

CANDYCE LONG  
4714 Wakefield Road, Apt. 303  
Baltimore, Maryland 21216

Plaintiff

v.

CAREN CRAIG, M.D.  
301 St. Paul Place, Suite 421  
Baltimore, Maryland 21202

and

ST. PAUL PLACE SPECIALISTS, INC.  
301 St. Paul Place  
Baltimore, Maryland 21201

Serve on Resident Agent:

Linda H. Jones  
218 N. Charles Street, Suite 400  
Baltimore, Maryland 21201

and

ROBERT O. ATLAS, M.D.  
301 St. Paul Place, Suite 306  
Baltimore, Maryland 21202

and

MERCY MEDICAL CENTER, INC.  
301 St. Paul Place  
Baltimore, Maryland 21202

Serve on Resident Agent:

Linda H. Jones  
218 N. Charles Street, Suite 400  
Baltimore, Maryland 21201

Defendants

IN THE  
CIRCUIT COURT  
FOR  
BALTIMORE CITY

Case No.:

24-CV-11-007877

CIVIL DIVISION

2011 DEC -1 PM 2:19

Case# 24-CV-11-007877	
CV File New	
appear fee	\$50.00
appear fee	\$50.00
appear fee	\$50.00
FILE	\$25.00
TOTAL	\$175.00

Receipt #201120027025  
Case# 24-CV-11-007877  
12/02/11 10:12PM

**COMPLAINT**

**COUNT I**

COMES NOW the Plaintiff, Candyce Long, by her attorneys, Jonathan Schochor, James D. Cardea, and Schochor, Federico and Staton, P.A. and sues, Caren Craig, M.D., St. Paul Place Specialists, Inc., Robert O. Atlas, M.D., and Mercy Medical Center, Inc., Defendants:

1. At all times of which the Plaintiff complains, the Defendants Craig and Atlas 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.

2. The Plaintiff alleges that the Defendants Craig and Atlas herein, including duly authorized agents and/or employees of the Defendant Hospital, owed to the Plaintiff the duty 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 diagnostic tests and procedures to determine the nature and severity of the Plaintiff's condition, careful diagnosis of such condition, employment of appropriate procedures, surgery and/or treatment to correct such conditions without injury upon the Plaintiff, continuous evaluation of the Plaintiff's condition and the effects of such treatment, and adjustment of the course of treatment in response to such ongoing surveillance and evaluation -- all of which these Defendants failed to do.

3. The Defendants Craig and Atlas were negligent in that they failed to employ appropriate treatment, surgery, tests and/or procedures, failed to carefully and thoroughly evaluate the Plaintiff's condition, failed to properly and appropriately diagnose the Plaintiff's condition, failed to thoroughly evaluate the effects and results of any tests and/or procedures performed, failed to properly evaluate the effects of chosen treatment, failed to adjust the Plaintiff's treatment in response to appropriate evaluation of the effects of treatment, failed to

properly monitor the course of the Plaintiff's condition and treatment, failed to employ adequate and proper diagnostic procedures and/or tests to determine the nature and extent of the Plaintiff's condition, and were otherwise negligent.

4. The Plaintiff alleges that the Defendant St. Paul Place Specialists, Inc., through its agents, servants and employees, owed to the Plaintiff 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 diagnostic tests and procedures to determine the nature and severity of the Plaintiff's condition, careful diagnosis of such condition, employment of appropriate procedures, tests, surgery and/or treatment to correct such conditions without inflicting injury upon the Plaintiff, continuous evaluation of the Plaintiff's condition and effects of such treatment, and the adjustment of the course of treatment in response to ongoing surveillance and evaluation -- all of which the Defendant failed to do.

5. The Defendant St. Paul Place Specialists, Inc., through its agents, servants and/or employees, was negligent in that it failed to employ appropriate treatment, surgery and/or procedures, failed to carefully and thoroughly evaluate the Plaintiff's condition, failed to thoroughly evaluate the effects and results of any tests, treatment and/or procedures performed, failed to adjust the Plaintiff's treatment in response to appropriate evaluation of the effects of treatment, failed to properly monitor the course of the Plaintiff's condition and treatment, failed to employ adequate and proper diagnostic procedures and/or tests to determine the nature and extent of the Plaintiff's condition, failed to diagnose the Plaintiff's condition and was otherwise negligent.

6. The Plaintiff alleges that the Defendant Mercy Medical Center, Inc. (hereinafter referred to as "Hospital"), through its agents, servants and employees, owed to the Plaintiff 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 diagnostic tests and procedures to determine the nature and severity of the Plaintiff's condition, careful diagnosis of such condition, employment of appropriate procedures, tests, surgery and/or treatment to correct such conditions without inflicting injury upon the Plaintiff, continuous evaluation of the Plaintiff's condition and effects of such treatment, and the adjustment of the course of treatment in response to ongoing surveillance and evaluation -- all of which the Defendant failed to do.

7. The Defendant Hospital, through its agents, servants and/or employees, was negligent in that it failed to employ appropriate treatment, surgery and/or procedures, failed to carefully and thoroughly evaluate the Plaintiff's condition, failed to thoroughly evaluate the effects and results of any tests, treatment and/or procedures performed, failed to adjust the Plaintiff's treatment in response to appropriate evaluation of the effects of treatment, failed to properly monitor the course of the Plaintiff's condition and treatment, failed to employ adequate and proper diagnostic procedures and/or tests to determine the nature and extent of the Plaintiff's condition, failed to diagnose the Plaintiff's condition and was otherwise negligent. At all times referred to herein, the Defendant Craig acted for herself and as a duly authorized agent and/or employee of the Defendant St. Paul Place Specialists, Inc. and/or the Defendant Hospital, acting within the scope of her authority. Additionally, it is alleged that at all times referred to herein, the Defendant Atlas acted for himself and as a duly authorized agent and/or employee of the Defendant Hospital, acting within the scope of his authority.

8. As a direct and proximate result of the negligence of these Defendants and each of them, the Plaintiff suffered unending physical pain, emotional anguish as well as fear and anxiety, and the loss of her baby on December 27, 2010.

9. On October 7, 2010, the Plaintiff, Candyce Long, a 25-year-old pregnant female, presented to the Defendant Craig for prenatal examination. At all times referred to herein, the Defendant Craig held herself out to be an expert in obstetrics. After examination, ultrasound was scheduled for October 10, 2010 which confirmed a viable intrauterine gestation, with an estimated date of confinement of June 4, 2011. Due to the fact that the Plaintiff is diabetic, she was additionally referred to the Defendant Atlas. At all times referred to herein, it is alleged that the Defendant Atlas held himself out to be an expert in obstetrics and a subspecialist in maternal/fetal medicine.

10. On October 18, 2010, it is alleged that the Plaintiff presented to the Defendant Atlas for examination and care. At that time, it is alleged that the Defendant Atlas noted the fact that the Plaintiff suffered with an incompetent cervix and would require a cerclage at a later date.

11. On October 27, 2010, it is alleged that the Plaintiff returned to the Defendant Atlas' office to undergo ultrasound which was unremarkable with a normal baby *in utero*.

12. The Plaintiff returned to the Defendant Craig on November 15, 2010. No cervical examination was performed at that time. Thereafter on November 26, 2010, the Plaintiff returned to the Defendant Atlas for repeat ultrasonography, which was normal.

13. On December 15, 2010, the Plaintiff presented to the Defendant Hospital's emergency department with complaints of pelvic pain. She was examined and found that the pregnancy was normal. She was thereafter discharged to her home.

14. On December 17, 2010, the Plaintiff presented to the Defendant Craig for follow-up. At that time, she asked when she would receive the cerclage. The Defendant Craig then informed the Plaintiff that she would have to contact the Defendant Atlas to schedule the cerclage. Accordingly, the Plaintiff contacted the Defendant Atlas' office and was given an appointment to receive the cerclage on January 4, 2011.

15. On December 25, 2010, the Plaintiff presented to the Defendant Hospital with complaints of leakage of fluid. She was found to have a 2 centimeter dilatation of the cervix at that time. She was counseled that she had a poor prognosis for the normal birth of her baby since she had not received a cerclage in a timely fashion.

16. On December 27, 2010, the Plaintiff presented to a different hospital with complaints of heavy bleeding, in addition to the presence of fetal parts in the vaginal area. Thereafter, she delivered a stillborn male. She was subsequently taken to an operating room for the delivery of the placenta and was thereafter discharged to her home.

17. It is alleged that these Defendants and each of them had a duty in conformity with the standards of care to perform a simple cerclage procedure in a timely fashion. Further, it is alleged that both failed to do so at all. As the direct and proximate result, the Plaintiff's Decedent was left to progress with her pregnancy without the cerclage, thereby directly and proximately resulting in premature labor and the loss of her baby.

18. It is alleged that had each of these Defendants acted in conformity with the standards of care, a timely cerclage would have been completed, and the Plaintiff would have progressed to full term and the birth of a normal, healthy son.

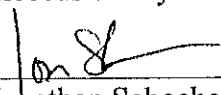
19. It is alleged that the Plaintiff has in the past, is presently and will in the future continue to suffer physical pain, emotional anguish as well as fear and anxiety over the loss of

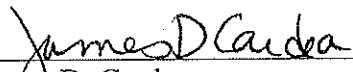
her baby. Additionally, it is alleged that she has in the past, is presently, and will in the future continue to incur hospital, surgical, pharmacological and other losses and expenses for which claim is made.


20. It is alleged that the negligence of these Defendants and each of them has resulted in the destruction of the quality of the Plaintiff's life. She has lost her former state of physical and emotional well-being. The loss of her baby represents a tragedy from which she will never recover.

21. The Plaintiff refers to the negligence of these Defendants and each of them as the sole and proximate cause of all of the injuries and damages, as well as the loss of her baby -- with the Plaintiff being in no way contributorily negligent.

22. The negligence complained of occurred in Baltimore City. Venue is claimed in Baltimore City. The amount in controversy exceeds Thirty Thousand Dollars (\$30,000.00).

  
Jonathan Schochor

  
James D. Cardea

  
Schochor, Federico and Staton, P.A.  
The Paulton  
1211 St. Paul Street  
Baltimore, Maryland 21202  
(410) 234-1000

Attorneys for the Plaintiff

CANDYCE LONG

Plaintiff

v.

CAREN CRAIG, M.D., et al

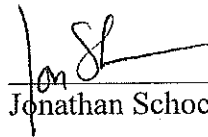
Defendants

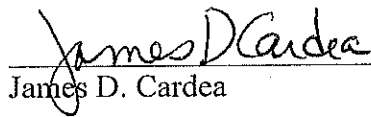
: IN THE  
: CIRCUIT COURT  
: FOR  
: BALTIMORE CITY  
: Case No.:

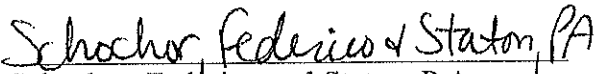
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**ELECTION FOR JURY TRIAL**

The Plaintiff in this case elects to try her case before a Jury.

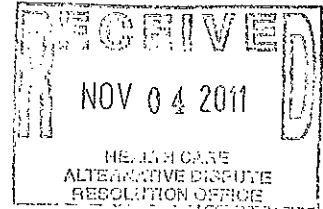
  
Jonathan Schochor

  
James D. Cardea

  
Schochor, Federico and Staton, P.A.  
The Paulton  
1211 St. Paul Street  
Baltimore, Maryland 21202  
(410) 234-1000

Attorneys for the Plaintiff





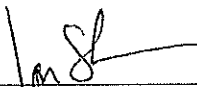
CANDYCE LONG : BEFORE THE  
 Claimant : HEALTH CARE  
 v. : ALTERNATIVE DISPUTE  
 CAREN CRAIG, M.D., et al : RESOLUTION OFFICE  
 Defendants : HCA No.:


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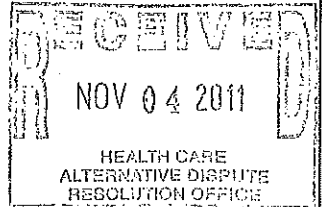
**ELECTION FOR WAIVER OF ARBITRATION**

COMES NOW the Claimant, Candyce Long, by her attorneys, Jonathan Schochor, James D. Cardea and Schochor, Federico and Staton, P.A., and file this Election for Waiver of Arbitration pursuant to the Annotated Code of Maryland, Courts and Judicial Proceedings Article, Section 3-2A-06B. For reasons in support thereof, the Claimant respectfully represents:

1. The Claimant has elected to waive arbitration in the above-captioned case to save time and expense associated herewith.
2. That after filing, this election shall be binding on all parties.

  
 \_\_\_\_\_  
 Jonathan Schochor

  
 \_\_\_\_\_  
 James D. Cardea  
 Schochor, Federico and Staton, P.A.  
 The Paulton  
 1211 St. Paul Street  
 Baltimore, Maryland 21202  
 (410) 234-1000  
 Attorneys for the Claimant



CANDYCE LONG : BEFORE THE  
Claimant : HEALTH CARE  
v. : ALTERNATIVE DISPUTE  
CAREN CRAIG, M.D., ET. AL : RESOLUTION OFFICE  
Defendants : OF MARYLAND  
: Case No.  
: : : : : : : : : : : :

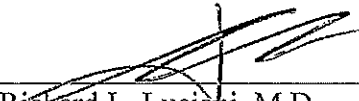
**CLAIMANTS' CERTIFICATE OF MERIT**

I HEREBY CERTIFY and acknowledge that I have reviewed the hospital records, medical records, and other documentation pertaining to the facts and circumstances in the above-captioned case.

I hereby certify and acknowledge that there have been violations of the standards of care by Caren Craig, M.D., St. Paul Place Specialists, Inc. Robert Atlas, M.D. and Mercy Medical Center, Inc. which have directly and proximately resulted in damages and injuries to the Claimant.

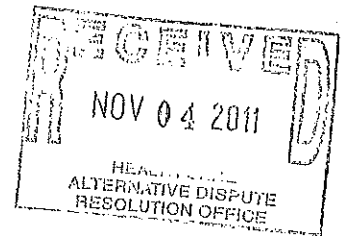
I certify that I am a board-certified expert in obstetrics and gynecology. I further certify that I have had clinical experience, provided consultation relating to clinical practice and/or taught medicine in the Defendant's specialty or a related field of health-care, or in the field of health care in which the Defendant provided care or treatment to the Claimant, within five (5) years of the date of the alleged act or omission giving rise to the cause of action.

I acknowledge that less than 20% of my annual professional time directly involves testimony in personal injury claims. My report in the above-referenced case is attached hereto.

  
Richard L. Luciani, M.D.

*Cathy Mascello*  
CATHY A. MASIELLO  
A NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Nov. 28, 2015

Jonathan Schochor, Esquire  
Schochor, Federico and Staton, P.A.  
The Paulton  
1211 St. Paul Street  
Baltimore, Maryland 21202



Re: Candyce Long

Dear Mr. Schochor:

This is to acknowledge that after a review of the medical records and other material involved in the above-referenced case, I have concluded that there have been violations of the standards of care by Caren Craig, M.D., St. Paul Place Specialists, Inc., Robert Atlas, M.D. and Mercy Medical Center, Inc. which have directly and proximately resulted in damages and injuries to the Claimant.

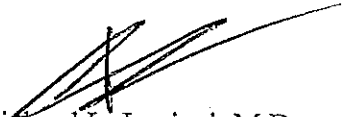
It is my opinion that the Defendants breached the standards of care by negligently failing to perform a cerclage during Ms. Long's pregnancy. Although a plan had been established to perform a cerclage, all of these Defendants failed to carry the plan through and perform a cerclage as required by the standards of care. As a result of these Defendants' negligence, Ms. Long experienced premature cervical dilatation that resulted in a premature delivery of a stillborn infant. It is my opinion that had the Defendants complied with the applicable standards of care that all of the injuries and damages sustained by Ms. Long would have been avoided. Additionally, I incorporate the Complaint filed in this case by reference.

I certify that I am a board-certified expert in obstetrics and gynecology. I further certify that I have had clinical experience, provided consultation relating to clinical practice and/or taught medicine in the Defendants' specialty or a related field of health-care, or in the field of health care in which the Defendants provided care or treatment to the Claimant, within five (5) years of the date of the alleged act or omission giving rise to the cause of action.

Accordingly, I have concluded that the case filed before the Health Care Alternative Dispute Resolution Office of Maryland is meritorious. I also acknowledge that less than twenty percent of my annual professional time involves testimony in personal injury claims.

This report represents a broad summary of my opinions for purposes of certifying the merit of this matter. I specifically reserve the right to modify, amend and/or supplement my opinions as further information about this case is made available to me through the discovery process.

Very truly yours,

  
Richard L. Luciani, M.D.

CANDYCE LONG	*	IN THE
	*	HEALTH CARE
Claimant	*	ALTERNATIVE DISPUTE
v.	*	RESOLUTION OFFICE
CAREN CRAIG, M.D., et al.	*	HCA NO. 2011-597
Defendants	*	
	*	

\*\*\*\*\*

**ORDER OF TRANSFER**

The Claimants, having elected a Waiver of Arbitration under the provisions of the Annotated Code of Maryland, Courts and Judicial Proceedings Article, Section 3-2A-06B, it is this 14th day of November, 2011, by the Health Care Alternative Dispute Resolution Office,

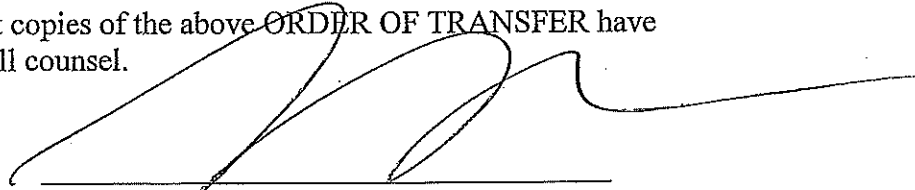
ORDERED that this case shall be and is hereby, transferred to the Circuit Court for Baltimore City.



\_\_\_\_\_  
HARRY L. CHASE, DIRECTOR  
Health Care Alternative Dispute Resolution Office

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that copies of the above ORDER OF TRANSFER have been mailed, postage prepaid, to all counsel.



\_\_\_\_\_  
HARRY L. CHASE, DIRECTOR

RECEIVED  
CIRCUIT COURT OF BALTIMORE COUNTY  
BALTIMORE, MARYLAND

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CIVIL DIVISION

Circuit Court for Baltimore City

City or County

**CIVIL - NON-DOMESTIC CASE INFORMATION REPORT**

**DIRECTIONS:**

*Plaintiff: This Information Report must be completed and attached to the complaint filed with the Clerk of Court unless your case is exempted from the requirement by the Chief Judge of the Court of Appeals pursuant to Rule 2-111(a). A copy must be included for each defendant to be served.*

*Defendant: You must file an Information Report as required by Rule 2-323(h).*

**THIS INFORMATION REPORT CANNOT BE ACCEPTED AS AN ANSWER OR RESPONSE.**

FORM FILED BY:  PLAINTIFF  DEFENDANT CASE NUMBER \_\_\_\_\_ (Clerk to insert)

CASE NAME: Long vs. Craig, et al  
Plaintiff Defendant

JURY DEMAND:  Yes  No Anticipated length of trial: \_\_\_\_\_ hours or 10 days  
RELATED CASE PENDING?  Yes  No If yes, Case #(s), if known: \_\_\_\_\_

Special Requirements?  Interpreter (Please attach Form CC-DC 41)  
 ADA accommodation (Please attach Form CC-DC 49)

**NATURE OF ACTION  
(CHECK ONE BOX)**

**DAMAGES/RELIEF**

<p><b>TORTS</b></p> <input type="checkbox"/> Motor Tort <input type="checkbox"/> Premises Liability <input type="checkbox"/> Assault & Battery <input type="checkbox"/> Product Liability <input checked="" type="checkbox"/> Professional Malpractice <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Business & Commercial <input type="checkbox"/> Libel & Slander <input type="checkbox"/> False Arrest/Imprisonment <input type="checkbox"/> Nuisance <input type="checkbox"/> Toxic Torts <input type="checkbox"/> Fraud <input type="checkbox"/> Malicious Prosecution <input type="checkbox"/> Lead Paint <input type="checkbox"/> Asbestos <input type="checkbox"/> Other _____	<p><b>LABOR</b></p> <input type="checkbox"/> Workers' Comp. <input type="checkbox"/> Wrongful Discharge <input type="checkbox"/> EEO <input type="checkbox"/> Other _____	<p><b>A. TORTS</b></p> <p>Actual Damages</p> <input type="checkbox"/> Under \$7,500 <input type="checkbox"/> \$7,500 - \$50,000 <input type="checkbox"/> \$50,000 - \$100,000 <input checked="" type="checkbox"/> Over \$100,000	<input type="checkbox"/> Medical Bills \$ _____ <input type="checkbox"/> Property Damages \$ _____ <input type="checkbox"/> Wage Loss \$ _____
<p><b>REAL PROPERTY</b></p> <input type="checkbox"/> Judicial Sale <input type="checkbox"/> Condemnation <input type="checkbox"/> Landlord Tenant <input type="checkbox"/> Other _____	<p><b>CONTRACTS</b></p> <input type="checkbox"/> Insurance <input type="checkbox"/> Confessed Judgment <input type="checkbox"/> Other _____	<p><b>B. CONTRACTS</b></p> <input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000 - \$20,000 <input type="checkbox"/> Over \$20,000	<p><b>C. NONMONETARY</b></p> <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Injunction <input type="checkbox"/> Other _____

**ALTERNATIVE DISPUTE RESOLUTION INFORMATION**

Is this case appropriate for referral to an ADR process under Md. Rule 17-101? (Check all that apply)

A. Mediation  Yes  No  
 B. Arbitration  Yes  No  
 C. Settlement Conference  Yes  No  
 D. Neutral Evaluation  Yes  No

**TRACK REQUEST**

With the exception of Baltimore County and Baltimore City, please fill in the estimated LENGTH OF TRIAL. THIS CASE WILL THEN BE TRACKED ACCORDINGLY.

1/2 day of trial or less  
 1 day of trial time  
 2 days of trial time  
 3 days of trial time  
 More than 3 days of trial time

PLEASE SEE PAGE TWO OF THIS FORM FOR INSTRUCTIONS PERTAINING TO THE BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM AND COMPLEX SCIENCE AND/OR MEDICAL CASE MANAGEMENT PROGRAM (ASTAR), AS WELL AS ADDITIONAL INSTRUCTIONS IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, PRINCE GEORGE'S COUNTY, OR BALTIMORE COUNTY.

Date 11/30/11 Signature [Signature]

**BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM**

*For all jurisdictions, if Business and Technology track designation under Md. Rule 16-205 is requested, attach a duplicate copy of complaint and check one of the tracks below.*

**Expedited**  
Trial within 7 months  
of Filing

**Standard**  
Trial within 18 months  
of Filing

**EMERGENCY RELIEF REQUESTED** \_\_\_\_\_  
Signature Date

**COMPLEX SCIENCE AND/OR MEDICAL CASE  
MANAGEMENT PROGRAM (ASTAR)**

*FOR PURPOSES OF POSSIBLE SPECIAL ASSIGNMENT TO AN ASTAR RESOURCE JUDGE under Md. Rule 16-202.  
Please check the applicable box below and attach a duplicate copy of your complaint.*

Expedited - Trial within 7 months of Filing

Standard - Trial within 18 months of Filing

**IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, PRINCE GEORGE'S COUNTY, OR BALTIMORE COUNTY PLEASE FILL OUT THE APPROPRIATE BOX BELOW.**

**CIRCUIT COURT FOR BALTIMORE CITY (CHECK ONLY ONE)**

- Expedited Trial 60 to 120 days from notice. Non-jury matters.
- Standard-Short Trial 210 days.
- Standard Trial 360 days.
- Lead Paint Fill in: Birth Date of youngest plaintiff \_\_\_\_\_.
- Asbestos Events and deadlines set by individual judge.
- Protracted Cases Complex cases designated by the Administrative Judge.

**CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY**

To assist the Court in determining the appropriate Track for this case, check one of the boxes below. This information is not an admission and may not be used for any purpose other than Track Assignment.

- Liability is conceded.
- Liability is not conceded, but is not seriously in dispute.
- Liability is seriously in dispute.

**CIRCUIT COURT FOR BALTIMORE COUNTY**

- |  |   |
|--|---|
| <input type="checkbox"/> Expedited<br>(Trial Date-90 days)                     | Attachment Before Judgment, Declaratory Judgment (Simple), Administrative Appeals, District Court Appeals and Jury Trial Prayers, Guardianship, Injunction, Mandamus.   |
| <input type="checkbox"/> Standard<br>(Trial Date-240 days)                     | Condemnation, Confessed Judgments (Vacated), Contract, Employment Related Cases, Fraud and Misrepresentation, International Tort, Motor Tort, Other Personal Injury, Workers' Compensation Cases.   |
| <input checked="" type="checkbox"/> Extended Standard<br>(Trial Date-345 days) | Asbestos, Lender Liability, Professional Malpractice, Serious Motor Tort or Personal Injury Cases (medical expenses and wage loss of \$100,000, expert and out-of-state witnesses (parties), and trial of five or more days), State Insolvency. |
| <input type="checkbox"/> Complex<br>(Trial Date-450 days)                      | Class Actions, Designated Toxic Tort, Major Construction Contracts, Major Product Liabilities, Other Complex Cases.   |