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IN THE CIRCUIT COURT OF PRINCE GEORGE'S COUNTY, MARYLAND
Civil Division

JAQUAILIA MACK, Individually and as Mother
of Baby Girl Mack
15959 Dorset Road
Laurel, Maryland 20707

DEANGELO BOONE, Individually and as Father
of Baby Girl Mack
15959 Dorset Road
Laurel, Maryland 20707

Plaintiffs,

v.

DIMENSIONS HEALTH CORPORATION
d/b/a Laurel Regional Hospital and Prince
George's Hospital
3001 Hospital Drive
Cheverly, Maryland 20785

Serve on:

Megan M. Arthur
250 W. Pratt Street
24th Floor
Baltimore, Maryland 21201

DIMENSIONS HEALTHCARE ASSOCIATES, INC.
3001 Hospital Drive
Cheverly, Maryland 20785

Serve on:

Megan M. Arthur
250 W. Pratt Street
24th Floor
Baltimore, Maryland 21201

HENRY ADEGBULUGBE, M.D.
3001 Hospital Drive
Cheverly, Maryland 20785

TORRE HALSCOTT, M.D.
1800 Orleans Street
Baltimore, Maryland 21287

CAZ18-28143
Civil Action No.

Case: CA18-28143	
NEW CASE	
APP FEE PLATN	18.00
CV FEE FFF-	88.00
MT FFCAL SERV	55.00
RTF - NEW CAS	38.00
TOTAL	175.00
Rec'd FCI5	Rec'd \$ 636.12
SIN NFR	RT: \$ 384
Aug 07, 2018	04:08 PM

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PR GEO CO MD #31

Clerk of the
Circuit Court

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MARIE-CHRISTINE NKODO, M.D.	*
2900 Mercy Lane	
Cheverly, Maryland 20785	*
LASEKAM BOSEDE, C.N.M.	*
2900 Mercy Lane	
Cheverly, Maryland 20785	*
FAMILY HEALTH AND WELLNESS	*
d/b/a Cheverly Health and Wellness	
2900 Mercy Lane	*
Cheverly, Maryland 20785	
<u>Serve on:</u>	*
Megan M. Arthur	
250 W. Pratt Street	*
24 th Floor	
Baltimore, Maryland 21201	*
Defendants.	*

COMPLAINT AND JURY DEMAND

Plaintiffs, Jaquailia Mack, Individually, and as Mother of Baby Girl Mack and DeAngelo Boone, Individually, by their attorneys, Tiffany Sims, Esquire, from Jackson & Associates Law Firm, LLC hereby submits their statement of claims against healthcare providers Dimensions Health Corporation, Dimensions Healthcare Associates, Inc., Family Health and Wellness, Henry Adegbulugbe, M.D., Torre Halscott, M.D., Marie-Christine Nkodo, M.D., and Lasekam Bosede, C.N.M., and in support thereof state as follows:

PARTIES, JURISDICTION, AND VENUE

1. The facts giving rise to the instant occurrence took place in Prince George's County, Maryland.
2. This claim is filed pursuant to Title 3, Subtitle 2A of the Courts and Judicial Proceedings Article. The damages claimed are in excess of \$30,000.00 and the appropriate venue is Prince George's County.

3. At all times material to this case, the fetus-decedent, Baby Girl Mack was delivered in of the state of Maryland.

4. Plaintiff, **JAQUAILIA MACK**, is of full age, a resident of Maryland, residing at 15959 Dorset Road, Laurel, Maryland 20707. Plaintiff, **JAQUAILIA MACK** is the biological mother of Baby Girl Mack who died on February 22, 2016. Plaintiff, **JAQUAILIA MACK** is the surviving parent of deceased fetus, Baby Girl Mack, and is a primary beneficiary under the wrongful death statute pursuant to Section 3-904(a) of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland.

5. Plaintiff, **DEANGELO BOONE**, is of full age, a resident of Maryland, residing at 15959 Dorset Road, Laurel, Maryland 20707. Plaintiff, **DEANGLEO BOONE** is the biological father of Baby Girl Mack who died on February 22, 2016. Plaintiff, **DEANGELO BOONE** is the surviving parent of deceased fetus, Baby Girl Mack, and is a primary beneficiary under the wrongful death statute pursuant to Section 3-904(a) of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland.

6. Plaintiff, **JAQUAILIA MACK** conducted a good faith and reasonably diligent effort to identify, locate, and name as use Plaintiffs all individuals who may have an interest in this lawsuit quality as use Plaintiffs. To Plaintiff's knowledge and belief, there are no other beneficiaries entitled to bring a claim pursuant to the Wrongful Death Act.

7. Pursuant to Md. COURTS & JUDICIAL PROCEEDING Code Ann. § 3-904(g)(1), this matter has been commenced with the three (3) years Statute of Limitation.

8. At all times relevant hereto, the Defendant **DIMENSIONS HEALTH CORPORATION** (hereinafter "Dimensions Health") owned controlled, and managed Prince Georges Hospital and Laurel Regional Hospital. **DIMENSIONS HEALTH CORPORATION** is

a professional medical corporation providing health care services to persons in need thereof. Upon information and belief, at all times relevant hereto, the doctors attending to the care and treatment of **JAQUAILIA MACK** and Baby Girl Mack were agents, servants, and/or employees of Defendant **DIMENSIONS HEALTH CORPORATION** and acting in such capacity while providing medical care to **JAQUAILIA MACK** and Baby Girl Mack. The Plaintiffs allege that Defendant **DIMENSIONS HEALTH CORPORATION**, through its agents, servants and employees, owed to the Plaintiff Mack and the Plaintiff's decedent a duty to exercise a degree of care, skill and judgment expected of a competent medical corporation acting in the same or similar circumstances, which duty included the performance of adequate and proper tests and procedures to determine the nature and severity of the conditions of the Plaintiff Mack and Baby Girl Mack; careful diagnosis of such conditions; the employment of appropriate procedures and treatments to correct such conditions; the continuous evaluation of the effects of such treatments, the adjustment of the course of the treatment in response to such evaluations; and the appropriate notification to the Plaintiff Mack of the various alternative and risks involved in various modalities of treatment; all of which Defendant failed to do.

9. At all times relevant hereto, the Defendant **DIMENSIONS HEALTHCARE ASSOCIATES, INC.** owned controlled, and managed Cheverly Health and Wellness Center. **DIMENSIONS HEALTHCARE ASSOCIATES, INC.** is a professional medical corporation providing health care services to persons in need thereof. Upon information and belief, at all times relevant hereto, the doctors attending to the care and treatment of **JAQUAILIA MACK** and Baby Girl Mack were agents, servants, and/or employees of Defendant **DIMENSIONS HEALTHCARE ASSOCIATES, INC.** and acting in such capacity while

providing medical care to **JAQUAILIA MACK** and Baby Girl Mack. The Plaintiffs allege that Defendant **DIMENSIONS HEALTHCARE ASSOCIATES, INC.**, through its agents, servants and employees, owed to the Plaintiff Mack and the Plaintiff's decedent a duty to exercise a degree of care, skill and judgment expected of a competent medical corporation acting in the same or similar circumstances, which duty included the performance of adequate and proper tests and procedures to determine the nature and severity of the conditions of the Plaintiff Mack and Baby Girl Mack; careful diagnosis of such conditions; the employment of appropriate procedures and treatments to correct such conditions; the continuous evaluation of the effects of such treatments, the adjustment of the course of the treatment in response to such evaluations; and the appropriate notification to the Plaintiff Mack of the various alternative and risks involved in various modalities of treatment; all of which Defendant failed to do.

10. At all times relevant hereto, Defendants **DIMENSIONS HEALTH CORPORATION** and **DIMENSIONS HEALTHCARE ASSOCIATES, INC.** were the employers and/or principals of Defendants **HENRY ADEGBULUGBE, M.D., TORRE HALSCOTT, M.D., MARIE-CHRISTINE NKODO, M.D.,** and **LASEKAM BOSEDE, C.N.M.,** who at all times when providing care and treatment to **JAQUAILIA MACK** and Baby Girl Mack, were the agent(s) and/or employee(s), real and/or ostensible, of Defendants **DIMENSIONS HEALTH CORPORATION** and **DIMENSIONS HEALTHCARE ASSOCIATES, INC.** and acting within the scope of their employment and/or agency. The Defendants practitioners owed a duty to the Plaintiff Mack and the Plaintiff's fetus decedent to exercise the degree of care, skill, and judgment expected of competent medical practitioners acting in the same or similar circumstances, which duty included the performance of adequate and proper tests and

procedures to determine the nature and severity of the conditions of the Plaintiff Mack and Baby Girl Mack; careful diagnosis of such conditions; the employment of appropriate procedures and treatments to correct such conditions; the continuous evaluation of the effects of such treatments, the adjustment of the course of the treatment in response to such evaluations; and the appropriate notification to the Plaintiff Mack of the various alternative and risks involved in various modalities of treatment.

STATEMENT OF FACTS RELEVANT TO ALL COUNTS

11. On September 29, 2015, Jaquailia Mack, (DOB: 9/04/1986), a then 29 year old African-American female presented to Prince George's County Hospital - Cheverly Health & Wellness Center with one missed menstrual period and a positive over the counter pregnancy test. She was seen by Bosede Lasekan, CNM (Certified Nurse Midwife).

12. Ms. Mack presented with a past medical history of hypertensive disorder, morbid obesity, a tobacco tendency (consuming 10 cigarettes per day), and three previous cesarean deliveries. She tested positive for pregnancy, diagnosed with amenorrhea, hypertensive disorder, and tobacco dependence syndrome. The findings were electronically signed by Dr. Henry Adegbulugbe, M.D., and prenatal care commenced under his supervision thereafter.

13. On October 6, 2015, Jaquailia Mack returned to Cheverly Health & Wellness Center for her scheduled appointment to see Dr. Henry Adegbulugbe, M.D. for an initial obstetrics examination. Dr. Adegbulugbe's assessment/plan noted Jaquailia Mack's 'maternal obesity' and Mild hyperemesis gravidarum (vomiting and nausea). He prescribed nausea medication, a sleep aid, Vitamin B-6. No high blood medications were prescribed. No smoking cessation plan was formed.

14. On October 20, 2015, Jaquailia Mack returned to the Cheverly Health & Wellness Center for an unscheduled visit with complaints of headache along with nausea and vomiting. She was seen by Dr. Adegbulugbe. It was noted that Jaquailia Mack was still smoking. Her Urine Culture was positive for Klebsiella Pneumoniae. No high blood medications were prescribed. No smoking cessation plan was formed.

15. On November 17, 2015, Jaquailia Mack returned to the Cheverly Health & Wellness Center for a scheduled obstetrics follow-up. She was seen by Dr. Adegbulugbe. Ms. Mack informs Dr. Adegbulugbe that she is not on any high blood pressure medications and that she had been on such medications in her previous pregnancies. No blood pressure medications were prescribed. No smoking cessation plan formed.

16. Ms. Mack had three more visits following the above visit; December 5, 2016 to Laurel Regional Hospital emergency room, a follow-up with Dr. Adegbulugbe at Cheverly Health & Wellness Center on December 8, 2016, and another follow-up with Dr. Adegbulugbe at Cheverly Health & Wellness Center on December 22, 2016. Nothing about her prenatal care changed until the December 22, 2016 visit.

17. Dr. Adegbulugbe finally prescribed blood pressure medication and provides encouragement to Ms. Mack to stop smoking. Dr. Adegbulugbe then makes changes to Jaquailia Mack's assessment/care plan to reflect "hypertension complicating pregnancy, childbirth" and to order an ultrasound. He also makes a referral for Maternal and Fetal Care Specialist Consultation.

18. On January 4, 2016, Jaquailia Mack presented to Dr. John M. Katz, M.D., maternal-fetal medicine specialist, for a consultation due to a referral from Dr. Adegbulugbe. Dr. Katz reports that the fetus' gestational age was 18.7 weeks and was in a

breech position with "no anomalies observed." Dr. Katz recommended a low dose aspirin regimen. Further the assessment care plan was changed to include "transient hypertension of pregnancy" and "poor obstetric history."

19. The following day on January 5, 2016, Jaquailia Mack returns to the Cheverly Health & Wellness Center for a follow up obstetrics visit with Dr. Marie Nkodo, M.D. An ultrasound was performed. Dr. Nkodo changed the assessment care plan to include "failed attempt to stop smoking". Ms. Mack was finally diagnosed with a urinary tract infection and prescribed nitrofurantoin. No low dose aspirin regimen was implemented, nor was any medication to assist in smoking cessation prescribed. She returned for follow-up visit on January 19, 2017. No low dose aspirin regimen was implemented, nor was any medication to assist in smoking cessation prescribed during that visit.

20. On February 8, 2017, Ms. Mack returned to Laurel Regional Hospital emergency room with reported complaint of decreased fetal movements for approximately one month, and throat pain. Fetal cardiac activity was noted. Ms. Mack was discharged with "normal symptoms" and advised to continue her blood pressure medication. Final Diagnosis was twenty (20) weeks breech presentation; and discharged with "normal symptoms".

21. On the following day, February 9, 2016, Ms. Mack returned to the Cheverly Health & Wellness Center for a scheduled obstetrics follow-up. In his records, Dr. Adegbulugbe refers to the Laurel Hospital emergency room records and notes a discrepancy in the findings that the fetus was twenty weeks and makes the correction that the fetus was "23 weeks 6 days" in development. Ms. Mack reported decreased fetal

movement. A low dose aspirin regimen had not been implemented; no change in care plan was made nor was any medication to assist in smoking cessation prescribed.

22. On February 12, 2016, Jaquilia Mack, then 26 weeks pregnant, presented to Prince George's Hospital Emergency Room with complaints of cramping, pain in stomach. She was seen by Dr. Torre Halscott, M.D. Her blood pressure was recorded as 153/93. Her abdominal pain level was recorded as 8 out of 10 on a numeric scale. Fetal condition was described as having a "reassuring fetal heart rate". Ms. Mack was discharged with a diagnosis of Acute Urinary Tract Infection and Acute Hypertension. She was prescribed Nitrofurantoin to treat her Urinary Tract Infection. It was further determined that there was no evidence of Pre-Term Labor, and that Ms. Mack was to follow up with her provider as scheduled.

23. On February 16, 2016, Jaquilia Mack returned to the Perinatal Diagnostic Center at Prince George's Hospital for a follow up visit to see Dr. Jon Katz, M.D., Maternal Fetal Specialist. An ultrasound was performed. Dr. Katz concurs with the diagnosis of Gestational Hypertension ("GHTN"), and recommends "close outpatient blood pressure assessment", then releases Ms. Mack to leave. Before she had left the building, she was stopped and asked to return to Dr. Katz office. Subsequent to her return, she was informed that her baby had severe Intrauterine Growth Restriction (IUGR), Absent End-Diastolic Flow (AEDF), and severe Oligohydramnios with stillbirth being imminent. She was then admitted into Prince George's Hospital for an OB Triage.

24. On February 17, 2016, with a prognosis of death or moderate to severe development of her unborn child, Ms. Mack was started on a course of steroids

(Betamethasone acetate-betamethasone sodium phosphate) "for fetal lung development" with an aim towards pre-term delivery.

25. On February 18, 2016, Jaquilia Mack, post discussions with her physicians that her child had a poor prognosis of survival upon pre term delivery, stated that she would rather take the chance at waiting for her baby further maturing in her womb. She was then discharged from Prince George's Hospital with instructions on a fetal kick count and a scheduled follow up visit.

26. On February 22, 2016, Jaquilia Mack returned on her scheduled appointment to be informed that her child had died in utero, and was later delivered stillborn.

COUNT I
NEGLIGENCE – MEDICAL MALPRACTICE
(Against all Defendants)

Plaintiff **JAQUAILIA MACK** hereby sues and bring this medical malpractice claim against the Defendants, jointly and severally, and alleges as follows:

27. Plaintiff adopt by reference the allegations contained in paragraphs 1 through 26 above as if fully set forth fully herein.

28. At all times relevant to this suit, Baby Girl Mack and **JAQUAILIA MACK** had a health care provider-patient relationship with each of the Defendants.

29. The Plaintiff alleges that at all times relevant, Defendants represented to the Plaintiff and the public that they possessed the degree of skill, knowledge, and ability possessed by reasonably competent medical practitioners, practicing under the same or similar circumstances as those involving the Plaintiff and the Plaintiffs' fetus decedent.

30. The Defendants owed a duty to the Plaintiff and the Plaintiffs' fetus- decedent to exercise the degree of care, skill, and judgment expected of a competent medical

practitioner acting in the same or similar circumstances, which duty included the performance of adequate and proper tests and procedures to determine the nature and severity of the conditions of the Plaintiff and Baby Girl Mack; careful diagnosis of such conditions; the employment of appropriate procedures and treatments to correct such conditions; the continuous evaluation of the effects of such treatments, the adjustment of the course of the treatment in response to such evaluations; and the appropriate notification to the Plaintiff of the various alternative and risks involved in various modalities of treatment.

31. The Defendants, individually and through their respective agents and employees, violated the standard of care as practiced by reasonably competent health care providers under the same or similar circumstances. The negligent care and/or treatment by the Defendants includes, but is not limited to the following particulars:

- a. Failing to employ adequate diagnostic procedures and tests to determine the nature and severity of the medical status and/or condition(s) of the Plaintiff and Baby Girl Mack;
- b. Failing to employ appropriate treatments and procedures to correct such conditions(s).
- c. Failing to exercise reasonable care in evaluating the effects of any treatments chosen to address or correct such condition(s).
- d. Failing to exercise reasonable care in adjusting the chosen course of treatment or care provided to Ms. Mack in response to information available or obtained from diagnostic tests or procedures, including, but not limited to, fetal heart monitoring and ultrasound examinations;

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- e. Failing to communicate or consult with and otherwise obtain the services of a perinatologist or neonatologist to provide advice, guidance, care and treatment to Ms. Mack and to manage her prenatal and labor and delivery of Baby Girl Mack.
- f. Failing to exercise reasonable care in the performance and interpretation of physical examinations, diagnostic tests, ultrasonography and other antenatal surveillance procedures employed during the prenatal care of Ms. Mack;
- g. Failing to deliver to Baby Girl Mack, in a careful and expeditious fashion;
- h. Failing to appropriately and adequately obtain an informed consent from Ms. Mack;
- i. Failing to require the physicians and other care providers involved in the care and treatment of Ms. Mack to report and otherwise advise this Defendant of all the medically significant developments in the condition of Ms. Mack and/or Baby Girl Mack;
- j. Being otherwise careless and negligent.

32. As a direct and proximate result of the negligent acts and/or omissions of Defendants, Plaintiff **JAQUAILIA MACK** experienced emotional anguish as well as fear and anxiety, inconvenience and discomfort, and was in no way contributorily negligent.

33. It is further alleged that the Plaintiff has incurred hospital, surgical, pharmacological, nursing, psychological and other losses and expenses, for which claim is made. The Plaintiff refers to the negligence of the Defendants and each of them, as the sole

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and proximate cause of all the injuries and damages sustained, including the death of the Baby Girl Mack, without the Plaintiff or the fetus-decedent being contributorily negligent.

WHEREFORE, Plaintiff **JAQUAILIA MACK** demands a judgment in excess of Seventy Five Thousand Dollars (\$75,000.00) as full compensatory damages against the Defendants jointly and severally, plus interest, costs and any and all other relief this Court may deem appropriate.

COUNT II
RESPONDEAT SUPERIOR

(Against Defendants Dimensions Health Corporation,
Dimensions Healthcare Associates, Inc., Family Health and Wellness)

Plaintiff **JAQUILIA MACK** hereby sues and bring this medical malpractice claim against the Defendants, jointly and severally, and alleges as follows:

34. Plaintiff adopts by reference the allegations contained in paragraphs 1 through 33 above as if fully set forth fully herein.

35. At all times relevant herein, **HENRY ADEGBULUGBE, M.D., TORRE HALSCOTT, M.D., MARIE-CHRISTINE NKODO, M.D.,** and **LASEKAM BOSEDE, C.N.M.** were acting within in scope of their employment when providing medical treatment to the Plaintiff **JAQUAILIA MACK** and Plaintiffs' fetus decedent and acting as an apparent agents, servants and/or employees of Defendants **DIMENSIONS HEALTH CORPORATION DIMENSIONS HEALTHCARE ASSOCIATES, INC.,** and Family Health and Wellness.

36. As a direct and proximate cause of result of **HENRY ADEGBULUGBE, M.D., TORRE HALSCOTT, M.D., MARIE-CHRISTINE NKODO, M.D.,** and **LASEKAM BOSEDE, C.N.M.** failures to comply with medical policies and procedures, or otherwise observe the requisite standard of care, the Plaintiff **JAQUAILIA MACK** emotional anguish as well as fear and anxiety, inconvenience and discomfort, and Plaintiffs' fetus decedent experienced

conscious pain and suffering, inconvenience and discomfort, and died untimely on February 22, 2016.

37. The acts committed by Henry Adegbulugbe, M.D., Torre Halscott, M.D., Marie-Christine Nkodo, M.D., and Lasekam Bosede, C.N.M. were in furtherance of their employment with **DIMENSIONS HEALTH CORPORATION, DIMENSIONS HEALTHCARE ASSOCIATES, INC.**, Family Health and Wellness.

38. **DIMENSIONS HEALTH CORPORATION, DIMENSIONS HEALTHCARE ASSOCIATES, INC.**, and Family Health and Wellness are vicariously liable for the medical negligence of Henry Adegbulugbe, M.D., Torre Halscott, M.D., Marie-Christine Nkodo, M.D., and Lasekam Bosede, C.N.M.

WHEREFORE, Plaintiff **JAQUAILIA MACK** demands a judgment in excess of Seventy Five Thousand Dollars (\$75,000.00) as full compensatory damages against the Defendants jointly and severally, plus interest, costs and any and all other relief this Court may deem appropriate.

COUNT III
WRONGFUL DEATH CLAIM
(Against all Defendants)

Plaintiffs **JAQUAILIA MACK** and **DEANGELO BOONE** hereby sue and bring this wrongful death claim against the Defendants, jointly and severally, and alleges as follows:

39. Plaintiffs adopt by reference the allegations contained in paragraphs 1 through 38 above as if fully set forth fully herein.

40. **JAQUAILIA MACK** was the biological mother of Baby Girl Mack at the time of her death and brings this claim pursuant to the Maryland Wrongful Death Act.

41. **DEANGELO BOONE** was the biological father of Baby Girl Mack at the time of her death and brings this claim pursuant to the Maryland Wrongful Death Act.

42. Defendants **DIMENSIONS HEALTH CORPORATION, DIMENSIONS HEALTHCARE ASSOCIATES, INC., FAMILY HEALTH AND WELLNESS, HENRY ADEGBULUGBE, M.D., TORRE HALSCOTT, M.D., MARIE-CHRISTINE NKODO, M.D., and LASEKAM BOSEDE, C.N.M.** failed to exercise the degree of care, skill, and judgment which is expected of reasonably competent health care providers, acting in the same or similar circumstances and were therefore negligent in the management, care and treatment of the fetus decedent.

43. As a direct and proximate result of the negligence of the aforesaid Defendants, which wrongfully caused the death of Baby Girl Mack, Plaintiffs **JAQUAILIA MACK** and **DEANGELO BOONE** have in the past, is presently, and will in the future continue to suffer enormous grief, pecuniary loss, mental anguish, emotional pain and suffering, the loss of society, loss of companionship, comfort, and love of their daughter.

44. As a result of the negligence of the Defendants, the Plaintiffs allege that they have in the past, presently, and will in the future incur hospital, pharmacological, nursing, psychiatric and other losses and expenses including funeral and cremation expenses for which claim is made.

WHEREFORE, Plaintiffs **JAQUAILIA MACK** and **DEANGELO BOONE** demand a judgment in excess of Seventy Five Thousand Dollars (\$75,000.00) as full compensatory damages against the Defendants jointly and severally, plus interest, costs and any and all other relief this Court may deem appropriate.

COUNT IV
LACK OF INFORMED CONSENT
(Against all Defendants)

45. Plaintiff **JAQUAILIA MACK** adopts by reference the allegations contained in paragraphs 1 through 44 above as if fully set forth fully herein.

46. At all times relevant to this suit, Plaintiff **JAQUAILIA MACK** had a health care provider-patient relationship with each of the Defendants.

47. The Plaintiff alleges that at all times relevant the Defendants represented to the Plaintiff **JAQUAILIA MACK** and the public that they possessed the degree of skill, knowledge, and ability possessed by reasonably competent medical practitioners, practicing under the same or similar circumstances as those involving Plaintiff **JAQUAILIA MACK**.

48. The Defendants owed a duty to the Plaintiff **JAQUAILIA MACK** to exercise the degree of care, skill, and judgment expected of a competent medical practitioner acting in the same or similar circumstances, which duty included employing the proper screening procedures, providing informed consent, and the duty of performance of adequate and proper tests and procedures to determine the appropriateness of the medical procedures sought and continuous evaluation of Plaintiff's treatment, and the adjustment of the course of treatment in response to ongoing surveillance and evaluation, all of which the Defendants failed to do.

49. Before any treatments were performed on Plaintiff **JAQUAILIA MACK** and with full knowledge of Ms. Mack's past medical history, Defendants failed to inform Plaintiff **JAQUAILIA MACK** of potential risks, alternative treatments related to material changes in her pregnancy, those being oligohydramnios and intrauterine growth restriction.

50. By failing to inform Plaintiff **JAQUAILIA MACK** of the nature of the risks inherent in the particular treatment proposed and followed by the Defendants, the probabilities of success, the frequency of the occurrence the particular risks, the nature of available alternatives to the treatment, the Defendants breached their duty to secure the fully informed consent of Plaintiff prior to commencing the course of treatment.

51. Plaintiff **JAQUAILIA MACK** was in no way contributorily negligent and relied upon the expertise of the Defendants to adequately inform her of the nature risk posed by the treatment.

52. As a result of the Defendants' failure to fully inform Plaintiff **JAQUAILIA MACK** of the nature of the risks inherent in the particular treatment proposed and followed by the Defendants, Plaintiff **JAQUAILIA MACK** suffered long and painful bouts of agonizing discomfort and pain followed by a recuperative period, has in the past, is presently, and will in the future continue to suffer enormous grief, pecuniary loss, mental anguish, emotional pain and suffering, the loss of society, loss of companionship, comfort, and love.

WHEREFORE, Plaintiff **JAQUAILIA MACK** demand a judgment in excess of Seventy Five Thousand Dollars (\$75,000.00) as full compensatory damages against the Defendants jointly and severally, plus interest, costs and any and all other relief this Court may deem appropriate.

COUNT V
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
(Against all Defendants)

53. Plaintiff **JAQUAILIA MACK** adopts by reference the allegations contained in paragraphs 1 through 52 above as if fully set forth fully herein.

54. At all times relevant to this suit, Plaintiff **JAQUAILIA MACK** had a health care provider-patient relationship with each of the Defendants.

55. As a direct and proximate result of the negligent acts and/or omissions of Defendants, Plaintiff **JAQUAILIA MACK** experienced emotional distress and depression as well as grief and anguish, that arose as the result of the termination of her pregnancy of Baby Girl Mack.


56. It is further alleged that the Plaintiff has incurred psychological and other losses and expenses, for which claim is made. The Plaintiff refers to the negligence of the Defendants and each of them, as the sole and proximate cause of all the injuries and damages sustained, including the emotional distress resulting from the termination of pregnancy and death of the Baby Girl Mack, without the Plaintiff or the fetus-decedent being contributorily negligent.

WHEREFORE, Plaintiff **JAQUAILIA MACK** demands a judgment in excess of Seventy Five Thousand Dollars (\$75,000.00) as full compensatory damages against the Defendants jointly and severally, plus interest, costs and any and all other relief this Court may deem appropriate.

DATED: August 1th 2018

JACKSON & ASSOCIATES LAW FIRM, LLC

By:


Tiffany Sims, Esquire
1300 Caraway Court, Suite 100
Largo, Maryland 20774
301 883 0800 Tel.
301 883 0801 Fax
tsims@jacksonassociateslawfirm.com
Counsel for Plaintiffs

PLAINTIFF HEREBY DEMANDS A TRIAL BY JURY

The Plaintiff demand trial by jury as to all issues contained herein.


Tiffany Sims, Esquire