself as "one of the most famous plastic surgeons in history" just a speed-addled quack? Or is he a good man being shaken down by a school of legal sharks and drug-addicted strippers?

Few doctors can boast a résumé quite as impressive as Jacobs's. After growing up in Queens and Long Island, Jacobs attended SUNY Albany and got his medical degree from McGill University. He did his residency at St. Luke's Roosevelt Hospital Center, where he says he'd already amassed a large patient following before setting up a private practice in 1995. With aggressive use of Internet marketing, his patient list grew worldwide by the late '90s, and he became particularly renowned among Austrian women. He's done work on four *Playboy* Playmates and countless *Playboy* models, who have autographed copies of their covers for him to display at his Upper East Side office. Before he sold it to cover his legal expenses, his old Porsche boasted the license plate "BUNNYMAKR."

It wasn't just his celebrity clientele that boosted Jacobs's reputation. He was named president of the advisory council for the breast-implant manufacturing company Mentor, and has presented techniques at the American Society for Aesthetic Plastic Surgery. Until his recent troubles started, Jacobs was writing a book, *Good Boobs Gone Bad*, on how to correct botched boob jobs. "Everything was about to be catapulted to the next level instead of being knocked down like this," he says. "It's just an absurdity—the whole thing."

Jacobs may have wanted to take things to another level, but there was the little matter of 26 malpractice cases that ended in judgments against him or in settlements over the years. According to Jacobs, plastic surgeons deal with such settlements constantly, and his track record is better than some. "No names mentioned, but you look at other plastic surgeons—some of these surgeons have that in a year," he says. But according to the health-care ratings company HealthGrades, more patients have filed malpractice actions against Jacobs than any other plastic surgeon in the state; in fact, Jacobs's malpractice rate is 10 times the state average. According to Ken Halperin, a malpractice attorney with the firm Wingate, Russotti, and Shapiro, that's an extraordinary figure. "It's extremely unusual," he says. "I'd be shocked if there were more than 10 doctors in the state of New York that had 25 malpractice cases, let alone had settlements against them. . . . The amazing thing is that he still has his license."

In addition, Jacobs has numerous lawsuits that have yet to be resolved. Andrew Rosenbaum has been handling one such case, in which a patient, who requested not to be named, came to Jacobs for a boob job in August 2004. According to Rosenbaum, the patient began to notice a disturbing mass in one of her breasts after the procedure, and worried that she might have breast cancer. The patient underwent uncomfortable and expensive scans to investigate the mass, but no one could figure out whether it was a tumor or not. She spent years with the fear of death gnawing at her. "After approximately two and a half years of suffering the discomfort and pain, the psychological fear and the worry, she had to have a risky procedure known as a needle biopsy," Rosenbaum says. When the doctors pulled the needle out of her breast, he adds, they pulled out a long string of gauze.

"[Jacobs] left a surgical sponge inside her left breast at the time he closed her up during the procedure," says Rosenbaum. His client sued Jacobs last November, and Rosenbaum claims that Jacobs has conceded liability. (John Rubin, Jacobs's attorney in that case, didn't return phone calls seeking comment.) But as it turns out, Jacobs has no malpractice insurance, so Rosenbaum's client may well get nothing for her terror and pain. "Not only did he perform incorrectly the procedure—scarred her—to add insult to injury, at this point he's refused to amicably resolve fairly and justly compensate my client," Rosenbaum concludes.

Jacobs's lawyer Kelton confirms that Jacobs practiced medicine without malpractice insurance, although this is not illegal. Jacobs acknowledged the incident, but said it was no big deal. "There was nothing crazy, just some gauze I left," he says. "We've made an offer. We made a reasonable offer regarding removal of that. It's just that her attorney is not negotiating in her best interest."

At least in that case, the breast cancer was just a scare. Attorney Mitchell Shapiro is suing Jacobs on behalf of a client who wasn't so lucky. Shapiro's client, who also requested not to be named, was about to visit Jacobs in July 2005 for a liposuction treatment when she had a routine mammogram with another doctor. The test revealed a lump that looked like breast cancer, and her doctor performed a core biopsy and sent it to a lab to make sure. The woman then called Jacobs to cancel the liposuction procedure.

But according to Shapiro, Jacobs didn't want her to do that. "So he says to her, 'No, let's keep the appointment. I don't think you have cancer. Come in, let me take a look. I've already got the time booked for you.' "

Shapiro claims that his client took her mammogram results in, and Jacobs told her the lump looked benign. But just to be safe, he removed tissue from her breast, telling her that he had removed the lump and sent the tissue to a pathology lab for testing. A few days later, the woman's core biopsy indicated that she had cancer. But Jacobs's lab reported that she was healthy, with no cancer at all. How was that possible?

"[Jacobs] missed the lump and sent healthy tissue to the lab," Shapiro says. "He did a lumpectomy of healthy tissue, so naturally his lab comes back negative. . . . So now she realizes that she has to go to a breast surgeon who specializes in cancer. He looks at her breast and said, 'What happened?' She tells him, and he says, 'Jacobs should never have touched you. He's not qualified to do that.' "

Shapiro claims that Jacobs cut such a huge divot out of his client's breast that by the time the surgeons removed the cancer, there was practically no breast left; she had to have a full mastectomy. But that's not what infuriates Shapiro. "If she didn't have that core biopsy and had just believed Jacobs, she would have done nothing, and it would have spread all over the place and killed her," he says. "What he did was just make her whole experience so tortured. To be told that she didn't have cancer, and then be told that he's wrong—it's just disgusting."

John Rubin was also Jacobs's attorney in this case, and he didn't return phone calls seeking comment. Again, Jacobs says, the case was inconsequential. "I've done hundreds of breast biopsies throughout the years," he said. "I went in the same spot [where the mammogram showed a lump], took tissue that felt suspicious. They don't put a label on it. . . . I didn't claim I got the mass. It's OK to miss, as long as you say you missed." As for Shapiro's claim that the lumpectomy precipitated his client's mastectomy, Jacobs scoffs: "The amount of tissue I took was less than a dime, all right? So they're blowing things a little out of proportion here."

Beginning in 2003, Jacobs's malpractice caseload suddenly spiked, and his lawyers were handling between three and seven lawsuits a year. In 2006, three women sued the doctor for allegedly jamming oversized implants into their breasts without their knowledge—implants so large, the *New York Post* reported, that they would "eat away" at the areola, indent the nipples, or deform the sides of the breasts. Jacobs has denied these allegations and continues to fight them in court. That same year, a stripper from Las Vegas would file the most sensational lawsuit of all—and her allegations would become the centerpiece of the hearing that may cost Jacobs his career.

Brittany Hendricks is what you might call a troubled woman. Her first abortion was at age 14, and she had a second abortion and a miscarriage after that. She's seen multiple doctors for depression and addiction to crystal meth. For several years before meeting Jacobs, she worked as a dancer at the Spearmint Rhino club in Las Vegas. "Brittany Hendricks is someone who brings no credibility to the table," says Michael Kelton, Jacobs's lawyer. "She's an admitted crystal-meth user—she uses it virtually every day. . . . She testified that she tried to shake Dr. Jacobs down for a couple hundred thousand dollars. She commits a felony virtually every day when she smokes. She has admitted that she has sent crystal meth through FedEx. This is a person with a history and a background that offers no credibility to any of her testimony or her allegations."

Nonetheless, Hendricks was determined to tell her story. She recently flew to New York and testified at Jacobs's Department of Health hearing, where she recounted her experiences at the hands of her former doctor. "Everything I said was true," Hendricks tells the *Voice*. "I wasn't hiding anything to make myself look better. I told the whole naked truth, as raw as it was—as ugly and stupid and ridiculous as it made me look, I shared it. Because Brad is really toying with people's lives. . . . That's why I didn't have any shame sharing my story."

Jacobs retorts that Hendricks was high when she spoke before the health department recently. "She was on crystal last week!" he says. "She's a blithering drug addict."

Hendricks refused to go into the details of the case with the *Voice*, but last year she testified in a deposition as part of a malpractice lawsuit that she filed against Jacobs; it was settled in May, with Hendricks receiving \$322,000. (Jacobs claims that his former malpractice-insurance company chose to settle the case, and that he had nothing to do with the decision to pay Hendricks.) The portrait that emerges from her testimony is that of a woman with a drug problem and low self-esteem who put herself in the hands of a trusted surgeon. By the time she left his care, she'd allegedly been pressured to have sex with the doctor and his then girlfriend—reeling from speed he allegedly provided—and was sporting a deformed, "repulsive" nostril that ruined her life.

By the summer of 2004, Hendricks testified, she had spent months talking with Jacobs over the phone preparing for a nose and boob job. She was worried that her heavy meth use would complicate the surgery and had quit a month earlier; the withdrawal left her feeling like shit. But Jacobs seemed friendly, comforting, even spiritual. He invited her to stay at an Upper East Side apartment that he maintained (though he lived on Long Island) while she prepared for the surgery. On June 16, Hendricks arrived at the apartment. When Jacobs opened the door, Hendricks testified, he was jumpy and amped. As a long-time meth user, Hendricks knew what was up.

"He was talking kind of fast and he was applying to something, and I figured out that he was applying, you know, to drugs," Hendricks says in her idiosyncratic way of speaking. After a quick hug, she says, Jacobs asked her: "Is it going to be an issue with you if I party and you party? Do you party?"

Hendricks says she played it cool. "He was referring to, you know, pot and crystal meth. . . . In the back of my head, I was thinking, 'Whoa!' But then, in the front of my head, I said, 'Cool!' You know, because I had gotten sober a whole month before I got there, so it would have been a hard trip to make, because I wasn't feeling so great."

This kind of talk mystifies and infuriates Jacobs. He never suggested smoking crystal meth, he says, and he doesn't even have an apartment in the city. "It never existed," he says, although Hendricks's lawyer, Lawrence Karam, insists that his private investigator has confirmed that Jacobs did indeed keep the apartment. As for the speed, Jacobs

claimed that when Hendricks showed up for the nose job, he could see that the drugs were taking their toll and counseled her to get off the stuff immediately. "She didn't seem that healthy to me," Jacobs said. "I read her the riot act, said she had to stay off the crystal."

Hendricks testified that Jacobs bounced up to his loft bedroom and returned with a "quag"—a bong customized to smoke meth. The two took a few hits of speed, and then Jacobs left to pick up his son. Hendricks met up with a few friends and spent the night working the quag and hitting bars till six in the morning. The next day, a bleary Hendricks showed up for a consultation at Jacobs's office, where she signed a consent form for the nose and boob job. At some point, she talked to Jacobs, either in person or on the phone, and told him she'd hit the quag a little more. "Cool—that's cool," Jacobs allegedly replied. "Just save me a little."

Hendricks was scheduled to go under the knife for her rhinoplasty the next day, but that night, June 17, Jacobs planned a big party for himself, Hendricks, and his girlfriend Sharon (now his wife). According to Hendricks's testimony, the three smoked crystal meth in Jacobs's living room until 1:30 in the morning, when the doctor declared it was time to examine her nose and talk about the surgery. Jacobs examined her breasts and asked what sort of nose she wanted. Hendricks said she wanted something more refined and feminine. "OK, I got you," Jacobs said. "I see what you're saying—I do it all day long."

Then it was time for more speed. After hitting another ball or two, Jacobs and Sharon started having sex, while an increasingly uncomfortable Hendricks sat on the couch and looked on. As Jacobs and Sharon got busy, Sharon made a move on Hendricks. "I made a motion to Jacobs like 'I am not into this,' and he had her stop coming near me," Hendricks claims. "I think Dr. Jacobs could tell I was uncomfortable, though, and he said to Sharon, 'You know, I don't think she is into girls,' or something like that." During the deposition, Jacobs's lawyer asked Hendricks to describe the doctor naked.

"He has a gigantic penis," Hendricks said.

"Go on, please," said Jacobs's lawyer.

"He has a really good body. He has a lot of muscle. He is in really good shape."

According to Hendricks, Jacobs and Sharon suggested that if she didn't want to join in, perhaps she could film them. Hendricks agreed and pulled out her laptop. Using the computer's built-in webcam, she filmed the doctor and his girlfriend having sex for an hour. But Hendricks couldn't produce the video for the lawsuit, and claimed that her hard drive had crashed, wiping out the evidence.

According to Jacobs, the missing hard drive tells you all you need to know about Hendricks. "Of course it doesn't exist," he says. "I mean, hello? Give me something here!" But that's just what you'd expect, he adds, from a woman who tried to extort \$200,000 from him.

Hendricks arrived at the office at 10 the next morning, just in time for her nose and boob job. But Jacobs was running late, and she had to wait a few hours.

About a week or so after the procedure, Hendricks returned to Jacobs's office, and as he removed the bandages, she saw her new nose for the first time. "It looked a little bit like an Asian nose—and no offense against Asian noses, but I wanted it to be refined and pretty," Hendricks testified. "To me, it was more—it was elongated and chubby, and it just—it was unattractive on me, and it was nothing like I pictured, and I was absolutely horrified."

That night, Jacobs came by the place, gave her a shot of something to calm her down, and eventually ended up in bed with her. "He just said, 'You can sleep in the bed, you know—I don't bite,' whatever, and I said OK. So I slept in the bed next to him, and, you know—I don't know, I guess we started having sex."

"Was this consensual sex?" asked Jacobs's lawyer.

"I was—I don't know. I mean, it wasn't—he didn't rape me by any means, but I just didn't really know how to—I really wasn't feeling like having sex, but I didn't really say anything about that."

Hendricks's nose never really healed properly, she claimed. One nostril was permanently detached from her face, and when she eventually tried to go back to work at the Spearmint Rhino, her boss "made comments about my face and my nose being repulsive." She returned to New York for a breast augmentation and touch-up on her nose the following month, but claimed that when she woke up, her nose was so cut up and stitched together that she was "appalled and just disgusted."

As bizarre and extravagant as Hendricks's story might seem, the New York State Department of Health is taking her claims very seriously. In fact, state investigators specifically cited her case when they ruled in June that Jacobs's practice "constitutes an imminent danger to the health of the people of this state."

Jacobs claims that Hendricks's raging meth habit caused her post-operative complications. "It's the worst possible drug for healing—period," he says. In fact, he sent her to a second doctor in Florida for post-operative treatment. And if she was so unhappy with his performance, he adds, why did she come back to him for the boob job a few months later? "This was an unfortunate girl who felt that, you know, surgical intervention could not only help her self-esteem but actually achieve something that was unachievable

by surgery alone," Jacobs says. "She was making undue, I guess, requests or obligations of me to make her beautiful, when all it was to revise her nose. . . . She seemed happy for a time, but her healing was a little slow, and she wasn't this beautiful princess that she wanted to become. I did everything I could to help her."

Jacobs may have paid Hendricks money to go away, but that's not necessarily an indication of guilt, he says. His attorney Michael Kelton adds that he's procured dozens of statements from patients who celebrate Jacobs's work. "People say things like, 'He save my life,' 'He saved my body,'" Kelton says. "People came to him who were horribly scarred, deformed by bad plastic surgeries. . . . He transformed them."

So just who is Brad Jacobs? Is he what so many former patients and their lawyers claim—a reckless, arrogant man who disfigures women and takes drugs before dashing off to the office? Or a family man maligned by ungrateful patients and opportunistic lawyers? Who is the man behind the lawsuits?

Jacobs insists that his predicament is the result of a few greedy lawyers who had the names of a few reporters in their Rolodexes. After one or two lawyers floated a few horror stories in the tabloids, more and more attorneys and journalists jumped on an easy, lurid story, until now he's the poster child for bad doctors. He just can't catch a break. "I'm one of the best plastic surgeons on the planet, and that's what people don't like about me," Jacobs says. "My competitors—but a lot of them are coming to my aid now. . . . This morning, I had a member of the American Board of Plastic Surgeons on the phone, saying, 'Jesus, we've gotta help you on this.' He called me in support, said I needed to know what's happening to me is wrong, and offered to help any way he could." (An assistant to Alan Matarasso, the doctor Jacobs cited, denied that Matarasso was a member of the American Board of Plastic Surgeons, but didn't elaborate further .)

We'll find out what the State of New York thinks of Jacobs shortly, when the Department of Health rules whether he can ever practice medicine again. Jacobs claims that the case is going well; his lawyer has impeached the testimony of witnesses over and over, and he fully expects to be back at work soon. However, he adds, his reputation and his family may never recover from the toll that's been taken. Asked how he was feeling, Jacobs replies: "Distraught. Despondent. Depressed. Anything else? I have a 10-year-old son who doesn't know how to look at his daddy anymore."

On the other hand, over two dozen women claim to have been disfigured and mutilated by a reckless, arrogant butcher who ruined their bodies and then cashed their checks. Over the course of at least eight years, they and their lawyers say, Jacobs hacked his way to the top of his profession and left a trail of scar tissue in his wake. Brittany Hendricks is one of these women. She says she's sad to see it come to this, but she thinks it's time for one of the most famous plastic surgeons in history to find another line of work. "I think he's a human being," she says. "I think he made some bad mistakes. I don't wish him any ill will. But I don't think he should perform surgery again."

