

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Galloway-Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Michael A. Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Lakeisha Galloway-Smith, as Co-Personal *
Representative of the *
Estate of Legacy Michael Landon Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Michael Smith, as Co-Personal *
Representative of the *
Estate of Legacy Michael Landon Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Lakeisha Galloway-Smith, as next of kin for *
Destiny Grant *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Lakeisha Galloway-Smith, as next of kin for *
Majesty Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Michael Smith, as next of kin for *
Majesty Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *
Plaintiff(s) *

CASE NO.: C-18-946

FILED
2018 JAN 29 PM 2:04
CIRCUIT COURT
BALTIMORE COUNTY

cc: D H M H

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Case: 03-cv-10-00004b
Cr-LVII F111
Appearance fee 180.00
Kirk-Neu Case 100.00
Misc 130.00
TOTAL 410.00

COMMENT:
Baltimore Police et al vs Greater Baltimore
Medical Center et al

RECEIPT #201000000001
Cashier: IVY CLARK/ANBEC
01/30/18 9:17am

v.

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Greater Baltimore Medical Center, Inc.
6701 N. Charles Street
Towson, Maryland 21204

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SERVE ON:
Amy Heinrich, Esquire
One South Street – 20th Floor
Baltimore Maryland 21202

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Merryman and Allen, L.L.C.
6569 North Charles Street – Suite 501
Baltimore Maryland 21204

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SERVE ON:
Ginny M. Merryman
6569 North Charles Street – Suite 501
Baltimore Maryland 21204

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Dominique Allen, M.D.
6569 North Charles Street – Suite 501
Baltimore Maryland 21204

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Ginny Merryman, M.D.
6569 N. Charles Street – Suite 501
Baltimore, Maryland 21204

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Shama Jari, M.D.
6701 N. Charles Street – Suite 2310
Towson, Maryland 21204

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SERVE ON:
Amy Heinrich, Esquire
One South Street – 20th Floor
Baltimore Maryland 21202

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Sabah M. Helou, M.D.
6701 N. Charles Street – Room 2358
Baltimore, Maryland 21204-6808

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SERVE ON:
Amy Heinrich, Esquire
One South Street – 20th Floor
Baltimore Maryland 21202

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Antonie D. Kline, M.D. *
6701 N. Charles Street – Suite 2326 *
Baltimore, Maryland 21204 *
SERVE ON: *
Amy Heinrich, Esquire *
One South Street – 20th Floor *
Baltimore Maryland 21202 *

Victor Khouzami, M.D. *
6565 N. Charles Street – Suite 406 *
Baltimore, Maryland 21204 *
SERVE ON: *
Amy Heinrich, Esquire *
One South Street – 20th Floor *
Baltimore Maryland 21202 *

Gregory Marinkovich, M.D. *
6701 N. Charles Street – Room 2358 *
Baltimore, Maryland 21204 *
SERVE ON: *
Amy Heinrich, Esquire *
One South Street – 20th Floor *
Baltimore Maryland 21202 *

Cynthia Arnold, CRPN *
6701 N. Charles Street *
Baltimore, Maryland 21204 *
SERVE ON: *
Amy Heinrich, Esquire *
One South Street – 20th Floor *
Baltimore Maryland 21202 *

M. Shervill *
6701 N. Charles Street *
Baltimore, Maryland 21204 *
SERVE ON: *
Amy Heinrich, Esquire *
One South Street – 20th Floor *
Baltimore Maryland 21202 *

Claire Weitz, M.D. *
6701 N. Charles Street *
Baltimore, Maryland 21204 *
SERVE ON: *
Amy Heinrich, Esquire *
One South Street – 20th Floor *
Baltimore Maryland 21202 *

Unknown Physician #1 *
6701 N. Charles Street *
Baltimore, Maryland 21204 *
SERVE ON: *
Amy Heinrich, Esquire *
One South Street – 20th Floor *
Baltimore Maryland 21202 *

Unknown Physician #2 *
6701 N. Charles Street *
Baltimore, Maryland 21204 *
SERVE ON: *
Amy Heinrich, Esquire *
One South Street – 20th Floor *
Baltimore Maryland 21202 *

Mars *
6701 N. Charles Street *
Baltimore, Maryland 21204 *
SERVE ON: *
Amy Heinrich, Esquire *
One South Street – 20th Floor *
Baltimore Maryland 21202 *

Defendant(s)/Health Care Provider *

COMPLAINT AND DEMAND FOR JURY TRIAL

NOW COMES PLAINTIFF(S) Lakeisha Galloway-Smith, Michael A. Smith, Legacy Michael Landon Smith and Destiny Grant, by his/her/their attorney(s), Marlene A. Johnson, Esquire and the Law Office of Marlene A. Johnson, P.C., files this Complaint and respectfully represents as follows:

SECTION 1: PARTIES

1. **That the victims whose treatment is the subject of the instant claim are Lakeisha Galloway-Smith and Legacy Michael Landon Smith.**
2. **Plaintiff(s) Lakeisha Galloway-Smith is an adult resident of Maryland living at 4 Overmill Court, Owings Mills, Maryland 21117.**
3. **Plaintiff(s) Lakeisha Galloway-Smith is not a member of the Armed Forces of the United States or its allies.**
4. **Plaintiff(s) Lakeisha Galloway-Smith is the biological mother of the late Legacy Michael Landon Smith.**
5. **Plaintiff(s) Michael A. Smith is an adult resident of Maryland living at 4 Overmill Court, Owings Mills, Maryland 21117.**
6. **Plaintiff(s) Michael A. Smith is not a member of the Armed Forces of the United States or its allies.**
7. **Plaintiff(s) Michael Smith is the biological father of the late Legacy Michael Landon Smith.**
8. **That Legacy Michael Landon Smith was born on July 14, 2014 and died on July 15, 2014 without a will.**
9. **That on or about July 14, 2017, Lakeisha Galloway-Smith and Michael Smith were appointed by the Register of Wills for Baltimore County, as Co-Personal Representatives of the Estate of Legacy Michael Landon Smith.**
10. **Plaintiff(s) Destiny Grant is a minor child and resident of Maryland living at 4 Overmill Court, Owings Mills, Maryland 21117.**
11. **Plaintiff(s) Destiny Grant is not a member of the Armed Forces of the United States or its allies.**
12. **Plaintiff(s) Destiny Grant is the biological ½ sister of the late Legacy Michael Landon Smith.**
13. **Plaintiff(s) Majesty Smith is a minor child and resident of Maryland living at 4 Overmill Court, Owings Mills, Maryland 21117.**
14. **Plaintiff(s) Majesty Smith is not a member of the Armed Forces of the United States or its allies.**
15. **Plaintiff(s) Majesty Smith is the biological sister of the late Legacy Michael Landon Smith.**
16. **That the Defendant Greater Baltimore Medical Center, Inc. is a Maryland Corporation, whose principal place of business is located at 6701 N. Charles Street, Baltimore, Maryland 21204.**
17. **That at all times complained of Defendant Greater Baltimore Medical Center, Inc. was engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held itself out to the public to possess the necessary licenses and certifications to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).**

18. That the Defendant **Merryman and Allen, L.L.C.** is a Maryland Limited Liability Company, whose principal place of business is located at 6569N. Charles Street, Towson, Maryland 21204.
19. That at all times complained of Defendant **Merryman and Allen, L.L.C.** engaged in the business of providing various obstetrical, gynecological and other medical services to patients, namely the services that are the subject matter of the instant case, and has held itself out to the public to possess the necessary licenses and certifications to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
20. That at all times complained of Defendant **Merryman and Allen, L.L.C.** was contracted by Greater Baltimore Medical Center, Inc. to provide obstetrical, gynecological and other medical services to patients and did indeed provide the said services that are the subject matter of the instant case.
21. That Plaintiff(s) have reason to believe that the Defendant **Dominique Allen, M.D.** is an adult citizen of the United States and a resident of Maryland.
22. That at all times complained of Defendant **Dominique Allen, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
23. That **Dominique Allen, M.D.**, through the company **Merryman and Allen, LLC.** and under privileges granted to her by Defendant **Greater Baltimore Medical Center, Inc.**, also engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held itself out to the public to possess the necessary licenses and certifications to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
24. That at all times complained of Defendant **Dominique Allen, M.D.** was employed by Defendant(s) **Merryman and Allen, L.L.C.** and/or **Greater Baltimore Medical Center, Inc.**
25. That Plaintiff(s) have reason to believe that the Defendant **Ginny Merryman, M.D.** is an adult citizen of the United States and a resident of Maryland.
26. That at all times complained of Defendant **Ginny Merryman, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
27. That **Ginny Merryman, M.D.**, through the company **Merryman and Allen, LLC.** and under privileges granted to her by Defendant **Greater Baltimore Medical Center, Inc.**, also engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held itself out to the public to possess the necessary licenses and certifications to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
28. That at all times complained of Defendant **Ginny Merryman, M.D.** was employed by Defendant(s) **Merryman and Allen, L.L.C.** and/or **Greater Baltimore Medical Center, Inc.**
29. That Plaintiff(s) have reason to believe that the Defendant **Shama Jari, M.D.** is an adult citizen of the United States and a resident of Maryland.
30. That at all times complained of Defendant **Shama Jari, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
31. That **Shama Jari, M.D.**, under privileges granted to her by Defendant **Greater Baltimore Medical Center, Inc.**, also engaged in the business of providing various medical services to patients,

namely the services that are the subject matter of the instant case, and has held itself out to the public to possess the necessary licenses and certifications to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).

32. That at all times complained of Defendant **Shama Jari, M.D.** was employed by Defendant(s) Greater Baltimore Medical Center, Inc.
33. That Plaintiff(s) have reason to believe that the Defendant **Sabah M. Helou, M.D.** is an adult citizen of the United States and a resident of Maryland.
34. That at all times complained of Defendant **Sabah M. Helou, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
35. That **Sabah M. Helou, M.D.**, under privileges granted to him by Defendant **Greater Baltimore Medical Center, Inc.**, also engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held himself out to the public to possess the necessary licenses and certifications to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
36. That at all times complained of Defendant **Sabah M. Helou, M.D.** was employed by Defendant(s) Greater Baltimore Medical Center, Inc.
37. That Plaintiff(s) have reason to believe that the Defendant **Antonie D. Kline, M.D.** is an adult citizen of the United States and a resident of Maryland.
38. That at all times complained of Defendant **Antonie D. Kline, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
39. That **Antonie D. Kline, M.D.**, under privileges granted to him by Defendant **Greater Baltimore Medical Center, Inc.**, also engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held himself out to the public to possess the necessary licenses and certifications to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
40. That at all times complained of Defendant **Antonie D. Kline, M.D.** was employed by Defendant(s) Greater Baltimore Medical Center, Inc.
41. That Plaintiff(s) have reason to believe that the Defendant **Victor Khouzami, M.D.** is an adult citizen of the United States and a resident of Maryland.
42. That at all times complained of Defendant **Victor Khouzami, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
43. That **Victor Khouzami, M.D.**, under privileges granted to him by Defendant **Greater Baltimore Medical Center, Inc.**, also engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held himself out to the public to possess the necessary licenses and certifications to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
44. That at all times complained of Defendant **Victor Khouzami, M.D.** was employed by Defendant(s) Greater Baltimore Medical Center, Inc.

45. That Plaintiff(s) have reason to believe that the Defendant **Gregory Marinkovich, M.D.** is an adult citizen of the United States and a resident of Maryland.
46. That at all times complained of Defendant **Gregory Marinkovich, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
47. That **Gregory Marinkovich, M.D.**, under privileges granted to him by Defendant **Greater Baltimore Medical Center, Inc.**, also engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held himself out to the public to possess the necessary licenses and certifications to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
48. That at all times complained of Defendant **Gregory Marinkovich, M.D.** was employed by Defendant(s) **Greater Baltimore Medical Center, Inc.**
49. That Plaintiff(s) have reason to believe that the Defendant **Cynthia Arnold, CRPN** is an adult citizen of the United States and a resident of Maryland.
50. That at all times complained of Defendant **Cynthia Arnold, CRPN** has held herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
51. That **Cynthia Arnold, CRPN**, under privileges granted to her by Defendant **Greater Baltimore Medical Center, Inc.**, engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case.
52. That at all times complained of Plaintiff(s) have reason to believe that Defendant **Cynthia Arnold, CRPN** was employed by Defendant(s) **Greater Baltimore Medical Center, Inc.**
53. That Plaintiff(s) have reason to believe that the Defendant **Claire Weitz, M.D.** is an adult citizen of the United States and a resident of Maryland.
54. That at all times complained of Defendant **Claire Weitz, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
55. That **Claire Weitz, M.D.**, under privileges granted to her by Defendant **Greater Baltimore Medical Center, Inc.**, also engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held himself out to the public to possess the necessary licenses and certifications to provide the services sought by Plaintiff(s) and/or authorized agent(s) of Plaintiff(s).
56. That at all times complained of Defendant **Claire Weitz, M.D.** was employed by Defendant(s) **Greater Baltimore Medical Center, Inc.**

SECTION 2: AMOUNT OF CLAIM AND VENUE

57. The amount of this claim exceeds **Thirty Thousand Dollars (\$30,000.00)** and venue is appropriate in Baltimore County, Maryland as the forum in which the Defendant/Health Care Provider carriers on a regular business and as the forum in which the cause of action arose.

SECTION 3: FACTS COMMON TO ALL COUNTS

58. On May 12, 2014, Plaintiff Lakeisha Galloway-Smith called Defendant Dominique Allen, M.D. regarding pain and discomfort that she experienced after being involved in a hit and run accident.
59. That during the telephone call with Defendant Dominique Allen, M.D. was advised to come into Defendant Greater Baltimore Medical Center's Labor and Delivery Department.
60. That on May 12, 2014, Plaintiff(s) Lakeisha Galloway-Smith, Michael Smith and Destiny Grant presented to Defendant Greater Baltimore Medical Center's Labor and Delivery Department for evaluation and treatment.
61. After being evaluated by an unknown nurse, Defendant Dominique Allen, M.D. conducted an evaluation of Plaintiff Lakeisha Galloway-Smith's condition and the condition of her unborn child including the following:
- a. Vaginal Exam
 - b. Oral Discussion with Plaintiff Lakeisha Galloway-Smith about her symptoms.
 - c. Among other things.
62. After the said evaluation, Defendant Dominique Allen, M.D. placed Plaintiff Lakeisha Galloway-Smith on an unknown monitor.
63. As a result of Plaintiff Lakeisha Galloway-Smith's softening cervix and other issues, she was kept overnight for observation in Defendant Greater Baltimore Medical Center's Labor and Delivery Department.
64. During this stay, Plaintiff Lakeisha Galloway-Smith was prescribed and given various unknown medications to stop the contracting and other symptoms.
65. After being monitored overnight without a further cervical or vaginal examination, Plaintiff Lakeisha Galloway-Smith was released with instructions to remain on bedrest, contact the Defendant Dominique Allen, M.D. should her symptoms worsen or if she saw vaginal bleeding and return for a follow-up appointment on May 19, 2014.
66. During the week following this hospital admission, Plaintiff Lakeisha Galloway-Smith remained on bedrest.
67. During the week following this hospital admission, Plaintiff Lakeisha Galloway-Smith received 1 telephone call from an unknown female who identified himself as calling from the Defendant Greater Baltimore Medical Center's Labor and Delivery Department. During this call, Plaintiff

Lakeisha Galloway-Smith advised the caller of her increasing discomfort, pressure and contractions and she was advised to keep her appointment on May 19, 2014.

68. On May 19, 2014, Plaintiff Lakeisha Galloway-Smith presented to Defendant Greater Baltimore Medical Center's Labor and Delivery Department for a follow-up examination which consisted of:
 - a. A transabdominal ultrasound by an unknown technician employed by Defendant Greater Baltimore Medical Center's Labor and Delivery Department.
 - b. A cervical ultrasound by an unknown technician employed by Defendant Greater Baltimore Medical Center's Labor and Delivery Department.
 - c. Oral discussion with the same unknown technician regarding the pressure, pain and contractions that Plaintiff Lakeisha Galloway-Smith was experiencing.
69. After the examination, the unknown technician left the room and returned with her supervisor.
70. After examining the ultrasound results, the unknown supervisor stated that she would get the doctor and return shortly. Defendant Victor Khouzami, M.D. returned to the room and reviewed the ultrasound results. After reviewing the ultrasound results, Defendant Victor Khouzami, M.D. advised Plaintiff Lakeisha Galloway-Smith that there was debris in the sac with the fetus, which he had never seen before.
71. During a discussion with Defendant Victor Khouzami, M.D. and Plaintiffs Lakeisha Galloway-Smith and Michael Smith, Plaintiffs Lakeisha Galloway-Smith and Michael Smith were:
 - a. Told that Plaintiff Lakeisha Galloway-Smith's cervix was completely open
 - b. Told that the fetal sac was bulging from the opening in the cervix.
 - c. Told that they were going to "lose the baby" and it was only a "matter of time"
 - d. Told that it was too late to save the baby as Plaintiff Lakeisha Galloway-Smith was already dilated.
72. Plaintiff Lakeisha Galloway-Smith inquired of Defendant Victor Khouzami, M.D. about additional options to try to save the baby and Defendant Victor Khouzami, M.D. replied that it was too late, that they should just let nature take its course and that Plaintiff Lakeisha Galloway-Smith was young and could try again.
73. Defendant Victor Khouzami, M.D. then provided Plaintiffs Lakeisha Galloway-Smith and Michael Smith with the following options on how they could prepare for the loss of the unborn fetus:
 - a. Stay in the hospital until the pregnancy was terminated naturally
 - b. Go home and wait until there was a rupture or close contractions
 - c. Attempt to abort the pregnancy by breaking the water to move the process along quicker
74. The Plaintiffs Lakeisha Galloway-Smith and Michael Smith decided that Plaintiff Lakeisha Smith would remain in Defendant Greater Baltimore Medical Center's Labor and Delivery Department until the child was born.

75. Plaintiffs Lakeisha Galloway-Smith and Michael Smith further inquired about the possibility of performing a clercage to try to save the baby. Defendant Victor Khouzami, M.D. replied that he could tell Plaintiffs why the clercage was not done sooner but that he was not willing to perform the clercage.
76. At the completion of the discussion, Defendant Victor Khouzami, M.D. informed Plaintiffs Lakeisha Smith and Michael Smith that they would be taken to Labor and Delivery where someone would make a plan of care for Plaintiff Lakeisha Galloway-Smith and the Plaintiffs Lakeisha Galloway-Smith and Michael Smith's unborn child.
77. After being transported to a room in Defendant's Greater Baltimore Medical Center's Labor and Delivery Department, Plaintiff Lakeisha Galloway-Smith was seen by Defendant Claire Weitz, M.D.
78. During Plaintiffs Lakeisha Smith and Michael Smith's discussion with Defendant Claire Weitz, M.D., Defendant Claire Weitz, M.D.:
 - a. Reiterated that Defendant Victor Khouzami, M.D. refused to perform the clercage in an attempt to save the life of the unborn child.
 - b. Stated that she would discuss this case with Defendant Dominique Allen, M.D, determine what should be done.
79. Defendant Claire Weitz, M.D. then ordered that Plaintiff Lakeisha Galloway-Smith be placed in Trendelenburg position.
80. Some time later, Defendant Claire Weitz, M.D. and Defendant Dominique Allen, M.D. returned to Plaintiff Lakeisha Galloway-Smith's room to discuss her condition and the following plan of care:
 - a. To keep Plaintiff Lakeisha Galloway-Smith in the Trendelenburg position until the next day
 - b. Perform another ultrasound on the morning of May 20, 2014 while both Defendant Claire Weitz, M.D. and Defendant Dominique Allen, M.D. were present.
 - c. Perform an emergency clercage.
 - d. That Plaintiff Lakeisha Galloway-Smith would remain in the hospital until the birth of Plaintiff Lakeisha Galloway-Smith and Michael Smith's child.
81. On the morning of May 20, 2014, an unknown tech employed by Defendant Greater Baltimore Medical Center performed an ultrasound in the presence of Defendant Claire Weitz, M.D. and Defendant Dominique Allen, M.D.
82. On May 20, 2014, Defendant Claire Weitz performed the clercage on Plaintiff Lakeisha Galloway-Smith in an attempt to prevent to immediate delivery of the unborn fetus.
83. After the procedure, Plaintiff Lakeisha Galloway-Smith was transported to a room.
84. For approximately 7-10 days, Plaintiff Lakeisha Galloway-Smith was not bathed nor were her hygiene needs cared for by Defendant Greater Baltimore Medical Center's nursing staff.

85. For approximately 7-10 days, Plaintiff Lakeisha Galloway-Smith's bedding was not changed by Defendant Greater Baltimore Medical Center's nursing staff.
86. At some time later, Plaintiff Lakeisha Galloway-Smith was transferred to Defendant Greater Baltimore Medical Center's High Risk Unit for further treatment.
87. Between May 12, 2014 and July 14, 2014, Plaintiff Lakeisha Galloway-Smith continued to contract daily.
88. At some point, Plaintiff Lakeisha Galloway-Smith began to be seen weekly by Defendant Greater Baltimore Medical Center's Neo-Natal Intensive Care unit to:
 - a. Check on the progress of Plaintiff's Lakeisha Galloway-Smith's unborn child
 - b. To discuss a plan of care for the unborn fetus
 - c. Advise Plaintiffs Lakeisha Galloway-Smith and Michael Smith of the percentage rate of survival for their unborn child.
89. That at some point, Lakeisha Galloway-Smith was returned to Defendant Greater Baltimore Medical Center's Labor and Delivery Department because of the decreased movement of Plaintiff Lakeisha Galloway-Smith's unborn child and more severe contractions.
90. While at Defendant Greater Baltimore Medical Center's Labor and Delivery Department, Plaintiff Lakeisha Galloway-Smith was given unknown medications which left her in and out of consciousness, tired, groggy and unable to move or talk.
91. There came a time that Plaintiffs Lakeisha Galloway-Smith and Michael Smith's unborn child began to show signs of distress, namely:
 - a. The unborn child's heart slowed and eventually stopped with each contraction that Plaintiff Lakeisha Galloway-Smith experienced.
92. That Plaintiff Lakeisha Galloway-Smith then overheard Defendant Unknown Physician asking another member of Defendant Greater Baltimore Center's staff the following questions:
 - a. "What was she given?"
 - b. "Was she giving too much?"
93. That despite Plaintiffs Lakeisha Galloway-Smith and Michael Smith's unborn child having reached the viability and the obvious signs of distress, Defendants failed to deliver their unborn child.
94. That Plaintiff Lakeisha Galloway-Smith was returned to Defendant Greater Baltimore Medical Center's High Risk Unit for further treatment.
95. This happened a second time with the same result.

96. That Plaintiffs Lakeisha Galloway-Smith and Michael Smith's unborn child continued to show the same signs of distress but Plaintiff Lakeisha Galloway-Smith was only given medication.
97. There came a time that Plaintiff Lakeisha Galloway-Smith demanded that tests be performed to determine if labor and delivery of her unborn child was imminent. The next morning certain unknown tests were performed and the Defendants determined that the labor and delivery of the baby was imminent. In response to this, Plaintiff Lakeisha Galloway-Smith was instructed not to leave the bed and was returned to the Trendelenburg position.
98. There came a time that Plaintiff Lakeisha Galloway-Smith, began to experience diarrhea. Plaintiff advised Defendants that she was concerned about something not being right because she also experienced diarrhea with her prior pregnancies just prior to delivery and that she believed that the delivery was close. Defendants did nothing to address Plaintiff Lakeisha Galloway-Smith's concerns or investigate these claims further.
99. On the evening of July 10, 2014, Plaintiff felt a gush from her vagina.
100. Plaintiff Lakeisha Galloway-Smith immediately called an unknown nurse within Defendant Greater Baltimore Medical Center's High Risk Unit to advise her of the same. The nurse immediately called an unknown person and unknown doctor employed by Defendant Greater Baltimore Medical Center came into the room and evaluated Plaintiff Lakeisha Galloway-Smith's condition and the condition of her unborn child.
101. The same unknown doctor only told Plaintiff Lakeisha Galloway-Smith that she was being transported back to Defendant Greater Baltimore Medical Center's Labor and Delivery Department.
102. Plaintiff Lakeisha Galloway-Smith asked an unknown nurse of Defendant Greater Baltimore Medical Center's High Risk Unit if her water broke and the unknown nurse replied that it looked like Plaintiff Lakeisha Galloway-Smith's amniotic sac ruptured and that he (referring to Plaintiff's unborn son) should be coming tonight. The said nurse also stated "Finally the Doctor should delivery him (referring to Plaintiff Lakeisha Galloway-Smith's unborn child). He would do better out than in"
103. After being transported to Defendant Greater Baltimore Medical Center's Labor and Delivery Department, Plaintiff Lakeisha Galloway-Smith was given more unknown medications and to stop the contractions.
104. Plaintiff Lakeisha Galloway-Smith and her unborn child were returned to Defendant Greater Baltimore Medical Center's High Risk Unit without delivering the baby and without further testing.
105. It was not until the morning of July 11, 2014, that Plaintiff Lakeisha Galloway-Smith received an ultrasound to determine the amount fluid remaining in the amniotic sac after demanding the same.

106. After the ultrasound, an unknown technician of the Defendant Greater Baltimore Medical Center's staff advised Plaintiff Lakeisha Galloway-Smith that the amniotic sac contained less fluid than the threshold required for the unborn child. Despite this finding, nothing was done to assist Plaintiff Lakeisha Galloway-Smith or her unborn child. Rather, Plaintiff Lakeisha Galloway-Smith was advised that the unborn child could live in the amniotic sac once ruptured.
107. On July 14, 2014, Plaintiff Lakeisha Galloway-Smith's contractions became very strong. Plaintiff Lakeisha Galloway-Smith was returned to Defendant Greater Baltimore Medical Center's Labor and Delivery Department.
108. Once in Defendant Greater Baltimore Medical Center's Labor and Delivery Department, Plaintiff Lakeisha Galloway-Smith was placed on a monitor and informed that she was not contracting.
109. Plaintiff Lakeisha Galloway-Smith then requested an epidural and Defendant Unknown Physician #2 refused to give her the same. Rather, Unknown Physician #2 prescribed and administered an unknown drug to Plaintiff Lakeisha Galloway-Smith that made her feel inebriated, dizzy and otherwise sick.
110. Plaintiff Lakeisha Galloway-Smith's cervix was checked again by an unknown nurse of Defendant Greater Baltimore Medical Center's Labor and Delivery Department informed Plaintiffs Lakeisha Galloway-Smith and Michael Smith that
 - a. she felt the unborn child's head and scar tissue;
 - b. she did not understand why Plaintiffs Lakeisha Galloway-Smith and Michael Smith's son has not been delivered yet;
 - c. Once the child pushed passed the scar tissue that he would be here;
 - d. Plaintiff Lakeisha Galloway-Smith was completely dilated;
 - e. That she was leaving the room but that Plaintiff Michael Smith should come and get her if Plaintiff Lakeisha Galloway-Smith felt the urge to push.
111. Shortly thereafter, Plaintiff Lakeisha Galloway-Smith felt the urge to push and Plaintiff Michael Smith ran to get the unknown nurse. Several presumed employees of Defendant Greater Baltimore Medical Center's Labor and Delivery Department ran into the room.
112. Unknown Physician #2 came into the room and stated "This can't be! I checked her!". Unknown Physician #2 also asked Plaintiff Lakeisha Galloway-Smith to "hold" her push because they had to set the room up and call for Defendant Greater Baltimore Medical Center's NeoNatal Intensive Care Unit.
113. Sometime later, one or more employees of Defendant Greater Baltimore Medical Center's NeoNatal Intensive Care Unit arrived to Plaintiff Lakeisha Galloway-Smith's room.
114. After being told to push by Unknown Physician #2, Legacy Michael Landon Smith was born on July 14, 2014 at 11:28 p.m. in Defendant Greater Baltimore Medical Center's Labor and Delivery Department.

115. Immediate after his birth, Legacy Smith was placed on top of Plaintiff Lakeisha Galloway-Smith's upper stomach area and Plaintiff Lakeisha Galloway-Smith heard a faint wimper from her son.
116. Immediately, Defendant Gregory Marinkovich and other staff of Defendant Greater Baltimore Medical Center's NeoNatal Intensive Care Unit took Legacy Smith to the opposite side of the room to begin treatment. As Defendant Gregory Marinkovich treated Legacy Smith, he began to scream at Defendant Unknown Physician, "What did you give her?". Defendant Unknown Physician replied with what Plaintiffs believe to be the list of medication(s) provided to Plaintiff Lakeisha Galloway-Smith prior delivery of Legacy Smith. Defendant Gregory Marinkovich then replied that it (referring to the medications) was too much.
117. Legacy Smith was removed from the delivery room and Plaintiffs Lakeisha Galloway-Smith and Michael Smith were told that they would be able to see Legacy in about an hour.
118. Within that hour, no one returned to check on Plaintiff Lakeisha Galloway-Smith condition or to update Plaintiffs Lakeisha Galloway-Smith and Michael Smith on the condition of their son.
119. After hearing nothing, Plaintiffs Lakeisha Galloway-Smith and Michael Smith walked from Defendant Greater Baltimore Medical Center's Labor and Delivery Department to Defendant Greater Baltimore Medical Center's NeoNatal Intensive Care Unit to check on their son's condition. Although Legacy was connected to various tubes and machines, he showed no obvious signs of distress. During Plaintiff Lakeisha Galloway-Smith and Michael Smith's visit with their son, neither Plaintiffs were updated on Legacy Smith's condition nor where they advised of any complication or imminent medical problems. Plaintiffs Lakeisha Galloway-Smith and Michael Smith remained with Legacy Smith until about 4:00 a.m.
120. On the morning of July 15, 2014, unbeknownst to Plaintiffs Lakeisha Galloway-Smith and Michael Smith, Legacy Smith began to experience unknown complications at some time between approximately 4:00 a.m. and 8:22 a.m. that required significant medical treatment.
121. At some time between 7:00 and 8:00 a.m., Plaintiff Lakeisha Smith called Defendant Greater Baltimore Medical Center's Labor and Delivery Department and inquired with an unknown employee of Defendant Greater Baltimore Medical Center's Labor and Delivery Department about Legacy's progress during the morning and about coming to see her son. Plaintiff Lakeisha Galloway-Smith was informed that the doctors were doing rounds and that she could not come up yet.
122. Approximately twenty (20) minutes later, Plaintiff was greeted by an unknown employee of Defendant Greater Baltimore Medical Center with a wheelchair and told that she needed to get to her son immediately, as he was not going to make it. Plaintiff Lakeisha Galloway-Smith replied that they must have the wrong child and the unknown employee informed her that the doctors were working on Legacy Smith all night.

123. At no time between the time that Plaintiffs Lakeisha Galloway-Smith and Michael Smith left Defendant Greater Baltimore Medical Center's Neo-Natal Intensive Care Unit and the time that the unknown employee came just after 8:00 am on the morning of July 15, 2014, did Plaintiffs Lakeisha Galloway-Smith and/or Michael Smith receive:
- a. any updates or calls regarding the decline in their son's condition;
 - b. medical options available to treat Legacy Smith's condition;
 - c. an opportunity to consent to 1 or more medical options for Legacy Smith;
 - d. any advice or information regarding Legacy Smith's need for additional medical treatment.
124. Unbeknownst to Plaintiffs Lakeisha Galloway-Smith and Michael Smith and without their consent, Legacy Smith was baptized by an unknown employee or contractor of Defendant Greater Baltimore Medical Center prior to his death.
125. Once Plaintiffs Lakeisha Galloway-Smith and Michael Smith reached the room where Legacy Smith was been treated, they found him laying on the table surrounded by doctors and other staff of Defendant Greater Baltimore Medical Center's Neo-Natal Intensive Care Unit. At that point, an unknown member of the Defendant Greater Baltimore Medical Center's staff asked for the time to be called and the time of death was called as 8:22 a.m.
126. That an autopsy was performed on Legacy Smith and the cause of death was determined to be Prematurity and Severe Respiratory Distress Syndrome.
127. That as a result of the circumstances herein complained of, Plaintiff Lakeisha Galloway-Smith was required to undergo Transabdominal Clereage which has precluded her from being able to have further vaginal births.
128. That **Plaintiff Lakeisha Galloway-Smith** has lost her former state of physical and emotional well-being, as a result of the loss of her son, **Legacy Michael Landon Smith**.
129. That **Plaintiff Michael Smith** has lost his former state of physical and emotional well-being, as a result of the loss of his son, **Legacy Michael Landon Smith**.
130. That the loss of Legacy Michael Landon Smith is a tragedy from which neither Plaintiff will be able to recover from.
131. That each Plaintiff has in the past, presently and will continue to suffer great physical pain, emotional anguish, as well as anxiety and fear over the loss of Legacy Michael Landon Smith. Additionally, each Plaintiff has in the past and will continue to incur hospital, surgical, physiotherapeutic, psychiatric and other losses and expenses for which this claim is made.
132. That each Defendant had a duty of care which they failed to provide.
133. That had each Defendant conformed with the applicable standards of care as it relates to the care of Plaintiff Lakeisha Galloway-Smith and the care of Legacy Michael Landon Smith prior to,

during and/or subsequent to his birth, Legacy Michael Landon Smith could have survived and/or lived a normal life.

134. The Plaintiffs believe that the negligence of these Defendants, collectively and individually, is the sole and proximate cause of all of the injuries herein complained, the damages suffered by each Plaintiff, and permanent physical and/or emotional disability suffered by each Plaintiff, with no Plaintiff being in no way contributorily negligent.

SECTION 4: PROCEDURE

135. That on or about July 14, 2017, Plaintiffs filed a Claim before the Health Care Alternative Dispute Resolution Office. *See attached as Plaintiff's Exhibit #1.*
136. That Plaintiffs have also filed a Certificate of Qualified Medical Expert of Frederick A. Gonzalez, M.D.
137. That Plaintiffs have waived Arbitration in this matter and files the herein Complaint before this Honorable Court.

SECTION 5: GROUNDS

COUNT NO. 1 – NEGLIGENCE

138. The Plaintiffs repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 – 137 of this Statement of Claim as though fully set forth herein.
139. That each Defendant owed to Plaintiffs a duty to exercise that degree of care, skill and judgment ordinarily expected of a reasonably competent practitioner in its chosen specialty acting in the same or similar circumstances. That duty included the employment of appropriate evaluation of Plaintiff Lakeisha Galloway-Smith's condition and the condition of her unborn child; appropriate notification to Plaintiff(s) of the various alternatives and risks involved in the various modalities of treatment; proper performance of all therapies and continuous evaluation and adjustment of the course of such treatment(s);
140. That each Defendant breached the accepted standards of care by its negligent acts and omissions, which include but are not limited to:
- a. Failing to exercise reasonable care in the timely and careful diagnosis and treatment of Plaintiff Lakeisha Galloway-Smith's condition and the condition of Plaintiff Lakeisha Galloway-Smith's unborn fetus;

- b. Failing to employ adequate diagnostic procedures and tests to determine the nature and severity of the medical status and/or conditions of **Plaintiff Lakeisha Galloway-Smith** and her **unborn fetus**.
- c. Failing to know, understand and utilize appropriate modalities, procedures, surgeries and techniques;
- d. Failing to act within the standard of care in their care and treatment of **Plaintiff Lakeisha Galloway-Smith** and her **unborn fetus**.
- e. Failing to thoroughly evaluate the effects and results of any tests, treatment, and/or procedures performed;
- f. Failed to properly monitor the course of **Plaintiff Lakeisha Galloway-Smith's** condition and the condition of **Plaintiff Lakeisha Galloway-Smith's unborn fetus**;
- g. Failing to act within the standard of care in their care and treatment of **Plaintiff Lakeisha Galloway-Smith** and her **unborn fetus**;
- h. Failing to exercise timely and reasonable care in adjusting the chosen course of treatment or care provided to **Plaintiff Lakeisha Galloway-Smith** and her **unborn fetus**.
- i. Failing to inform **Plaintiff Lakeisha Galloway-Smith** of the risks, benefits and viable alternative treatments to the care provided.
- j. And being otherwise careless, reckless and negligent.

141. As a direct and proximate result of the negligent, reckless and careless acts and omissions of each Defendant, each **Plaintiff** experienced the following:

- a. Loss of her child or brother;
- b. Fear and anxiety;
- c. Permanent and disabling injuries;
- d. Pain;
- e. Mental anguish;
- f. Unnecessary surgeries and procedures;
- g. Has been and will continue to be obligated to receive hospital and medical care;
- h. Has been and will continue to be prevented from engaging in their usual activities, duties and pursuits;
- i. Has incurred and will continue to incur medical expenses in the future;
- j. And has been otherwise hurt, injured and damaged.

142. **Plaintiff(s)** further avers that all of these injuries, harms and losses were caused by the negligent acts and omissions of each **Defendant** without any negligence or want of due care on the part of **Plaintiff(s)** thereunto contributing.

143. **Plaintiff(s)** further avers that the injuries, harms and losses sustained by **Plaintiff(s)** were due to the negligent, reckless and careless acts and omissions of each **Defendant**, through their agents, servants and/or employees, who breached the aforementioned duties of care to **Plaintiff(s)**.

WHEREFORE, each named **Plaintiff** respectfully requests the following:

- A. That this Honorable Court enter findings of fact and/or a judgement in favor of each **Plaintiff** and jointly and severely against EACH, ANY and/or all Defendants in the amount of \$5,000,000.00 in non-economic damages, economic damages, including but not limited to: funeral expenses, loss of wages, medical expenses, punitive damages plus interest, costs and other permissible damages;

- B. That the EACH, ANY and/or ALL Defendants be ordered to pay Plaintiff's counsel fees, and the costs of these proceedings and that the same be reduced to a judgment in favor of Plaintiff's and/or The Law Office of Marlene A. Johnson, P.C.;
- C. And such other and further relief as the nature of this cause may require.

COUNT NO. 2 – FAILURE TO PROVIDE INFORMED CONSENT

144. The Plaintiffs repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 – 137 of this Statement of Claim as though fully set forth herein.
145. That each Defendant, through their agents, servants and/or employees, real, apparent, and/or ostensible, owed to **Plaintiffs Lakeisha Galloway-Smith and Michael Smith** the duty of appropriate notification to **Plaintiff Lakeisha Galloway-Smith and Michael Smith** of the various alternatives and risks involved in the various modalities of treatment.
146. That each Defendant violated the Doctrine of Informed Consent. It is asserted that had these Defendants properly advised **Plaintiff(s), Plaintiff(s)** would have been able to determine the proper course from all of the choices provided. It is alleged that the Defendants' failure to provide **Plaintiff(s)** with their options, and their resultant failure to permit **Plaintiff(s)** to make an informed decision and consent appropriately violated the Doctrine of Informed Consent.
147. That each Defendant, through their agents, servants and/or employees, real, apparent, and/or ostensible, was negligent in failing to appropriately and adequately obtain informed consent from **Plaintiff Lakeisha Galloway-Smith and Michael Smith** and were otherwise negligent.
148. As a direct and proximate result of each Defendant's **negligent, reckless and careless acts and omissions in failing to obtain Plaintiffs Lakeisha Galloway-Smith and Michael Smith's informed consent**, each **Plaintiff** experienced the following:
- a. Loss of life of each Plaintiff's child or brother;
 - b. Fear and anxiety;
 - c. Permanent and disabling injuries;
 - d. Pain;
 - e. Mental anguish;
 - f. Unnecessary surgeries and procedures;
 - g. Has been and will continue to be obligated to receive hospital and medical care;
 - h. Has been and will continue to be prevented from engaging in his usual activities, duties and pursuits;
 - i. Has incurred and will continue to incur medical expenses in the future;
 - j. And has been otherwise hurt, injured and damaged.
149. **Plaintiff(s)** further avers that all of these injuries, harms and losses were caused by the failure to obtain informed consent from **Plaintiffs Lakeisha Galloway-Smith and Michael Smith** by each **Defendant**, through its agents, servants and/or employees, real, apparent and/or ostensible, without negligence or want of due care on the part of any **Plaintiff** thereunto contributing.

WHEREFORE, each named **Plaintiff** respectfully requests the following:

- A. That this Honorable Court enter findings of fact and/or a judgement in favor of each Plaintiff and jointly and severely against EACH, ANY and/or all Defendants in the amount of \$5,000,000.00 in non-economic damages, economic damages, including but not limited to: funeral expenses, loss of wages, medical expenses, punitive damages plus interest, costs and other permissible damages;
- B. That the EACH, ANY and/or ALL Defendants be ordered to pay Plaintiff's counsel fees, and the costs of these proceedings and that the same be reduced to a judgment in favor of Plaintiff's and/or The Law Office of Marlene A. Johnson, P.C.;
- C. And such other and further relief as the nature of this cause may require.

COUNT NO. 3 – NEGLIGENT HIRING

- 150. The Plaintiffs repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 – 137 of this Statement of Claim as though fully set forth herein.
- 151. That Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C. had a duty to hire, contract with and/or train competent staff to render the services sought by Plaintiffs.
- 152. That Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C. breached that duty by hiring Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2 and assigning these Defendants to rendered services to Plaintiff Lakeisha Galloway-Smith and Legacy Smith.
- 153. As a direct and proximate result of each Defendant's **negligent, reckless and careless acts and omissions in hiring** Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2 and assigning these Defendants to rendered services to Plaintiff Lakeisha Galloway-Smith and Legacy Smith., **each Plaintiff** experienced the following:
 - a. Loss of life of each Plaintiff's child or brother;
 - b. Fear and anxiety;
 - c. Permanent and disabling injuries;
 - d. Pain;
 - e. Mental anguish;
 - f. Unnecessary surgeries and procedures;
 - g. Has been and will continue to be obligated to receive hospital and medical care;
 - h. Has been and will continue to be prevented from engaging in his usual activities, duties and pursuits;
 - i. Has incurred and will continue to incur medical expenses in the future;
 - j. And has been otherwise hurt, injured and damaged.

WHEREFORE, each named **Plaintiff** respectfully requests the following:

- A. That this Honorable Court enter findings of fact and/or a judgement in favor of each Plaintiff and jointly and severely against EACH, ANY and/or all Defendants in the amount of \$5,000,000.00 in

non-economic damages, economic damages, including but not limited to: funeral expenses, loss of wages, medical expenses, punitive damages plus interest, costs and other permissible damages;

- B. That the EACH, ANY and/or ALL Defendants be ordered to pay Plaintiff's counsel fees, and the costs of these proceedings and that the same be reduced to a judgment in favor of Plaintiff's and/or The Law Office of Marlene A. Johnson, P.C.;
- C. And such other and further relief as the nature of this cause may require.

COUNT NO. 4 – NEGLIGENT SUPERVISION

154. The Plaintiffs repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 – 137 of this Statement of Claim as though fully set forth herein.
155. That Defendants Greater Baltimore Medical Center, Merryman and Allen, L.L.C., Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2 had a duty to supervise the staff assigned to render the services sought by Plaintiffs.
156. That Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C., Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2 breached that duty by hiring Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2 and assigning these Defendants to rendered services to Plaintiff Lakeisha Galloway-Smith and Legacy Smith.
157. As a direct and proximate result of each Defendant's **negligent, reckless and careless acts and omissions in hiring** Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2 and assigning these Defendants to rendered services to Plaintiff Lakeisha Galloway-Smith and Legacy Smith, **each Plaintiff** experienced the following:
- a. Loss of life of each Plaintiff's child or brother;
 - b. Fear and anxiety;
 - c. Permanent and disabling injuries;
 - d. Pain;
 - e. Mental anguish;
 - f. Unnecessary surgeries and procedures;
 - g. Has been and will continue to be obligated to receive hospital and medical care;
 - h. Has been and will continue to be prevented from engaging in his usual activities, duties and pursuits;
 - i. Has incurred and will continue to incur medical expenses in the future;
 - j. And has been otherwise hurt, injured and damaged.

WHEREFORE, each named **Plaintiff** respectfully requests the following:

- A. That this Honorable Court enter findings of fact and/or a judgement in favor of each Plaintiff and jointly and severely against EACH, ANY and/or all Defendants in the amount of \$5,000,000.00 in non-economic damages, economic damages, including but not limited to: funeral expenses, loss of wages, medical expenses, punitive damages plus interest, costs and other permissible damages;
- B. That the EACH, ANY and/or ALL Defendants be ordered to pay Plaintiff's counsel fees, and the costs of these proceedings and that the same be reduced to a judgment in favor of Plaintiff's and/or The Law Office of Marlene A. Johnson, P.C.;
- C. And such other and further relief as the nature of this cause may require.

COUNT NO. 5 – WRONGFUL DEATH – Claim of Lakeisha Galloway-Smith, as surviving mother of the late Legacy Michael Landon Smith

158. The Plaintiffs repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 – 137 of this Statement of Claim as though fully set forth herein.
159. That the death of the late **Legacy Michael Landon Smith** on **July 15, 2014** was directly and proximately caused by the negligent, reckless and careless actions of Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C., Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2.
160. That Plaintiff(s) **Lakeisha Galloway-Smith, Michael A. Smith, Majesty Smith and Destiny Grant**, as surviving relatives of **Legacy Michael Landon Smith** sustained pecuniary loss, mental anguish, emotional pain and suffering and other damages arising out of the death of **Legacy Michael Landon Smith**.

WHEREFORE, each named **Plaintiff** respectfully requests the following:

- A. That this Honorable Court enter findings of fact and/or a judgement in favor of each Plaintiff and jointly and severely against EACH, ANY and/or all Defendants in the amount of \$5,000,000.00 in non-economic damages, economic damages, including but not limited to: funeral expenses, loss of wages, medical expenses, punitive damages plus interest, costs and other permissible damages;
- B. That the EACH, ANY and/or ALL Defendants be ordered to pay Plaintiff's counsel fees, and the costs of these proceedings and that the same be reduced to a judgment in favor of Plaintiff's and/or The Law Office of Marlene A. Johnson, P.C.;
- C. And such other and further relief as the nature of this cause may require.

COUNT NO. 6 – WRONGFUL DEATH – Claim of Michael A. Smith, as surviving father of the late Legacy Michael Landon Smith

161. The Plaintiffs repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 – 137 of this Statement of Claim as though fully set forth herein.
162. That the death of the late **Legacy Michael Landon Smith** on **July 15, 2014** was directly and proximately caused by the negligent, reckless and careless actions of Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C., Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2.
163. That **Plaintiff(s) Lakeisha Galloway-Smith, Michael A. Smith, Majesty Smith and Destiny Grant**, as surviving relatives of **Legacy Michael Landon Smith** sustained pecuniary loss, mental anguish, emotional pain and suffering and other damages arising out of the death of **Legacy Michael Landon Smith**.

WHEREFORE, each named **Plaintiff** respectfully requests the following:

- A. That this Honorable Court enter findings of fact and/or a judgement in favor of each Plaintiff and jointly and severely against EACH, ANY and/or all Defendants in the amount of \$5,000,000.00 in non-economic damages, economic damages, including but not limited to: funeral expenses, loss of wages, medical expenses, punitive damages plus interest, costs and other permissible damages;
- B. That the EACH, ANY and/or ALL Defendants be ordered to pay Plaintiff's counsel fees, and the costs of these proceedings and that the same be reduced to a judgment in favor of Plaintiff's and/or The Law Office of Marlene A. Johnson, P.C.;
- C. And such other and further relief as the nature of this cause may require.

COUNT NO. 7 – WRONGFUL DEATH/VICARIOUS LIABILITY – Claim of Destiny Grant, as surviving sister of the late Legacy Michael Landon Smith

164. The Plaintiffs repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 – 137 of this Statement of Claim as though fully set forth herein.
165. That the death of the late **Legacy Michael Landon Smith** on **July 15, 2014** was directly and proximately caused by the negligent, reckless and careless actions of Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C., Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2.
166. That under Maryland Law, Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C. are vicariously liable for all of the negligent acts committed by its employees, contactors and/or agents, Defendants Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2

167. That Plaintiff(s) **Lakeisha Galloway-Smith, Michael A. Smith, Majesty Smith and Destiny Grant**, as surviving relatives of **Legacy Michael Landon Smith** sustained pecuniary loss, mental anguish, emotional pain and suffering and other damages arising out of the death of **Legacy Michael Landon Smith**.

WHEREFORE, each named Plaintiff respectfully requests the following:

- A. That this Honorable Court enter findings of fact and/or a judgement in favor of each Plaintiff and jointly and severely against EACH, ANY and/or all Defendants in the amount of \$5,000,000.00 in non-economic damages, economic damages, including but not limited to: funeral expenses, loss of wages, medical expenses, punitive damages plus interest, costs and other permissible damages;
- B. That the EACH, ANY and/or ALL Defendants be ordered to pay Plaintiff's counsel fees, and the costs of these proceedings and that the same be reduced to a judgment in favor of Plaintiff's and/or The Law Office of Marlene A. Johnson, P.C.;
- C. And such other and further relief as the nature of this cause may require.

COUNT NO. 8 – WRONGFUL DEATH

168. The Plaintiffs repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 – 137 of this Statement of Claim as though fully set forth herein.
169. That each Defendant owed to Plaintiffs a duty to exercise that degree of care, skill and judgment ordinarily expected of a reasonably competent practitioner in its chosen specialty acting in the same or similar circumstances. That duty included the employment of appropriate evaluation of Plaintiff Lakeisha Galloway-Smith's condition and the condition of her unborn child; appropriate notification to Plaintiff(s) of the various alternatives and risks involved in the various modalities of treatment; proper performance of all therapies and continuous evaluation and adjustment of the course of such treatment(s);
170. That each Defendant breached the accepted standards of care by its negligent acts and omissions, which include but are not limited to:
- a. Failing to exercise reasonable care in the timely and careful diagnosis and treatment of **Plaintiff Lakeisha Galloway-Smith's condition and the condition of Plaintiff Lakeisha Galloway-Smith's unborn fetus**;
 - b. Failing to employ adequate diagnostic procedures and tests to determine the nature and severity of the medical status and/or conditions of **Plaintiff Lakeisha Galloway-Smith and her unborn fetus**.
 - c. Failing to know, understand and utilize appropriate modalities, procedures, surgeries and techniques;
 - d. Failing to act within the standard of care in their care and treatment of **Plaintiff Lakeisha Galloway-Smith and her unborn fetus**.
 - e. Failing to thoroughly evaluate the effects and results of any tests, treatment, and/or procedures performed;
 - f. Failed to properly monitor the course of **Plaintiff Lakeisha Galloway-Smith's condition and the condition of Plaintiff Lakeisha Galloway-Smith's unborn fetus**;

- g. Failing to act within the standard of care in their care and treatment of **Plaintiff Lakeisha Galloway-Smith** and her **unborn fetus**;
 - h. Failing to exercise timely and reasonable care in adjusting the chosen course of treatment or care provided to **Plaintiff Lakeisha Galloway-Smith** and her **unborn fetus**.
 - i. Failing to inform **Plaintiff Lakeisha Galloway-Smith** of the risks, benefits and viable alternative treatments to the care provided.
 - j. And being otherwise careless, reckless and negligent.
171. As a direct and proximate result of the negligent, reckless and careless acts and omissions of each Defendant, each **Plaintiff** experienced the following:
- a. Loss of her child or brother;
 - b. Fear and anxiety;
 - c. Permanent and disabling injuries;
 - d. Pain;
 - e. Mental anguish;
 - f. Unnecessary surgeries and procedures;
 - g. Has been and will continue to be obligated to receive hospital and medical care;
 - h. Has been and will continue to be prevented from engaging in their usual activities, duties and pursuits;
 - i. Has incurred and will continue to incur medical expenses in the future;
 - j. And has been otherwise hurt, injured and damaged.
172. **Plaintiff(s)** further avers that all of these injuries, harms and losses were caused by the negligent acts and omissions of each **Defendant** without any negligence or want of due care on the part of **Plaintiff(s)** thereunto contributing.
173. **Plaintiff(s)** further avers that the injuries, harms and losses sustained by **Plaintiff(s)** were due to the negligent, reckless and careless acts and omissions of **each Defendant**, through their agents, servants and/or employees, who breached the aforementioned duties of care to **Plaintiff(s)**.
174. That the death of the late **Legacy Michael Landon Smith** on **July 15, 2014** was directly and proximately caused by the negligent, reckless and careless actions of Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C., Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2.
175. That **Plaintiff(s) Lakeisha Galloway-Smith, Michael A. Smith, Majesty Smith and Destiny Grant**, as surviving relatives of **Legacy Michael Landon Smith** sustained pecuniary loss, mental anguish, emotional pain and suffering and other damages arising out of the death of **Legacy Michael Landon Smith**.

WHEREFORE, each named **Plaintiff** respectfully requests the following:

- A. That this Honorable Court enter findings of fact and/or a judgement in favor of each **Plaintiff** and jointly and severely against **EACH, ANY** and/or all **Defendants** in the amount of **\$5,000,000.00** in non-economic damages, economic damages, including but not limited to: funeral expenses, loss of wages, medical expenses, punitive damages plus interest, costs and other permissible damages;

- B. That the EACH, ANY and/or ALL Defendants be ordered to pay Plaintiff's counsel fees, and the costs of these proceedings and that the same be reduced to a judgment in favor of Plaintiff's and/or The Law Office of Marlene A. Johnson, P.C.;
- C. And such other and further relief as the nature of this cause may require.

COUNT NO. 9 – SURVIVAL ACTION – Claim of the Estate of Legacy Michael Landon Smith
(Separately stated herein to further clarify the claims raised before the Health Care Alternative Dispute Resolution Office)

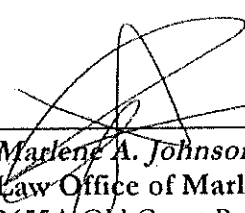
176. The Plaintiffs repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 – 137 of this Statement of Claim as though fully set forth herein.
177. That each Defendant owed to Plaintiffs a duty to exercise that degree of care, skill and judgment ordinarily expected of a reasonably competent practitioner in its chosen specialty acting in the same or similar circumstances. That duty included the employment of appropriate evaluation of Plaintiff Lakeisha Galloway-Smith's condition and the condition of her unborn child; appropriate notification to **Plaintiff(s)** of the various alternatives and risks involved in the various modalities of treatment; proper performance of all therapies and continuous evaluation and adjustment of the course of such treatment(s);
178. That each Defendant breached the accepted standards of care by its negligent acts and omissions, which include but are not limited to:
- a. Failing to exercise reasonable care in the timely and careful diagnosis and treatment of **Plaintiff Lakeisha Galloway-Smith's condition and the condition of Plaintiff Lakeisha Galloway-Smith's unborn fetus**;
 - b. Failing to employ adequate diagnostic procedures and tests to determine the nature and severity of the medical status and/or conditions of **Plaintiff Lakeisha Galloway-Smith and her unborn fetus**.
 - c. Failing to know, understand and utilize appropriate modalities, procedures, surgeries and techniques;
 - d. Failing to act within the standard of care in their care and treatment of **Plaintiff Lakeisha Galloway-Smith and her unborn fetus**.
 - e. Failing to thoroughly evaluate the effects and results of any tests, treatment, and/or procedures performed;
 - f. Failed to properly monitor the course of **Plaintiff Lakeisha Galloway-Smith's condition and the condition of Plaintiff Lakeisha Galloway-Smith's unborn fetus**;
 - g. Failing to act within the standard of care in their care and treatment of **Plaintiff Lakeisha Galloway-Smith and her unborn fetus**;
 - h. Failing to exercise timely and reasonable care in adjusting the chosen course of treatment or care provided to **Plaintiff Lakeisha Galloway-Smith and her unborn fetus**.
 - i. Failing to inform **Plaintiff Lakeisha Galloway-Smith** of the risks, benefits and viable alternative treatments to the care provided.
 - j. And being otherwise careless, reckless and negligent.
179. As a direct and proximate result of the negligent, reckless and careless acts and omissions of each Defendant, **each Plaintiff** experienced one or more of the following:

- a. Loss of life;
- b. Loss of her child or brother;
- c. Fear and anxiety;
- d. Permanent and disabling injuries;
- e. Pain;
- f. Mental anguish;
- g. Unnecessary surgeries and procedures;
- h. Has been and will continue to be obligated to receive hospital and medical care;
- i. Has been and will continue to be prevented from engaging in their usual activities, duties and pursuits;
- j. Has incurred and will continue to incur medical expenses in the future;
- k. And has been otherwise hurt, injured and damaged.

180. **Plaintiff(s)** further avers that all of these injuries, harms and losses were caused by the negligent acts and omissions of each **Defendant** without any negligence or want of due care on the part of **Plaintiff(s)** thereunto contributing.
181. **Plaintiff(s)** further avers that the injuries, harms and losses sustained by **Plaintiff(s)** were due to the negligent, reckless and careless acts and omissions of **each Defendant**, through their agents, servants and/or employees, who breached the aforementioned duties of care to **Plaintiff(s)**.

WHEREFORE, each named **Plaintiff** respectfully requests the following:

- A. That this Honorable Court enter findings of fact and/or a judgment in favor of each Plaintiff and jointly and severely against EACH, ANY and/or all Defendants in the amount of \$5,000,000.00 in non-economic damages, economic damages, including but not limited to: funeral expenses, loss of wages, medical expenses, punitive damages plus interest, costs and other permissible damages;
- B. That the EACH, ANY and/or ALL Defendants be ordered to pay Plaintiff's counsel fees, and the costs of these proceedings and that the same be reduced to a judgment in favor of Plaintiff's and/or The Law Office of Marlene A. Johnson, P.C.;
- C. And such other and further relief as the nature of this cause may require.



Marlene A. Johnson, Esquire
Law Office of Marlene A. Johnson, P.C.
3655A Old Court Road - Suite 11
Pikesville, Maryland 21208
Phone: (410) 921-9534
Fax: (410) 467-6900
Email: marleneajohnson@marleneajohnsonlaw.com
*Attorney for Lakeisha Galloway-Smith, Michael A. Smith, Estate of
Legacy Michael Landon Smith, Destiny Grant and Majesty Smith*

HEALTH CARE ALTERNATIVE DISPUTE RESOLUTION OFFICE
6 St. Paul Street, Suite 1501
Baltimore, Maryland 21202-1608
(410) 767-8200

CLAIM FORM

HCA NO.: _____

CLAIMANT(S)

hakeisha Smith
Name

Street Address

City, State, Zip Code

Michael Smith
Name

Street Address

City, State, Zip Code

See continuation sheet
Name

Street Address

City, State, Zip Code

(1) This claim is filed pursuant to Title 3, Subtitle 2A of the Courts Article. The damages claimed are in excess of \$30,000.00, and the appropriate venue is: Baltimore County.

(2) The basis of the claim is described on the page(s) attached hereto.

(3) The resolution of the claim will involve particular expertise in this area of specialty 015 029 030, 107.
(PLEASE SEE REVERSE SIDE FOR AREAS OF CONCENTRATION)

WARNING: Each Claimant has been advised that he/she may be held civilly liable for part or all the Costs resulting from the filing of this claim, whether it is won or lost; this would be an individual and personal responsibility.

ATTORNEY FOR CLAIMANT(S)

[Signature]
Signature
LAW OFFICE OF MARIANE A. JOHNSON P.C.
3655A Old Court Rd - Suite 111
Street Address

Pikesville MD 21088
City, State, Zip Code

(410) 921-9534
Telephone Number

HEALTH CARE PROVIDER(S)

Greater Baltimore Medical Center, Inc
Name

6701 N. Charles Street
Street Address

Baltimore, MD 21204
City, State, Zip Code

See continuation sheet
Name

Street Address

City, State, Zip Code

Name

Street Address

City, State, Zip Code

CLAIMANT(S)

[Signature]
Signature for each Claimant

HEALTH CARE ALTERNATIVE DISPUTE RESOLUTION OFFICE

6 St. Paul Street, Suite 1501
Baltimore, Maryland 21202-1608
(410) 767-8200

CLAIM FORM

HCA NO.: _____

CLAIMANT(S)

Lakisha Smith
Name
4 Overmill Court
Street Address
Owings Mills, MD
City, State, Zip Code

Michael Smith
Name
4 Overmill Court
Street Address
Owings Mills, MD 21117
City, State, Zip Code

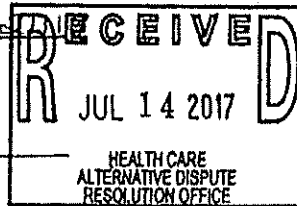
See continuation sheet
Name
Street Address
City, State, Zip Code

HEALTH CARE PROVIDER(S)

Greater Baltimore Medical Center, Inc
Name
6701 N. Charles Street
Street Address
Baltimore MD 21204
City, State, Zip Code

See continuation sheet
Name
Street Address
City, State, Zip Code

Name
Street Address
City, State, Zip Code



(1) This claim is filed pursuant to Title 3, Subtitle 2A of the Courts Article. The damages claimed are in excess of \$30,000.00, and the appropriate venue is: Baltimore County.

(2) The basis of the claim is described on the page(s) attached hereto.

(3) The resolution of the claim will involve particular expertise in this area of specialty 015,029,030,107.
(PLEASE SEE REVERSE SIDE FOR AREAS OF CONCENTRATION)

WARNING: Each Claimant has been advised that he/she may be held civilly liable for part or all the Costs resulting from the filing of this claim, whether it is won or lost; this would be an individual and personal responsibility.

ATTORNEY FOR CLAIMANT(S)

[Signature]
Signature
Law Office of Marlene A Johnson P.C
3655A Old Court Rd - Suite 11
Street Address
Pikerville MD 21208
City, State, Zip Code
(410) 921-9534
Telephone Number

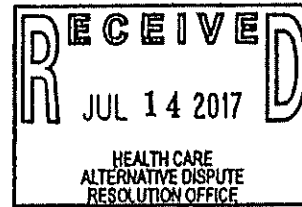
CLAIMANT(S)

[Signature]
Signature for each Claimant

ATTACHMENT TO CLAIM FORM #1

CLAIMANTS:

1. Lakeisha Galloway-Smith
4 Overmill Court
Owings Mills, Maryland 21117
2. Michael A. Smith
4 Overmill Court
Owings Mills, Maryland 21117
3. Lakeisha Galloway-Smith, as Co-Personal
Representative of the
Estate of Legacy Michael Landon Smith
4 Overmill Court
Owings Mills, Maryland 21117
4. Michael Smith, as Co-Personal
Representative of the
Estate of Legacy Michael Landon Smith
4 Overmill Court
Owings Mills, Maryland 21117
5. Lakeisha Galloway-Smith, as next of kin for
Destiny Grant
4 Overmill Court
Owings Mills, Maryland 21117
6. Lakeisha Galloway-Smith, as next of kin for
Majesty Smith
4 Overmill Court
Owings Mills, Maryland 21117
7. Michael Smith, as next of kin for
Majesty Smith
4 Overmill Court
Owings Mills, Maryland 21117

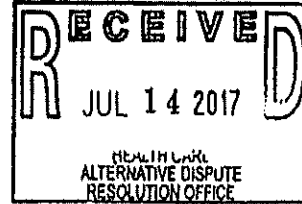


ATTACHMENT TO CLAIM FORM #2

DEFENDANTS/HEALTH PROVIDERS:

1. Greater Baltimore Medical Center, Inc.

6701 N. Charles Street
Towson, Maryland 21204
SERVE ON:
John B. Chessare
6701 N. Charles Street
Baltimore Maryland 21204



2. Merryman and Allen, L.L.C.

6569 North Charles Street – Suite 501
Baltimore Maryland 21204
SERVE ON:
Ginny M. Merryman
6569 North Charles Street – Suite 501
Baltimore Maryland 21204

3. Dominique Allen, M.D.

6569 North Charles Street – Suite 501
Baltimore Maryland 21204

4. Ginny Merryman, M.D.

6569 N. Charles Street – Suite 501
Baltimore, Maryland 21204

5. Shama Jari, M.D.

6701 N. Charles Street – Suite 2310
Towson, Maryland 21204

6. Sabah M. Helou, M.D.

6701 N. Charles Street – Room 2358
Baltimore, Maryland 21204-6808

7. Antonie D. Kline, M.D.

6701 N. Charles Street – Suite 2326
Baltimore, Maryland 21204

8. Victor Khouzami, M.D.

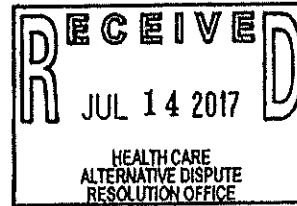
6565 N. Charles Street – Suite 406
Baltimore, Maryland 21204

9. Gregory Marinkovich, M.D.

6701 N. Charles Street – Room 2358
Baltimore, Maryland 21204

10. Cynthia Arnold, CRPN

6701 N. Charles Street
Baltimore, Maryland 21204



11. M. Shervill

6701 N. Charles Street
Baltimore, Maryland 21204

12. Claire Weitz, M.D.

6701 N. Charles Street
Baltimore, Maryland 21204

13. Unknown Physician #1

6701 N. Charles Street
Baltimore, Maryland 21204

14. Unknown Physician #2

6701 N. Charles Street
Baltimore, Maryland 21204

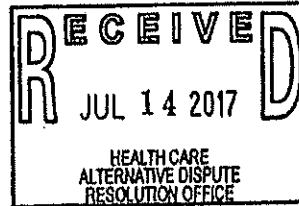
15. Mars

6701 N. Charles Street
Baltimore, Maryland 21204

BEFORE THE
HEALTH CARE ALTERNATIVE DISPUTE RESOLUTION OFFICE
OF MARYLAND

Lakeisha Galloway-Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Michael A. Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *



Lakeisha Galloway-Smith, as Co-Personal *
Representative of the *
Estate of Legacy Michael Landon Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Michael Smith, as Co-Personal *
Representative of the *
Estate of Legacy Michael Landon Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Lakeisha Galloway-Smith, as next of kin for *
Destiny Grant *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Lakeisha Galloway-Smith, as next of kin for *
Majesty Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Michael Smith, as next of kin for *
Majesty Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Claimant(s)

*

v.

*

HCA CASE NO.: TBD

Greater Baltimore Medical Center, Inc.
6701 N. Charles Street
Towson, Maryland 21204

*

*

SERVE ON:
John B. Chessare
6701 N. Charles Street
Baltimore Maryland 21204

*

*

*

Merryman and Allen, L.L.C.
6569 North Charles Street – Suite 501
Baltimore Maryland 21204

*

SERVE ON:
Ginny M. Merryman
6569 North Charles Street – Suite 501
Baltimore Maryland 21204

*

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Dominique Allen, M.D.
6569 North Charles Street – Suite 501
Baltimore Maryland 21204

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Ginny Merryman, M.D.
6569 N. Charles Street – Suite 501
Baltimore, Maryland 21204

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Shama Jari, M.D.
6701 N. Charles Street – Suite 2310
Towson, Maryland 21204

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Sabah M. Helou, M.D.
6701 N. Charles Street – Room 2358
Baltimore, Maryland 21204-6808

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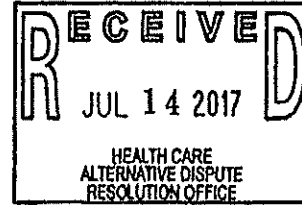
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Antonie D. Kline, M.D.
6701 N. Charles Street – Suite 2326
Baltimore, Maryland 21204

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Victor Khouzami, M.D.
6565 N. Charles Street – Suite 406
Baltimore, Maryland 21204

*
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Gregory Marinkovich, M.D.
6701 N. Charles Street – Room 2358
Baltimore, Maryland 21204

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Cynthia Arnold, CRPN
6701 N. Charles Street
Baltimore, Maryland 21204

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*

M. Shervill
6701 N. Charles Street
Baltimore, Maryland 21204

*
*
*

Claire Weitz, M.D.
6701 N. Charles Street
Baltimore, Maryland 21204

*
*

Unknown Physician #1
6701 N. Charles Street
Baltimore, Maryland 21204

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*

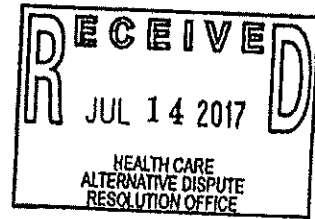
Unknown Physician #2
6701 N. Charles Street
Baltimore, Maryland 21204

*
*

Mars
6701 N. Charles Street
Baltimore, Maryland 21204

*
*

Defendant(s)/Health Care Provider



STATEMENT OF CLAIM

NOW COMES CLAIMANT(S) Lakeisha Galloway-Smith, Michael A. Smith, Legacy Michael Landon Smith and Destiny Grant, by his/her/their attorney(s), Marlene A. Johnson, Esquire and the

Law Office of Marlene A. Johnson, P.C., files this Statement of Claim in support of the Claim Form contemporaneously filed in this matter and respectfully represents as follows:

SECTION 1: PARTIES

1. That the victims whose treatment is the subject of the instant claim are Lakeisha Galloway-Smith and Legacy Michael Landon Smith.
2. Claimant(s) Lakeisha Galloway-Smith is an adult resident of Maryland living at 4 Overmill Court, Owings Mills, Maryland 21117.
3. Claimant(s) Lakeisha Galloway-Smith is not a member of the Armed Forces of the United States or its allies.
4. Claimant(s) Lakeisha Galloway-Smith is the biological mother of the late Legacy Michael Landon Smith.
5. Claimant(s) Michael A. Smith is an adult resident of Maryland living at 4 Overmill Court, Owings Mills, Maryland 21117.
6. Claimant(s) Michael A. Smith is not a member of the Armed Forces of the United States or its allies.
7. Claimant(s) Michael Smith is the biological father of the late Legacy Michael Landon Smith.
8. That Legacy Michael Landon Smith was born on July 14, 2014 and died on July 15, 2014 without a will.
9. That on or about July 14, 2017, Lakeisha Galloway-Smith and Michael Smith were appointed by the Register of Wills for Baltimore County, as Co-Personal Representatives of the Estate of Legacy Michael Landon Smith.
10. Claimant(s) Destiny Grant is a minor child and resident of Maryland living at 4 Overmill Court, Owings Mills, Maryland 21117.
11. Claimant(s) Destiny Grant is not a member of the Armed Forces of the United States or its allies.
12. Claimant(s) Destiny Grant is the biological ½ sister of the late Legacy Michael Landon Smith.
13. Claimant(s) Majesty Smith is a minor child and resident of Maryland living at 4 Overmill Court, Owings Mills, Maryland 21117.
14. Claimant(s) Majesty Smith is not a member of the Armed Forces of the United States or its allies.
15. Claimant(s) Majesty Smith is the biological sister of the late Legacy Michael Landon Smith.

16. That the Defendant Greater Baltimore Medical Center, Inc. is a Maryland Corporation, whose principal place of business is located at 6701 N. Charles Street, Baltimore, Maryland 21204.
17. That at all times complained of Defendant Greater Baltimore Medical Center, Inc. was engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held itself out to the public to possess the necessary licenses and certifications to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
18. That the Defendant **Merryman and Allen, L.L.C.** is a Maryland Limited Liability Company, whose principal place of business is located at 6569N. Charles Street, Towson, Maryland 21204.
19. That at all times complained of Defendant **Merryman and Allen, L.L.C.** engaged in the business of providing various obstetrical, gynecological and other medical services to patients, namely the services that are the subject matter of the instant case, and has held itself out to the public to possess the necessary licenses and certifications to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
20. That at all times complained of Defendant **Merryman and Allen, L.L.C.** was contracted by Greater Baltimore Medical Center, Inc. to provide obstetrical, gynecological and other medical services to patients and did indeed provide the said services that are the subject matter of the instant case.
21. That Claimant(s) have reason to believe that the Defendant **Dominique Allen, M.D.** is an adult citizen of the United States and a resident of Maryland.
22. That at all times complained of Defendant **Dominique Allen, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
23. That **Dominique Allen, M.D.**, through the company **Merryman and Allen, LLC.** and under privileges granted to her by Defendant **Greater Baltimore Medical Center, Inc.**, also engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held itself out to the public to possess the necessary licenses and certifications to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
24. That at all times complained of Defendant **Dominique Allen, M.D.** was employed by Defendant(s) **Merryman and Allen, L.L.C.** and/or **Greater Baltimore Medical Center, Inc.**
25. That Claimant(s) have reason to believe that the Defendant **Ginny Merryman, M.D.** is an adult citizen of the United States and a resident of Maryland.
26. That at all times complained of Defendant **Ginny Merryman, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
27. That **Ginny Merryman, M.D.**, through the company **Merryman and Allen, LLC.** and under privileges granted to her by Defendant **Greater Baltimore Medical Center, Inc.**, also engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held itself out to the public to possess the necessary licenses and certifications to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
28. That at all times complained of Defendant **Ginny Merryman, M.D.** was employed by Defendant(s) **Merryman and Allen, L.L.C.** and/or **Greater Baltimore Medical Center, Inc.**

29. That Claimant(s) have reason to believe that the Defendant **Shama Jari, M.D.** is an adult citizen of the United States and a resident of Maryland.
30. That at all times complained of Defendant **Shama Jari, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
31. That **Shama Jari, M.D.,** under privileges granted to her by Defendant **Greater Baltimore Medical Center, Inc.,** also engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held itself out to the public to possess the necessary licenses and certifications to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
32. That at all times complained of Defendant **Shama Jari, M.D.** was employed by Defendant(s) **Greater Baltimore Medical Center, Inc.**
33. That Claimant(s) have reason to believe that the Defendant **Sabah M. Helou, M.D.** is an adult citizen of the United States and a resident of Maryland.
34. That at all times complained of Defendant **Sabah M. Helou, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
35. That **Sabah M. Helou, M.D.,** under privileges granted to him by Defendant **Greater Baltimore Medical Center, Inc.,** also engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held himself out to the public to possess the necessary licenses and certifications to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
36. That at all times complained of Defendant **Sabah M. Helou, M.D.** was employed by Defendant(s) **Greater Baltimore Medical Center, Inc.**
37. That Claimant(s) have reason to believe that the Defendant **Antonie D. Kline, M.D.** is an adult citizen of the United States and a resident of Maryland.
38. That at all times complained of Defendant **Antonie D. Kline, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
39. That **Antonie D. Kline, M.D.,** under privileges granted to him by Defendant **Greater Baltimore Medical Center, Inc.,** also engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held himself out to the public to possess the necessary licenses and certifications to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
40. That at all times complained of Defendant **Antonie D. Kline, M.D.** was employed by Defendant(s) **Greater Baltimore Medical Center, Inc.**
41. That Claimant(s) have reason to believe that the Defendant **Victor Khouzami, M.D.** is an adult citizen of the United States and a resident of Maryland.

42. That at all times complained of Defendant **Victor Khouzami, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
43. That **Victor Khouzami, M.D.**, under privileges granted to him by Defendant **Greater Baltimore Medical Center, Inc.**, also engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held himself out to the public to possess the necessary licenses and certifications to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
44. That at all times complained of Defendant **Victor Khouzami, M.D.** was employed by Defendant(s) **Greater Baltimore Medical Center, Inc.**
45. That Claimant(s) have reason to believe that the Defendant **Gregory Marinkovich, M.D.** is an adult citizen of the United States and a resident of Maryland.
46. That at all times complained of Defendant **Gregory Marinkovich, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
47. That **Gregory Marinkovich, M.D.**, under privileges granted to him by Defendant **Greater Baltimore Medical Center, Inc.**, also engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held himself out to the public to possess the necessary licenses and certifications to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
48. That at all times complained of Defendant **Gregory Marinkovich, M.D.** was employed by Defendant(s) **Greater Baltimore Medical Center, Inc.**
49. That Claimant(s) have reason to believe that the Defendant **Cynthia Arnold, CRPN** is an adult citizen of the United States and a resident of Maryland.
50. That at all times complained of Defendant **Cynthia Arnold, CRPN** has held herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
51. That **Cynthia Arnold, CRPN**, under privileges granted to her by Defendant **Greater Baltimore Medical Center, Inc.**, engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case.
52. That at all times complained of Claimant(s) have reason to believe that Defendant **Cynthia Arnold, CRPN** was employed by Defendant(s) **Greater Baltimore Medical Center, Inc.**
53. That Claimant(s) have reason to believe that the Defendant **Claire Weitz, M.D.** is an adult citizen of the United States and a resident of Maryland.
54. That at all times complained of Defendant **Claire Weitz, M.D.** was engaged in the practice of medicine and held himself/herself out to the public to possess the necessary licenses, certifications and education to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).
55. That **Claire Weitz, M.D.**, under privileges granted to her by Defendant **Greater Baltimore Medical Center, Inc.**, also engaged in the business of providing various medical services to patients, namely the services that are the subject matter of the instant case, and has held himself out to the public to

possess the necessary licenses and certifications to provide the services sought by Claimant(s) and/or authorized agent(s) of Claimant(s).

56. That at all times complained of Defendant **Claire Weitz, M.D.** was employed by Defendant(s) Greater Baltimore Medical Center, Inc.

SECTION 2: AMOUNT OF CLAIM AND VENUE

57. The amount of this claim exceeds **Thirty Thousand Dollars (\$30,000.00)** and venue is appropriate in Baltimore County, Maryland as the forum in which the Defendant/Health Care Provider carriers on a regular business and as the forum in which the cause of action arose.

SECTION 3: FACTS

58. On May 12, 2014, Claimant Lakeisha Galloway-Smith called Defendant Dominique Allen, M.D. regarding pain and discomfort that she experienced after being involved in a hit and run accident.
59. That during the telephone call with Defendant Dominique Allen, M.D. was advised to come into Defendant Greater Baltimore Medical Center's Labor and Delivery Department.
60. That on May 12, 2014, Claimant(s) Lakeisha Galloway-Smith, Michael Smith and Destiny Grant presented to Defendant Greater Baltimore Medical Center's Labor and Delivery Department for evaluation and treatment.
61. After being evaluated by an unknown nurse, Defendant Dominique Allen, M.D. conducted an evaluation of Claimant Lakeisha Galloway-Smith's condition and the condition of her unborn child including the following:
- a. Vaginal Exam
 - b. Oral Discussion with Claimant Lakeisha Galloway-Smith about her symptoms.
 - c. Among other things.
62. After the said evaluation, Defendant Dominique Allen, M.D. placed Claimant Lakeisha Galloway-Smith on a unknown monitor.
63. As a result of Claimant Lakeisha Galloway-Smith's softening cervix and other issues, she was kept overnight for observation in Defendant Greater Baltimore Medical Center's Labor and Department.
64. During this stay, Claimant Lakeisha Galloway-Smith was prescribed and given various unknown medications to stop the contracting and other symptoms.
65. After being monitored overnight without a further cervical or vaginal examination, Claimant Lakeisha Galloway-Smith was released with instructions to remain on bedrest, contact the Defendant Dominique Allen, M.D. should her symptoms worsen or if she saw vaginal bleeding and return for a follow-up appointment on May 19, 2014.
66. During the week following this hospital admission, Claimant Lakeisha Galloway-Smith remained on bedrest.
67. During the week following this hospital admission, Claimant Lakeisha Galloway-Smith received 1 telephone call from an unknown female who identified himself as calling from the Defendant Greater Baltimore Medical Center's Labor and Delivery Department. During this call, Claimant

- Lakeisha Galloway-Smith advised the caller of her increasing discomfort, pressure and contractions and she was advised to keep her appointment on May 19, 2014.
68. On May 19, 2014, Claimant Lakeisha Galloway-Smith presented to Defendant Greater Baltimore Medical Center's Labor and Delivery Department for a follow-up examination which consisted of:
 - a. A transabdominal ultrasound by an unknown technician employed by Defendant Greater Baltimore Medical Center's Labor and Delivery Department.
 - b. A cervical ultrasound by an unknown technician employed by Defendant Greater Baltimore Medical Center's Labor and Delivery Department.
 - c. Oral discussion with the same unknown technician regarding the pressure, pain and contractions that Claimant Lakeisha Galloway-Smith was experiencing.
 69. After the examination, the unknown technician left the room and returned with her supervisor.
 70. After examining the ultrasound results, the unknown supervisor stated that she would get the doctor and return shortly. Defendant Victor Khouzami, M.D. returned to the room and reviewed the ultrasound results. After reviewing the ultrasound results, Defendant Victor Khousami, M.D. advised Claimant Lakeisha Galloway-Smith that there was debris in the sac with the fetus, which he had never seen before.
 71. During a discussion with Defendant Victor Khouzami, M.D. and Claimants Lakeisha Galloway-Smith and Michael Smith, Claimants Lakeisha Galloway-Smith and Michael Smith were:
 - a. Told that Claimant Lakeisha Galloway-Smith's cervix was completely open
 - b. Told that the fetal sac was bulging from the opening in the cervix.
 - c. Told that they were going to "lose the baby" and it was only a "matter of time"
 - d. Told that it was too late to save the baby as Claimant Lakeisha Galloway-Smith was already dilated.
 72. Claimant Lakeisha Galloway-Smith inquired of Defendant Victor Khouzami, M.D. about additional options to try to save the baby and Defendant Victor Khouzami, M.D. replied that it was too late, that they should just let nature take its course and that Claimant Lakeisha Galloway-Smith was young and could try again.
 73. Defendant Victor Khouzami, M.D. then provided Claimants Lakeisha Galloway-Smith and Michael Smith with the following options on how they could prepare for the loss of the unborn fetus:
 - a. Stay in the hospital until the pregnancy was terminated naturally
 - b. Go home and wait until there was a rupture or close contractions
 - c. Attempt to abort the pregnancy by breaking the water to move the process along quicker
 74. The Claimants Lakeisha Galloway-Smith and Michael Smith decided that Claimant Lakeisha Smith would remain in Defendant Greater Baltimore Medical Center's Labor and Delivery Department until the child was born.
 75. Claimants Lakeisha Galloway-Smith and Michael Smith further inquired about the possibility of performing a clercage to try to save the baby. Defendant Victor Khouzami, M.D. replied that he could tell Claimants why the clercage was not done sooner but that he was not willing to perform the clercage.
 76. At the completion of the discussion, Defendant Victor Khouzami, M.D. informed Claimants Lakeisha Smith and Michael Smith that they would be taken to Labor and Delivery where someone would make a plan of care for Claimant Lakeisha Galloway-Smith and the Claimants Lakeisha Galloway-Smith and Michael Smith's unborn child.

77. After being transported to a room in Defendant's Greater Baltimore Medical Center's Labor and Delivery Department, Claimant Lakeisha Galloway-Smith was seen by Defendant Claire Weitz, M.D.
78. During Claimants Lakeisha Smith and Michael Smith's discussion with Defendant Claire Weitz, M.D., Defendant Claire Weitz, M.D.:
 - a. Reiterated that Defendant Victor Khouzami, M.D. refused to perform the clercage in an attempt to save the life of the unborn child.
 - b. Stated that she would discuss this case with Defendant Dominique Allen, M.D, determine what should be done.
79. Defendant Claire Weitz, M.D. then ordered that Claimant Lakeisha Galloway-Smith be placed in Trendelenburg position.
80. Some time later, Defendant Claire Weitz, M.D. and Defendant Dominique Allen, M.D. returned to Claimant Lakeisha Galloway-Smith's room to discuss her condition and the following plan of care:
 - a. To keep Claimant Lakeisha Galloway-Smith in the Trendelenburg position until the next day
 - b. Perform another ultrasound on the morning of May 20, 2014 while both Defendant Claire Weitz, M.D. and Defendant Dominique Allen, M.D. were present.
 - c. Perform an emergency clercage.
 - d. That Claimant Lakeisha Galloway-Smith would remain in the hospital until the birth of Claimant Lakeisha Galloway-Smith and Michael Smith's child.
81. On the morning of May 20, 2014, an unknown tech employed by Defendant Greater Baltimore Medical Center performed an ultrasound in the presence of Defendant Claire Weitz, M.D. and Defendant Dominique Allen, M.D.
82. On May 20, 2014, Defendant Claire Weitz performed the clercage on Claimant Lakeisha Galloway-Smith in an attempt to prevent to immediate delivery of the unborn fetus.
83. After the procedure, Claimant Lakeisha Galloway-Smith was transported to a room.
84. For approximately 7-10 days, Claimant Lakeisha Galloway-Smith was not bathed nor were her hygiene needs cared for by Defendant Greater Baltimore Medical Center's nursing staff.
85. For approximately 7-10 days, Claimant Lakeisha Galloway-Smith's bedding was not changed by Defendant Greater Baltimore Medical Center's nursing staff.
86. At some time later, Claimant Lakeisha Galloway-Smith was transferred to Defendant Greater Baltimore Medical Center's High Risk Unit for further treatment.
87. Between May 12, 2014 and July 14, 2014, Claimant Lakeisha Galloway-Smith continued to contract daily.
88. At some point, Claimant Lakeisha Galloway-Smith began to be seen weeldy by Defendant Greater Baltimore Medical Center's Neo-Natal Intensive Care unit to:
 - a. Check on the progress of Claimant's Lakeisha Galloway-Smith's unborn child
 - b. To discuss a plan of care for the unborn fetus
 - c. Advise Claimants Lakeisha Galloway-Smith and Michael Smith of the percentage rate of survival for their unborn child.
89. That at some point, Lakeisha Galloway-Smith was returned to Defendant Greater Baltimore Medical Center's Labor and Delivery Department because of the decreased movement of Claimant Lakeisha Galloway-Smith's unborn child and more severe contractions.

90. While at Defendant Greater Baltimore Medical Center's Labor and Delivery Department, Claimant Lakeisha Galloway-Smith was given unknown medications which left her in and out of consciousness, tired, groggy and unable to move or talk.
91. There came a time that Claimants Lakeisha Galloway-Smith and Michael Smith's unborn child began to show signs of distress, namely:
 - a. The unborn child's heart slowed and eventually stopped with each contraction that Claimant Lakeisha Galloway-Smith experienced.
92. That Claimant Lakeisha Galloway-Smith then overheard Defendant Unknown Physician asking another member of Defendant Greater Baltimore Center's staff the following questions:
 - a. "What was she given?"
 - b. "Was she giving too much?"
93. That despite Claimants Lakeisha Galloway-Smith and Michael Smith's unborn child having reached the viability and the obvious signs of distress, Defendants failed to deliver their unborn child.
94. That Claimant Lakeisha Galloway-Smith was returned to Defendant Greater Baltimore Medical Center's High Risk Unit for further treatment.
95. This happened a second time with the same result.
96. That Claimants Lakeisha Galloway-Smith and Michael Smith's unborn child continued to show the same signs of distress but Claimant Lakeisha Galloway-Smith was only given medication.
97. There came a time that Claimant Lakeisha Galloway-Smith demanded that tests be performed to determine if labor and delivery of her unborn child was imminent. The next morning certain unknown tests were performed and the Defendants determined that the labor and delivery of the baby was imminent. In response to this, Claimant Lakeisha Galloway-Smith was instructed not to leave the bed and was returned to the Trendelenburg position.
98. There came a time that Claimant Lakeisha Galloway-Smith, began to experience diarrhea. Claimant advised Defendants that she was concerned about something not being right because she also experienced diarrhea with her prior pregnancies just prior to delivery and that she believed that the delivery was close. Defendants did nothing to address Claimant Lakeisha Galloway-Smith's concerns or investigate these claims further.
99. On the evening of July 10, 2014, Claimant felt a gush from her vagina.
100. Claimant Lakeisha Galloway-Smith immediately called an unknown nurse within Defendant Greater Baltimore Medical Center's High Risk Unit to advise her of the same. The nurse immediately called an unknown person and unknown doctor employed by Defendant Greater Baltimore Medical Center came into the room and evaluated Claimant Lakeisha Galloway-Smith's condition and the condition of her unborn child.
101. The same unknown doctor only told Claimant Lakeisha Galloway-Smith that she was being transported back to Defendant Greater Baltimore Medical Center's Labor and Delivery Department.
102. Claimant Lakeisha Galloway-Smith asked an unknown nurse of Defendant Greater Baltimore Medical Center's High Risk Unit if her water broke and the unknown nurse replied that it looked like Claimant Lakeisha Galloway-Smith's amniotic sac ruptured and that he (referring to Claimant's unborn son) should be coming tonight. The said nurse also stated "Finally the Doctor should delivery him (referring to Claimant Lakeisha Galloway-Smith's unborn child). He would do better out than in"

103. After being transported to Defendant Greater Baltimore Medical Center's Labor and Delivery Department, Claimant Lakeisha Galloway-Smith was given more unknown medications and to stop the contractions.
104. Claimant Lakeisha Galloway-Smith and her unborn child were returned to Defendant Greater Baltimore Medical Center's High Risk Unit without delivering the baby and without further testing.
105. It was not until the morning of July 11, 2014, that Claimant Lakeisha Galloway-Smith received an ultrasound to determine the amount fluid remaining in the amniotic sac after demanding the same.
106. After the ultrasound, an unknown technician of the Defendant Greater Baltimore Medical Center's staff advised Claimant Lakeisha Galloway-Smith that the amniotic sac contained less fluid than the threshold required for the unborn child. Despite this finding, nothing was done to assist Claimant Lakeisha Galloway-Smith or her unborn child. Rather, Claimant Lakeisha Galloway-Smith was advised that the unborn child could live in the amniotic sac once ruptured.
107. On July 14, 2014, Claimant Lakeisha Galloway-Smith's contractions became very strong. Claimant Lakeisha Galloway-Smith was returned to Defendant Greater Baltimore Medical Center's Labor and Delivery Department.
108. Once in Defendant Greater Baltimore Medical Center's Labor and Delivery Department, Claimant Lakeisha Galloway-Smith was placed on a monitor and informed that she was not contracting.
109. Claimant Lakeisha Galloway-Smith then requested an epidural and Defendant Unknown Physician #2 refused to give her the same. Rather, Unknown Physician #2 prescribed and administered an unknown drug to Claimant Lakeisha Galloway-Smith that made her feel inebriated, dizzy and otherwise sick.
110. Claimant Lakeisha Galloway-Smith's cervix was checked again by an unknown nurse of Defendant Greater Baltimore Medical Center's Labor and Delivery Department informed Claimants Lakeisha Galloway-Smith and Michael Smith that
 - a. she felt the unborn child's head and scar tissue;
 - b. she did not understand why Claimants Lakeisha Galloway-Smith and Michael Smith's son has not been delivered yet;
 - c. Once the child pushed passed the scar tissue that he would be here;
 - d. Claimant Lakeisha Galloway-Smith was completely dilated;
 - e. That she was leaving the room but that Claimant Michael Smith should come and get her if Claimant Lakeisha Galloway-Smith felt the urge to push.
111. Shortly thereafter, Claimant Lakeisha Galloway-Smith felt the urge to push and Claimant Michael Smith ran to get the unknown nurse. Several presumed employees of Defendant Greater Baltimore Medical Center's Labor and Delivery Department ran into the room.
112. Unknown Physician #2 came into the room and stated "This can't be! I checked her!". Unknown Physician #2 also asked Claimant Lakeisha Galloway-Smith to "hold" her push because they had to set the room up and call for Defendant Greater Baltimore Medical Center's NeoNatal Intensive Care Unit.
113. Sometime later, one or more employees of Defendant Greater Baltimore Medical Center's NeoNatal Intensive Care Unit arrived to Claimant Lakeisha Galloway-Smith's room.
114. After being told to push by Unknown Physician #2, Legacy Michael Landon Smith was born on July 14, 2014 at 11:28 p.m. in Defendant Greater Baltimore Medical Center's Labor and Delivery Department.

115. Immediate after his birth, Legacy Smith was placed on top of Claimant Lakeisha Galloway-Smith's upper stomach area and Claimant Lakeisha Galloway-Smith heard a faint whimper from her son.
116. Immediately, Defendant Gregory Marinkovich and other staff of Defendant Greater Baltimore Medical Center's NeoNatal Intensive Care Unit took Legacy Smith to the opposite side of the room to begin treatment. As Defendant Gregory Marinkovich treated Legacy Smith, he began to scream at Defendant Unknown Physician, "What did you give her?". Defendant Unknown Physician replied with what Claimants believe to be the list of medication(s) provided to Claimant Lakeisha Galloway-Smith prior delivery of Legacy Smith. Defendant Gregory Marinkovich then replied that it (referring to the medications) was too much.
117. Legacy Smith was removed from the delivery room and Claimants Lakeisha Galloway-Smith and Michael Smith were told that they would be able to see Legacy in about an hour.
118. Within that hour, no one returned to check on Claimant Lakeisha Galloway-Smith condition or to update Claimants Lakeisha Galloway-Smith and Michael Smith on the condition of their son.
119. After hearing nothing, Claimants Lakeisha Galloway-Smith and Michael Smith walked from Defendant Greater Baltimore Medical Center's Labor and Delivery Department to Defendant Greater Baltimore Medical Center's NeoNatal Intensive Care Unit to check on their son's condition. Although Legacy was connected to various tubes and machines, he showed no obvious signs of distress. During Claimant Lakeisha Galloway-Smith and Michael Smith's visit with their son, neither claimants were updated on Legacy Smith's condition nor where they advised of any complication or imminent medical problems. Claimants Lakeisha Galloway-Smith and Michael Smith remained with Legacy Smith until about 4:00 a.m.
120. On the morning of July 15, 2014, unbeknownst to Claimants Lakeisha Galloway-Smith and Michael Smith, Legacy Smith began to experience unknown complications at some time between approximately 4:00 a.m. and 8:22 a.m. that required significant medical treatment.
121. At some time between 7:00 and 8:00 a.m., Claimant Lakeisha Smith called Defendant Greater Baltimore Medical Center's Labor and Delivery Department and inquired with an unknown employee of Defendant Greater Baltimore Medical Center's Labor and Delivery Department about Legacy's progress during the morning and about coming to see her son. Claimant Lakeisha Galloway-Smith was informed that the doctors were doing rounds and that she could not come up yet.
122. Approximately twenty (20) minutes later, Claimant was greeted by an unknown employee of Defendant Greater Baltimore Medical Center with a wheelchair and told that she needed to get to her son immediately, as he was not going to make it. Claimant Lakeisha Galloway-Smith replied that they must have the wrong child and the unknown employee informed her that the doctors were working on Legacy Smith all night.
123. At no time between the time that Claimants Lakeisha Galloway-Smith and Michael Smith left Defendant Greater Baltimore Medical Center's Neo-Natal Intensive Care Unit and the time that the unknown employee came just after 8:00 am on the morning of July 15, 2014, did Claimants Lakeisha Galloway-Smith and/or Michael Smith receive:
 - a. any updates or calls regarding the decline in their son's condition;
 - b. medical options available to treat Legacy Smith's condition;
 - c. an opportunity to consent to 1 or more medical options for Legacy Smith;
 - d. any advice or information regarding Legacy Smith's need for additional medical treatment.

124. Unbeknownst to Claimants Lakeisha Galloway-Smith and Michael Smith and without their consent, Legacy Smith was baptized by an unknown employee or contractor of Defendant Greater Baltimore Medical Center prior to his death.
125. Once Claimants Lakeisha Galloway-Smith and Michael Smith reached the room where Legacy Smith was been treated, they found him laying on the table surrounded by doctors and other staff of Defendant Greater Baltimore Medical Center's Neo-Natal Intensive Care Unit. At that point, an unknown member of the Defendant Greater Baltimore Medical Center's staff asked for the time to be called and the time of death was called as 8:22 a.m.
126. That an autopsy was performed on Legacy Smith and the cause of death was determined to be Prematurity and Severe Respiratory Distress Syndrome.
127. That as a result of the circumstances herein complained of, Claimant Lakeisha Galloway-Smith was required to undergo Transabdominal Clerege which has precluded her from being able to have further vaginal births.
128. That Claimant Lakeisha Galloway-Smith has lost her former state of physical and emotional well-being, as a result of the loss of her son, Legacy Michael Landon Smith.
129. That Claimant Michael Smith has lost his former state of physical and emotional well-being, as a result of the loss of his son, Legacy Michael Landon Smith.
130. That the loss of Legacy Michael Landon Smith is a tragedy from which neither Claimant will be able to recover from.
131. That each Claimant has in the past, presently and will continue to suffer great physical pain, emotional anguish, as well as anxiety and fear over the loss of Legacy Michael Landon Smith. Additionally, each Claimant has in the past and will continue to incur hospital, surgical, physiotherapeutic, psychiatric and other losses and expenses for which this claim is made.
132. That each Defendant had a duty of care which they failed to provide.
133. That had each Defendant conformed with the applicable standards of care as it relates to the care of Claimant Lakeisha Galloway-Smith and the care of Legacy Michael Landon Smith prior to, during and/or subsequent to his birth, Legacy Michael Landon Smith could have survived and/or lived a normal life.
134. The Claimants believe that the negligence of these Defendants, collectively and individually, is the sole and proximate cause of all of the injuries herein complained, the damages suffered by each Claimant, and permanent physical and/or emotional disability suffered by each Claimant, with no claimant being in no way contributorily negligent.

SECTION 4: GROUNDS

COUNT NO. 1 - NEGLIGENCE

135. The Claimants repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 – 134 of this Statement of Claim as though fully set forth herein.
136. That each Defendant owed to Claimants a duty to exercise that degree of care, skill and judgment ordinarily expected of a reasonably competent practitioner in its chosen specialty acting in the

same or similar circumstances. That duty included the employment of appropriate evaluation of Claimant Lakeisha Galloway-Smith's condition and the condition of her unborn child; appropriate notification to Claimant(s) of the various alternatives and risks involved in the various modalities of treatment; proper performance of all therapies and continuous evaluation and adjustment of the course of such treatment(s);

137. That each Defendant breached the accepted standards of care by its negligent acts and omissions, which include but are not limited to:
- a. Failing to exercise reasonable care in the timely and careful diagnosis and treatment of Claimant Lakeisha Galloway-Smith's condition and the condition of Claimant Lakeisha Galloway-Smith's unborn fetus;
 - b. Failing to employ adequate diagnostic procedures and tests to determine the nature and severity of the medical status and/or conditions of Claimant Lakeisha Galloway-Smith and her unborn fetus.
 - c. Failing to know, understand and utilize appropriate modalities, procedures, surgeries and techniques;
 - d. Failing to act within the standard of care in their care and treatment of Claimant Lakeisha Galloway-Smith and her unborn fetus.
 - e. Failing to thoroughly evaluate the effects and results of any tests, treatment, and/or procedures performed;
 - f. Failed to properly monitor the course of Claimant Lakeisha Galloway-Smith's condition and the condition of Claimant Lakeisha Galloway-Smith's unborn fetus;
 - g. Failing to act within the standard of care in their care and treatment of Claimant Lakeisha Galloway-Smith and her unborn fetus;
 - h. Failing to exercise timely and reasonable care in adjusting the chosen course of treatment or care provided to Claimant Lakeisha Galloway-Smith and her unborn fetus.
 - i. Failing to inform Claimant Lakeisha Galloway-Smith of the risks, benefits and viable alternative treatments to the care provided.
 - j. And being otherwise careless, reckless and negligent.
138. As a direct and proximate result of the negligent, reckless and careless acts and omissions of each Defendant, each Claimant experienced the following:
- a. Loss of her child or brother;
 - b. Fear and anxiety;
 - c. Permanent and disabling injuries;
 - d. Pain;
 - e. Mental anguish;
 - f. Unnecessary surgeries and procedures;
 - g. Has been and will continue to be obligated to receive hospital and medical care;
 - h. Has been and will continue to be prevented from engaging in their usual activities, duties and pursuits;
 - i. Has incurred and will continue to incur medical expenses in the future;
 - j. And has been otherwise hurt, injured and damaged.
139. Claimant(s) further avers that all of these injuries, harms and losses were caused by the negligent acts and omissions of each Defendant without any negligence or want of due care on the part of Claimant(s) thereunto contributing.

140. Claimant(s) further avers that the injuries, harms and losses sustained by Claimant(s) were due to the negligent, reckless and careless acts and omissions of each Defendant, through their agents, servants and/or employees, who breached the aforementioned duties of care to Claimant(s).

WHEREFORE, this Claim is brought by each named Claimant against each named Defendant in an amount in excess of the minimum jurisdiction of the Health Care Alternative Dispute Resolution plus interest, costs and such other and further relief as justice requires.

COUNT NO. 2 – FAILURE TO PROVIDE INFORMED CONSENT

141. The Claimants repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 – 134 of this Statement of Claim as though fully set forth herein.
142. That each Defendant, through their agents, servants and/or employees, real, apparent, and/or ostensible, owed to Claimants Lakeisha Galloway-Smith and Michael Smith the duty of appropriate notification to Claimant Lakeisha Galloway-Smith and Michael Smith of the various alternatives and risks involved in the various modalities of treatment.
143. That each Defendant violated the Doctrine of Informed Consent. It is asserted that had these Defendants properly advised Claimant(s), Claimant(s) would have been able to determine the proper course from all of the choices provided. It is alleged that the Defendants' failure to provide Claimant(s) with their options, and their resultant failure to permit Claimant(s) to make an informed decision and consent appropriately violated the Doctrine of Informed Consent.
144. That each Defendant, through their agents, servants and/or employees, real, apparent, and/or ostensible, was negligent in failing to appropriately and adequately obtain informed consent from Claimant Lakeisha Galloway-Smith and Michael Smith and were otherwise negligent.
145. As a direct and proximate result of each Defendant's negligent, reckless and careless acts and omissions in failing to obtain Claimants Lakeisha Galloway-Smith and Michael Smith's informed consent, each Claimant experienced the following:
- a. Loss of life of each Claimant's child or brother;
 - b. Fear and anxiety;
 - c. Permanent and disabling injuries;
 - d. Pain;
 - e. Mental anguish;
 - f. Unnecessary surgeries and procedures;
 - g. Has been and will continue to be obligated to receive hospital and medical care;
 - h. Has been and will continue to be prevented from engaging in his usual activities, duties and pursuits;
 - i. Has incurred and will continue to incur medical expenses in the future;
 - j. And has been otherwise hurt, injured and damaged.
146. Claimant(s) further avers that all of these injuries, harms and losses were caused by the failure to obtain informed consent from Claimants Lakeisha Galloway-Smith and Michael Smith by

each Defendant, through its agents, servants and/or employees, real, apparent and/or ostensible, without negligence or want of due care on the part of any Claimant thereunto contributing.

WHEREFORE, this Claim is brought by each named Claimant against each in an amount in excess of the minimum jurisdiction of the Health Care Alternative Dispute Resolution plus interest, costs and such other and further relief as justice requires.

COUNT NO. 3 - NEGLIGENT HIRING

147. The Claimants repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 - 134 of this Statement of Claim as though fully set forth herein.
148. That Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C. had a duty to hire, contract with and/or train competent staff to render the services sought by claimants.
149. That Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C. breached that duty by hiring Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2 and assigning these Defendants to rendered services to Claimant Lakeisha Galloway-Smith and Legacy Smith.
150. As a direct and proximate result of each Defendant's negligent, reckless and careless acts and omissions in hiring Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2 and assigning these Defendants to rendered services to Claimant Lakeisha Galloway-Smith and Legacy Smith., each Claimant experienced the following:
 - a. Loss of life of each Claimant's child or brother;
 - b. Fear and anxiety;
 - c. Permanent and disabling injuries;
 - d. Pain;
 - e. Mental anguish;
 - f. Unnecessary surgeries and procedures;
 - g. Has been and will continue to be obligated to receive hospital and medical care;
 - h. Has been and will continue to be prevented from engaging in his usual activities, duties and pursuits;
 - i. Has incurred and will continue to incur medical expenses in the future;
 - j. And has been otherwise hurt, injured and damaged.

WHEREFORE, this Claim is brought by each named Claimant against each Defendant in an amount in excess of the minimum jurisdiction of the Health Care Alternative Dispute Resolution plus interest, costs and such other and further relief as justice requires.

COUNT NO. 4 - NEGLIGENT SUPERVISION

151. The Claimants repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 - 134 of this Statement of Claim as though fully set forth herein.
152. That Defendants Greater Baltimore Medical Center, Merryman and Allen, L.L.C., Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill,

- Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2 had a duty to supervise the staff assigned to render the services sought by claimants.
153. That Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C., Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2 breached that duty by hiring Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2 and assigning these Defendants to rendered services to Claimant Lakeisha Galloway-Smith and Legacy Smith.
154. As a direct and proximate result of each Defendant's **negligent, reckless and careless acts and omissions in hiring** Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2 and assigning these Defendants to rendered services to Claimant Lakeisha Galloway-Smith and Legacy Smith., each Claimant experienced the following:
- a. Loss of life of each Claimant's child or brother;
 - b. Fear and anxiety;
 - c. Permanent and disabling injuries;
 - d. Pain;
 - e. Mental anguish;
 - f. Unnecessary surgeries and procedures;
 - g. Has been and will continue to be obligated to receive hospital and medical care;
 - h. Has been and will continue to be prevented from engaging in his usual activities, duties and pursuits;
 - i. Has incurred and will continue to incur medical expenses in the future;
 - j. And has been otherwise hurt, injured and damaged.

WHEREFORE, this Claim is brought by each named Claimant against Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C., Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2 breached that duty by hiring Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2 in an amount in excess of the minimum jurisdiction of the Health Care Alternative Dispute Resolution plus interest, costs and such other and further relief as justice requires.

COUNT NO. 5 – WRONGFUL DEATH – Claim of Lakeisha Galloway-Smith, as surviving mother of the late Legacy Michael Landon Smith

155. The Claimants repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 – 134 of this Statement of Claim as though fully set forth herein.
156. That the death of the late Legacy Michael Landon Smith on July 15, 2014 was directly and proximately caused by the negligent, reckless and careless actions of Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C., Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D.,

- Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2.
157. That Claimant(s) Lakeisha Galloway-Smith, Michael A. Smith, Majesty Smith and Destiny Grant, as surviving relatives of Legacy Michael Landon Smith sustained pecuniary loss, mental anguish, emotional pain and suffering and other damages arising out of the death of Legacy Michael Landon Smith.

COUNT NO. 6 – WRONGFUL DEATH – Claim of Michael A. Smith, as surviving father of the late Legacy Michael Landon Smith

158. The Claimants repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 – 134 of this Statement of Claim as though fully set forth herein.
159. That the death of the late Legacy Michael Landon Smith on July 15, 2014 was directly and proximately caused by the negligent, reckless and careless actions of Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C., Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2.
160. That Claimant(s) Lakeisha Galloway-Smith, Michael A. Smith, Majesty Smith and Destiny Grant, as surviving relatives of Legacy Michael Landon Smith sustained pecuniary loss, mental anguish, emotional pain and suffering and other damages arising out of the death of Legacy Michael Landon Smith.

COUNT NO. 7 – WRONGFUL DEATH/VICARIOUS LIABILITY – Claim of Destiny Grant, as surviving sister of the late Legacy Michael Landon Smith

161. The Claimants repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 – 134 of this Statement of Claim as though fully set forth herein.
162. That the death of the late Legacy Michael Landon Smith on July 15, 2014 was directly and proximately caused by the negligent, reckless and careless actions of Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C., Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2.
163. That under Maryland Law, Defendants Greater Baltimore Medical Center and Merryman and Allen, L.L.C. are vicariously liable for all of the negligent acts committed by its employees, contactors and/or agents, Defendants Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2
164. That Claimant(s) Lakeisha Galloway-Smith, Michael A. Smith, Majesty Smith and Destiny Grant, as surviving relatives of Legacy Michael Landon Smith sustained pecuniary loss, mental anguish, emotional pain and suffering and other damages arising out of the death of Legacy Michael Landon Smith.

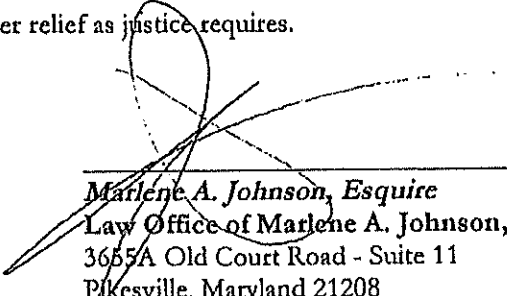
COUNT NO. 8 – WRONGFUL DEATH

165. The Claimants repeat, re-allege, adopt and incorporate by reference those facts set forth Paragraphs 1 – 134 of this Statement of Claim as though fully set forth herein.
166. That the death of the late Legacy Michael Landon Smith on July 15, 2014 was directly and proximately caused by the negligent, reckless and careless actions of Defendants Greater Baltimore

Medical Center and Merryman and Allen, L.L.C., Dominique Allen, M.D., Ginny Merryman, M.D., Shama Jari, M.D., Sabah M. Helou, M.D., Antonie D. Kline, M.D., Victor Khouzami, M.D., Gregory Marinkovich, M.D., Cynthia Arnold, CRPN, M. Shervill, Claire Weitz, M.D., Unknown Physician #1, Unknown Physician #2.

167. That Claimant(s) Lakeisha Galloway-Smith, Michael A. Smith, Majesty Smith and Destiny Grant, as surviving relatives of Legacy Michael Landon Smith sustained pecuniary loss, mental anguish, emotional pain and suffering and other damages arising out of the death of Legacy Michael Landon Smith.

WHEREFORE, this Claim is brought by each named Claimant against each named Defendant in an amount in excess of the minimum jurisdiction of the Health Care Alternative Dispute Resolution plus interest, costs and such other and further relief as justice requires.



Marlene A. Johnson, Esquire

Law Office of Marlene A. Johnson, P.C.

3655A Old Court Road - Suite 11

Pikesville, Maryland 21208

Phone: (410) 921-9534

Fax: (410) 467-6900

Email: marleneajohnson@marleneajohnsonlaw.com

Attorney for Lakeisha Galloway-Smith, Michael A. Smith, Estate of Legacy Michael Landon Smith, Destiny Grant and Majesty Smith

Greater Baltimore Medical Center, Inc.
6701 N. Charles Street
Towson, Maryland 21204

SERVE ON:
John B. Chessare
6701 N. Charles Street
Baltimore Maryland 21204

Merryman and Allen, L.L.C.
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Baltimore Maryland 21204

SERVE ON:
Ginny M. Merryman
6569 North Charles Street - Suite 501
Baltimore Maryland 21204

Dominique Allen, M.D.
6569 North Charles Street - Suite 501
Baltimore Maryland 21204

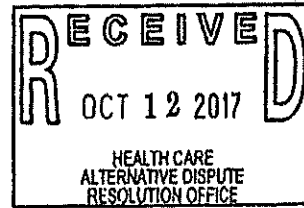
Ginny Merryman, M.D.
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Shama Jari, M.D.
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Sabah M. Helou, M.D.
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6565 N. Charles Street - Suite 406
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Gregory Marinkovich, M.D.
6701 N. Charles Street – Room 2358
Baltimore, Maryland 21204

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Cynthia Arnold, CRPN
6701 N. Charles Street
Baltimore, Maryland 21204

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M. Shervill
6701 N. Charles Street
Baltimore, Maryland 21204

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Claire Weitz, M.D.
6701 N. Charles Street
Baltimore, Maryland 21204

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Unknown Physician #1
6701 N. Charles Street
Baltimore, Maryland 21204

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Unknown Physician #2
6701 N. Charles Street
Baltimore, Maryland 21204

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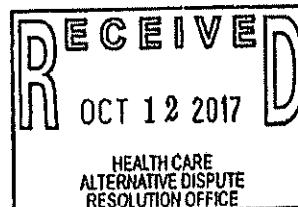
*

Mars
6701 N. Charles Street
Baltimore, Maryland 21204

*

*

Defendant(s)/Health Care Provider



CERTIFICATE OF QUALIFIED EXPERT

I, Frederick A. Gonzalez, MD, HEREBY CERTIFY that I have reviewed the medical records and other data pertaining to the medical care and treatment rendered to Lakeisha Smith, Legacy Smith by the Health Care Providers Greater Baltimore Medical Center, Dominique Allen, MD, Ginny Merriman, MD, Shauna Jari, MD, Saba M. Helau, MD, antoine D. Kline, MD, Victor Khouzami, MD, Gregor Marinkovich, MD, Cynthia Arnold, CRPN, Claire Weitz, MD during Lakeisha Smith, Legacy Smith admission to Greater Baltimore Medical Center, Capital Women's Care, GBMC Healthcare on 3/12/2014 to 7/15/2014,

I HEREBY CERTIFY that, based upon a reasonable degree of medical certainty, that aforementioned Healthcare Providers, namely, Greater Baltimore Medical Center, Dominique Allen,

MD, Ginny Merrimar, MD, Shauna Jari, MD, Saba M. Helau, MD, Antoine D. Kline, MD, Victor Khouzami, MD, Gregor Marinkovich, MD, Cynthia Arnold, CRPN, Claire Weitz, MD, whom I understand was an employee or agent/were employees or agents of GMC Healthcare, Greater Baltimore Medical Center, Capital Women's Care deviated from accepted standards of care with respect to the evaluation, prenatal care, failure to properly assess cervical shortening, failure to properly consult, failure to properly communicate, failure to perform a cervical cerclage in a timely fashion, failure to supervise, failure to properly monitor, failure to properly evaluate and understand the significance of fetal heart rate decelerations, failure to perform a timely cesarean section, and that the said deviation(s) was a substantial factor in causing the injuries of which the Claimant(s) complain(s).

I HEREBY ALSO CERTIFY that, based upon a reasonable degree of medical certainty, that aforementioned Healthcare Providers, namely, Greater Baltimore Medical Center, Dominique Allen, MD, Ginny Merrimar, MD, Shauna Jari, MD, Saba M. Helau, MD, Antoine D. Kline, MD, Victor Khouzami, MD, Gregor Marinkovich, MD, Cynthia Arnold, CRPN, Claire Weitz, MD, whom I understand was an employee or agent/were employees or agents of GMC Healthcare, Greater Baltimore Medical Center, Capital Women's Care deviated from accepted standards of care with respect to the evaluation, prenatal care, failure to properly assess cervical shortening, failure to properly consult, failure to properly communicate, failure to perform a cervical cerclage in a timely fashion, failure to supervise, failure to properly monitor, failure to properly evaluate and understand the significance of fetal heart rate decelerations, failure to perform a timely cesarean section, and that the said deviation(s) was a substantial factor in causing the injuries of which the Claimant(s) complain(s).

In support of the above, I offer the following:

- In my opinion, which I hold to a reasonable degree of medical certainty, Health Care Provider GMC Healthcare, Dominique Allen, M.D. Ginny Merrimar, MD, Capital Women's Care, Shauna Jari, MD, Victor Khouzami, MD in providing care and treatment to Lakeisha Smith, Legacy Smith breached the applicable standards of care in the following respects:
 - Failure to recognize the significance of the patient's high risk status which included advanced maternal age, obesity, previous premature delivery, previous multiple d&c's, previous LEEP procedure, high risk for cervical insufficiency, high risk for premature delivery
 - Failure to properly evaluate the significance of the 4/28/2014 ultrasound which showed a short cervix of 1.3 cm, failure to properly appreciate and evaluate the significance of the 5/13/2014 ultrasound which showed only the distal 0.7 cm of the cervix without funneling, failure to properly appreciate and evaluate the significance of the 5/14/2014 ultrasound which showed a short cervix of 1.8 cm.
 - Failure to perform an immediate cervical cerclage
 - For other and further reasons as may be determined during the course of discovery pursuant to the Maryland Rules of Procedure.
- In my opinion, which I hold to a reasonable degree of medical certainty, Health Care Provider Greater Baltimore Medical Center, Dominique Allen, MD, Ginny Merrimar, MD, Antoine D. Kline, MD, Victor Khouzami, MD, Gregor Marinkovich, MD, Cynthia Arnold, CRPN, Claire Weitz, MD in providing care and treatment to Lakeisha Smith, Legacy Smith, breached the applicable standards of care in the following respects:
 - Failure to perform an immediate cervical cerclage

- Failure to properly monitor the mother and fetus
- Failure to properly evaluate and understand the significance of the patient's pain, uterine contractions, and fetal heart rate decelerations
- failure to perform an earlier delivery
- failure to perform a cesarean section
- For other and further reasons as may be determined during the course of discovery pursuant to the Maryland Rules of Procedure.

I incorporate and adopt herein fully the Report I am submitting in this matter as if fully and completely set forth herein.

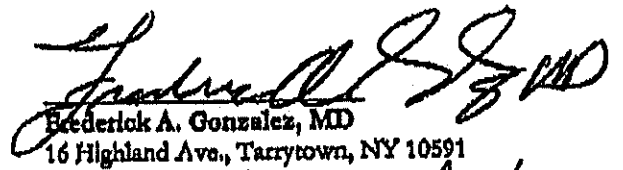
- I further attest that it is my opinion, within a reasonable degree of medical certainty, the Health Care Providers Lakeisha Smith, Legacy Smith by the Health Care Providers Greater Baltimore Medical Center, Dominique Allen, MD, Ginny Merrimar, MD, Shauna Jari, MD, Saba M. Helau, MD, antoine D. Kline, MD, Victor Khouzami, MD, Gregor Marinkovich, MD, Cynthia Arnold, CRPN, Claire Weitz, MD of an agent or employee, failed to follow the applicable standard of medical care in the care of Lakeisha Smith and Legacy Smith by failing to properly evaluate and understand the significance of a short cervix in a high risk patient, by failing to perform an earlier cervical cerclage, by failing to perform an immediate cervical cerclage, by failing to properly monitor, by failure to properly supervise, by failing to properly evaluate and understand the significance of the patient's pain and uterine contractions, by failing to properly understand the significance of fetal heart rate decelerations, by failing to deliver earlier, by failing to perform a timely cesarean section, and that this failure to follow the applicable standard of medical care directly and proximately caused the death of Legacy Smith on July 15, 2014 as a result of either prematurity, sepsis, or inattention to his underlying health conditions.

I FURTHER CERTIFY that I am a physician with extensive experience in Obstetrics and Gynecology and Maternal and Fetal Medicine, patient care, teaching, and lecturing and qualified as an expert in the field of Obstetrics and Gynecology and Maternal and Fetal Medicine. I also affirm the fact that I do not devote annually more than twenty percent (20%) of my professional activities to activities that directly involved testimony in personal injury claims.

I FURTHER CERTIFY that I have had clinical experience, provided consultation related to clinical practice, or taught medicine in the Health Care Provider's specialty or a related field of health care or in field of health care or in the field of health care in which the aforementioned Health Care Provider provided care or treatment to Lakeisha Smith and Legacy Smith within five (5) years of the date of the alleged act or omission giving rise to the cause of action.

I FURTHER CERTIFY that I am Board-certified in the field of Obstetrics and Gynecology and Maternal and Fetal Medicine.

Frederick A. Gonzalez MD
Frederick A. Gonzalez, MD
16 Highland Ave., Tarrytown, NY 10591
Phone: 914-523-4227
Fax: 914-231-9126



Frederick A. Gonzalez, MD
16 Highland Ave., Tarrytown, NY 10591
Phone: 914-523-4227
Fax: 914-291-9126

10/12/2017

Frederick A. Gonzalez, MD
16 Highland Ave.
Tarrytown, NY 10591

10/12/17

RE: Lakeisha Smith and Legacy Smith

I have reviewed the medical records regarding the care of Lakeisha Smith regarding the pregnancy, labor, and delivery of her son, Legacy Smith during the period of 3/12/2014 to July 15, 2014. To summarize briefly, the patient was a 35 yo g 12 p 1192 with a history of a previous premature delivery, a history of multiple d&c's, and a history of a LEEP procedure. The present pregnancy was the result of invitro fertilization and she weighed 207 lbs.

All of these factors placed her at high risk for multiple complications of which the most pertinent was a risk for cervical insufficiency, loss of the pregnancy, and premature labor and delivery. Ginny Merrimar, MD and Dominique Allen, MD were aware of this and referred the patient for multiple ultrasounds to GMC Healthcare. The ultrasounds were performed by different physicians including Shauma Jari, MD. On 4/28/2014 an ultrasound was performed at 15 1/7 wks which showed a short cervix of 1.3 cm. With the patient's history, this was diagnostic for a short cervix, cervical insufficiency, and at high risk for pregnancy loss and premature delivery. The proper course of action at that point would have been to perform an immediate cervical cerclage. Failure to do so represents a departure from good and accepted medical care.

Another ultrasound performed on 5/13/2014 showed a closed distal portion of the cervix of only 0.7 cm. This continued to represent cervical insufficiency, and at high risk for pregnancy loss and premature delivery. The proper course of action at that point would have been to perform an immediate cervical cerclage. Failure to do so represents a departure from good and accepted medical care.

Another ultrasound performed on 5/14/2014 showed a cervix of 1.8 cm. With the patient's history, this was diagnostic for a short cervix, cervical insufficiency, and at high risk for pregnancy loss and premature delivery. The proper course of action at that point would have been to perform an immediate cervical cerclage. Failure to do so represents a departure from good and accepted medical care.

Instead, nothing was done until finally on 5/19/2014 an ultrasound showed a cervix dilated along its entire length with hourglassing membranes. Dr. Khouzami was consulted and would not perform an immediate cervical cerclage. The patient was not immediately properly referred but was admitted to the hospital at Greater Baltimore Medical Center where the physicians waited another 24 hours before placing the cerclage. Again, this was a delay and increased her chances of preterm prom and infection which eventually occurred on 7/10/2014. The patient was given steroids and prophylactic antibiotics. It is not clear if she received magnesium sulfate for neuroprotection.

There were no electronic fetal monitor strips to evaluate with the materials sent to me but the nurses notes and the medical records clearly document that there were multiple and repetitive fetal heart rate decelerations. These were indicative of a hostile intrauterine environment and mandated an earlier delivery, preferably by cesarean section. Instead, the patient's complaints of pain were ignored and she delivered spontaneously on 7/14/2014 of a live male infant with Apgars of 1/5/6/9 at 1/5/10/15

minutes. The cord gases appear to be normal but were taken about 40 minutes after the delivery which could alter the accuracy of the results.

The baby initially did well but became worse and eventually died on 7/15/2014 at 8:22 am. There was an initial concern for TE fistula which was not found at autopsy. Placental path showed acute chorioamnionitis and funisitis. Blood cultures grew E. Coli. The apparent cause of death was prematurity, hyaline membrane disease, and sepsis. All of this could have been prevented if an appropriate early prophylactic cervical cerclage would have been performed.

In addition, if the uterine contractions and pain would have been properly evaluated, effective tocolysis could have been instituted. In addition, if the fetal heart rate decelerations had been recognized and their significance properly understood, and earlier delivery by cesarean section would have been performed. Failure to perform an earlier cerclage, failure to perform an earlier delivery and a cesarean section were the direct result of the prematurity and death of Legacy Smith.

Failure to do so represents a departure from good and accepted medical care. These departures were the direct cause of the baby's death.

My opinions are to a reasonable degree of medical certainty. I reserve the right to amend my opinions should more information become available.

Sincerely,


Frederick A. Gonzalez, MD

decelerations. These were indicative of a hostile intrauterine environment and mandated an earlier delivery, preferably by cesarean section. Instead, the patient's complaints of pain were ignored and she delivered spontaneously on 7/14/2014 of a live male infant with Apgars of 1/5/6/9 at 1/5/10/15 minutes. The cord gases appear to be normal but were taken about 40 minutes after the delivery which could alter the accuracy of the results.

The baby initially did well but became worse and eventually died on 7/19/2014 at 8:22 am. There was an initial concern for TE fistula which was not found at autopsy. Placental path showed acute chorioamnionitis and funisitis. Blood cultures grew E. Coli. The apparent cause of death was prematurity, hyaline membrane disease, and sepsis. All of this could have been prevented if an appropriate early prophylactic cervical cerclage would have been performed.

In addition, if the uterine contractions and pain would have been properly evaluated, effective tocolysis could have been instituted. In addition, if the fetal heart rate decelerations had been recognized and their significance properly understood, and earlier delivery by cesarean section would have been performed. Failure to perform an earlier cerclage, failure to perform an earlier delivery and a cesarean section were the direct result of the prematurity and death of Legacy Smith.

Failure to do so represents a departure from good and accepted medical care. These departures were the direct cause of the baby's death.

My opinions are to a reasonable degree of medical certainty. I reserve the right to amend my opinions should more information become available.

Sincerely,


Frederick A. Gonzalez, MD



Marlene Johnson <marleneajohnson@marleneajohnsonlaw.com>

Smith

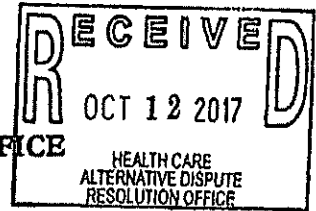
1 message

fredgonzalezmd@aol.com <fredgonzalezmd@aol.com>
To: marleneajohnson@marleneajohnsonlaw.com

Thu, Oct 12, 2017 at 3:02 PM

Dear Miss Johnson, I have faxed a copy of the signed report and certificate regarding this case. Because of the distance you have my permission to execute on my behalf an exact original copy. I will forward my original signature in today's mail.
Sincerely, Frederick A. Gonzalez, MD

BEFORE THE
HEALTH CARE ALTERNATIVE DISPUTE RESOLUTION OFFICE
OF MARYLAND



Lakeisha Galloway-Smith, et al.
Claimant(s)

*

*

v.

HCA CASE NO.: 2017.331

*

Greater Baltimore Medical Center, Inc., et al
Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of October, 2017, a copy of the foregoing Certificate of Qualified Expert and Supplemental Report was mailed first class postage prepaid to:

Greater Baltimore Medical Center, Inc.
6701 N. Charles Street
Towson, Maryland 21204
SERVE ON:
John B. Chessare
6701 N. Charles Street
Baltimore Maryland 21204

Merryman and Allen, L.L.C.
6569 North Charles Street – Suite 501
Baltimore Maryland 21204
SERVE ON:
Ginny M. Merryman
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Baltimore Maryland 21204

Dominique Allen, M.D.
6569 North Charles Street – Suite 501
Baltimore Maryland 21204

Ginny Merryman, M.D.
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6701 N. Charles Street – Suite 2310
Towson, Maryland 21204

Sabah M. Helou, M.D.
6701 N. Charles Street – Room 2358
Baltimore, Maryland 21204-6808

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Gregory Marinkovich, M.D.
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Cynthia Arnold, CRPN
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M. Shervill
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Baltimore, Maryland 21204

Claire Weitz, M.D.
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Baltimore, Maryland 21204

Unknown Physician #1
6701 N. Charles Street
Baltimore, Maryland 21204

Unknown Physician #2
6701 N. Charles Street

Baltimore, Maryland 21204

**Mars
6701 N. Charles Street
Baltimore, Maryland 21204**



MARLENE A. JOHNSON, ESQUIRE

**BEFORE THE
HEALTH CARE ALTERNATIVE DISPUTE RESOLUTION OFFICE
OF MARYLAND**

Lakeisha Galloway-Smith, et al.
Claimant(s)

*

*

v.

HCA CASE NO.: 2017.331

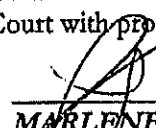
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Greater Baltimore Medical Center, Inc., et al
Defendants

*

**REQUEST TO WAIVE ARBITRATION BEFORE THE HEALTH CARE
ALTERNATIVE DISPUTE RESOLUTION OFFICE
OF MARYLAND**

NOW COMES, CLAIMANTS Lakeisha Galloway-Smith, Michael A. Smith, Destiny Grant, each individually and in their representative capacities, by and through their counsel, Marlene A. Johnson and the Law Office of Marlene A. Johnson, P.C. and files this Request To Waive Arbitration Before The Health Care Alternative Dispute Resolution Office Of Maryland and hereby requests an Order transferring this matter to the Circuit Court with proper jurisdiction.



MARLENE A. JOHNSON, ESQUIRE
Law Office of Marlene A. Johnson, P.C.
3655A Old Court Road – Suite 11
Pikesville, Maryland 21208
Phone: (410) 921-9534
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Email: marleneajohnson@marleneajohnsonlaw.com
Attorneys for Claimants

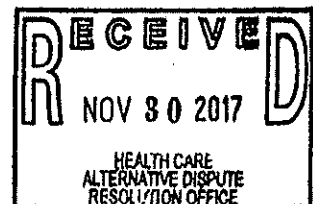
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of November, 2017, a copy of the foregoing:

**REQUEST TO WAIVE ARBITRATION BEFORE THE HEALTH CARE
ALTERNATIVE DISPUTE RESOLUTION OFFICE OF MARYLAND**

was mailed first class postage prepaid to:

Greater Baltimore Medical Center, Inc.



6701 N. Charles Street
Towson, Maryland 21204
SERVE ON:
John B. Chessare
6701 N. Charles Street
Baltimore Maryland 21204

Merryman and Allen, L.L.C.
6569 North Charles Street – Suite 501
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Amy Heinrich, Esquire
Goodell, DeVries, Leech and Dann, L.L.P.
One South Street – 20th Floor
Baltimore, Maryland 21202

Kathleen M. Bartley, Esquire
Goodell, DeVries, Leech and Dann, L.L.P.
One South Street – 20th Floor
Baltimore, Maryland 21202



MARLENE A. JOHNSON, ESQUIRE

AFFIDAVIT

I DO HEREBY SOLEMNLY DECLARE AND AFFIRM under the penalties of perjury that the contents of the foregoing Pleading are true and correct to the best of my knowledge, information and belief.

Michael Smith
181
MICHAEL SMITH, Affiant

AFFIDAVIT

I DO HEREBY SOLEMNLY DECLARE AND AFFIRM under the penalties of perjury that the contents of the foregoing Discovery are true and correct to the best of my knowledge, information and belief.

A handwritten signature in black ink, appearing to read "Lakeisha Smith", written over a horizontal line.

LAKEISHA SMITH, Affiant

**BEFORE THE
HEALTH CARE ALTERNATIVE DISPUTE RESOLUTION OFFICE
OF MARYLAND**

Lakeisha Galloway-Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Michael A. Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Lakeisha Galloway-Smith, as Co-Personal *
Representative of the *
Estate of Legacy Michael Landon Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *

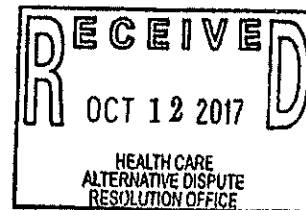
Michael Smith, as Co-Personal *
Representative of the *
Estate of Legacy Michael Landon Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Lakeisha Galloway-Smith, as next of kin for *
Destiny Grant *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Lakeisha Galloway-Smith, as next of kin for *
Majesty Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *

Michael Smith, as next of kin for *
Majesty Smith *
4 Overmill Court *
Owings Mills, Maryland 21117 *
Claimant(s) *

v. *



HCA CASE NO.: TBD

AFFIDAVIT

I DO HEREBY SOLEMNLY DECLARE AND AFFIRM under the penalties of perjury that the contents of the foregoing Pleading are true and correct to the best of my knowledge, information and belief.



LAKEISHA SMITH, Affiant

AFFIDAVIT

I DO HEREBY SOLEMNLY DECLARE AND AFFIRM under the penalties of perjury that the contents of the foregoing Pleading are true and correct to the best of my knowledge, information and belief.

Michael Smyth

MICHAEL SMYTH, Affiant

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Smith, et al.
Plaintiff(s)

*

*

v.

CASE NO.:

*

Greater Baltimore Medical Center, et al.
Defendant(s)

*

REQUEST FOR SUMMONS/SUMMONS RENEWAL

Renewal

Serve by Sheriff/ Constable

Send by Restricted Delivery Mail

Serve by Private Process

Please issue the summons in this case for Greater Baltimore Medical Center (Defendant) at the following address:

Greater Baltimore Medical Center (Defendant)

6701 N Charles Street

Towson, Maryland 21204

SERVE ON:

Amy Heinrich, Esquire (Attorney for Defendant)

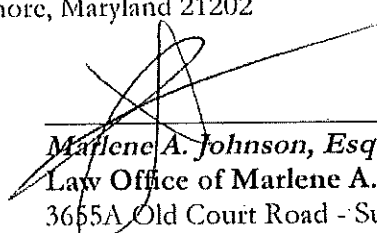
Goodell, DeVries, Leech and Dann, L.L.P.

One South Street - 20th Floor

Baltimore, Maryland 21202

January 29, 2018

Date


Marlene A. Johnson, Esquire

Law Office of Marlene A. Johnson, P.C.

3655A Old Court Road - Suite 11

Pikesville, Maryland 21208

Phone: (410) 921-9534

Fax: (410) 467-6900

Email: marleneajohnson@marleneajohnsonlaw.com

Attorney for Lakeisha Smith, et al.

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Smith, et al.
Plaintiff(s)

*

*

v.

CASE NO.:

*

Greater Baltimore Medical Center, et al.
Defendant(s)

*

REQUEST FOR SUMMONS/SUMMONS RENEWAL

Renewal

Serve by Sheriff/ Constable

Send by Restricted Delivery Mail

Serve by Private Process

Please issue the summons in this case for Merryman and Allen, L.L.C. (Defendant) at the following address:

Merryman and Allen, L.L.C. (Defendant)

6569 N Charles Street – Suite 501

Towson, Maryland 21204

SERVE ON:

Michael K. Wiggins, Esquire (Attorney for Defendant)

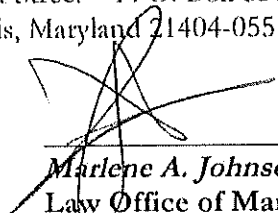
Wharton, Levin, Ehrmantraut and Klein, P.A.

104 West Street – P. O. Box 551

Annapolis, Maryland 21404-0551

January 29, 2018

Date


Marlene A. Johnson, Esquire

Law Office of Marlene A. Johnson, P.C.

3655A Old Court Road - Suite 11

Pikesville, Maryland 21208

Phone: (410) 921-9534

Fax: (410) 467-6900

Email: marleneajohnson@marleneajohnsonlaw.com

Attorney for Lakeisha Smith, et al.

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Smith, et al.
Plaintiff(s)

*

*

v.

CASE NO.:

*

Greater Baltimore Medical Center, et al.
Defendant(s)

*

REQUEST FOR SUMMONS/SUMMONS RENEWAL

Renewal

Serve by Sheriff/ Constable

Send by Restricted Delivery Mail

Serve by Private Process

Please issue the summons in this case for Dominique Allen, M.D. (Defendant) at the following address:

Dominique Allen, M.D. (Defendant)

6569 N Charles Street – Suite 501

Towson, Maryland 21204

SERVE ON:

Michael K. Wiggins, Esquire (Attorney for Defendant)

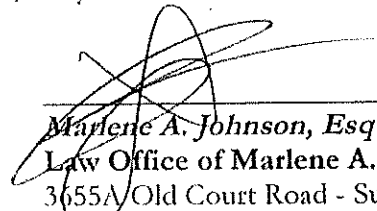
Wharton, Levin, Ehrmantraut and Klein, P.A.

104 West Street – P. O. Box 551

Annapolis, Maryland 21404-0551

January 29, 2018

Date



Marlene A. Johnson, Esquire

Law Office of Marlene A. Johnson, P.C.

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Phone: (410) 921-9534

Fax: (410) 467-6900

Email: marleneajohnson@marleneajohnsonlaw.com

Attorney for Lakeisha Smith, et al.

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Smith, et al.
Plaintiff(s)

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v.

CASE NO.:

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Greater Baltimore Medical Center, et al.
Defendant(s)

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REQUEST FOR SUMMONS/SUMMONS RENEWAL

Renewal

Serve by Sheriff/ Constable

Send by Restricted Delivery Mail

Serve by Private Process

Please issue the summons in this case for Gina Merryman, M.D. (Defendant) at the following address:

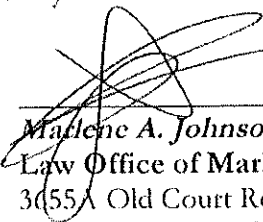
Gina Merryman M.D. (Defendant)
6569 N Charles Street – Suite 501
Towson, Maryland 21204

SERVE ON:

Michael K. Wiggins, Esquire (Attorney for Defendant)
Wharton, Levin, Ehrmantraut and Klein, P.A.
104 West Street – P. O. Box 551
Annapolis, Maryland 21404-0551

January 29, 2018

Date



Marlene A. Johnson, Esquire
Law Office of Marlene A. Johnson, P.C.
3055 A Old Court Road - Suite 11
Pikesville, Maryland 21208
Phone: (410) 921-9534
Fax: (410) 467-6900
Email: marleneajohnson@marleneajohnsonlaw.com
Attorney for Lakeisha Smith, et al.

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Smith, et al.
Plaintiff(s)

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v.

CASE NO.:

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Greater Baltimore Medical Center, et al.
Defendant(s)

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REQUEST FOR SUMMONS/SUMMONS RENEWAL

Renewal

Serve by Sheriff/ Constable

Send by Restricted Delivery Mail

Serve by Private Process

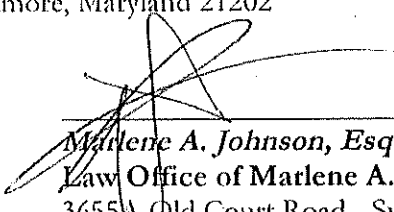
Please issue the summons in this case for Shama Jari, M.D. (Defendant) at the following address:

Shama Jari, M.D. (Defendant)
6701 N Charles Street – Suite 2310
Towson, Maryland 21204

SERVE ON:

Amy Heinrich, Esquire (Attorney for Defendant)
Goodell, DeVries, Leech and Dann, L.L.P.
One South Street – 20th Floor
Baltimore, Maryland 21202

January 29, 2018
Date



Marlene A. Johnson, Esquire
Law Office of Marlene A. Johnson, P.C.
3655 Old Court Road - Suite 11
Pikesville, Maryland 21208
Phone: (410) 921-9534
Fax: (410) 467-6900
Email: marleneajohnson@marleneajohnsonlaw.com
Attorney for Lakeisha Smith, et al.

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Smith, et al.
Plaintiff(s)

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v.

CASE NO.:

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Greater Baltimore Medical Center, et al.
Defendant(s)

*

REQUEST FOR SUMMONS/SUMMONS RENEWAL

Renewal

Serve by Sheriff/Constable

Send by Restricted Delivery Mail

Serve by Private Process

Please issue the summons in this case for Sabah M. Helou, M.D. (Defendant) at the following address:

Sabah M. Helou, M.D. (Defendant)

6701 N Charles Street – Suite 2358

Towson, Maryland 21204

SERVE ON:

Amy Heinrich, Esquire (Attorney for Defendant)

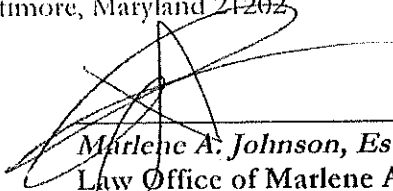
Goodell, DeVries, Leech and Dann, L.L.P.

One South Street – 20th Floor

Baltimore, Maryland 21202

January 29, 2018

Date


Marlene A. Johnson, Esquire

Law Office of Marlene A. Johnson, P.C.

3655A Old Court Road - Suite 11

Pikesville, Maryland 21208

Phone: (410) 921-9534

Fax: (410) 467-6900

Email: marleneajohnson@marleneajohnsonlaw.com

Attorney for Lakeisha Smith, et al.

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Smith, et al.
Plaintiff(s)

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v.

CASE NO.:

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Greater Baltimore Medical Center, et al.
Defendant(s)

*

REQUEST FOR SUMMONS/SUMMONS RENEWAL

Renewal

Serve by Sheriff/ Constable

Send by Restricted Delivery Mail

Serve by Private Process

Please issue the summons in this case for Antoine D. Kline, M.D. (Defendant) at the following address:

Antoine D. Kline, M.D. (Defendant)

6701 N Charles Street – Suite 2326

Towson, Maryland 21204

SERVE ON:

Amy Heinrich, Esquire (Attorney for Defendant)

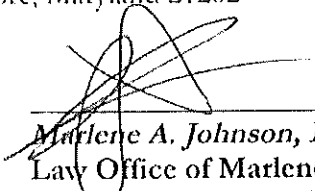
Goodell, DeVries, Leech and Dann, L.L.P.

One South Street – 20th Floor

Baltimore, Maryland 21202

January 29, 2018

Date


Marlene A. Johnson, Esquire

Law Office of Marlene A. Johnson, P.C.

3655A Old Court Road - Suite 11

Pikesville, Maryland 21208

Phone: (410) 921-9534

Fax: (410) 467-6900

Email: marleneajohnson@marleneajohnsonlaw.com

Attorney for Lakeisha Smith, et al.

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Smith, et al.
Plaintiff(s)

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v.

CASE NO.:

*

Greater Baltimore Medical Center, et al.
Defendant(s)

*

REQUEST FOR SUMMONS/SUMMONS RENEWAL

Renewal

Serve by Sheriff/ Constable

Send by Restricted Delivery Mail

Serve by Private Process

Please issue the summons in this case for Victor Khouzami, M.D. (Defendant) at the following address:

Victor Khouzami, M.D. (Defendant)

6565 N Charles Street – Suite 406

Towson, Maryland 21204

SERVE ON:

Amy Heinrich, Esquire (Attorney for Defendant)

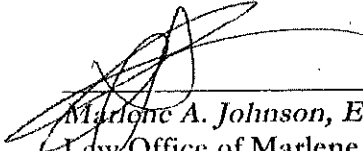
Goodell, DeVries, Leech and Dann, L.L.P.

One South Street – 20th Floor

Baltimore, Maryland 21202

January 29, 2018

Date



Marlene A. Johnson, Esquire

Law Office of Marlene A. Johnson, P.C.

3655A Old Court Road - Suite 11

Pikesville, Maryland 21208

Phone: (410) 921-9534

Fax: (410) 467-6900

Email: marleneajohnson@marleneajohnsonlaw.com

Attorney for Lakeisha Smith, et al.

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Smith, et al.
Plaintiff(s)

*

*

v.

CASE NO.:

*

Greater Baltimore Medical Center, et al.
Defendant(s)

*

REQUEST FOR SUMMONS/SUMMONS RENEWAL

Renewal

Serve by Sheriff/ Constable

Send by Restricted Delivery Mail

Serve by Private Process

Please issue the summons in this case for Gregory Marinkovich, M.D. (Defendant) at the following address:

Gregory Marinkovich, M.D. (Defendant)

6701 N Charles Street – Suite 2358

Towson, Maryland 21204

SERVE ON:

Amy Heinrich, Esquire (Attorney for Defendant)

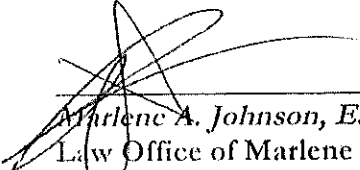
Goodell, DeVries, Leech and Dann, L.L.P.

One South Street – 20th Floor

Baltimore, Maryland 21202

January 29, 2018

Date


Marlene A. Johnson, Esquire

Law Office of Marlene A. Johnson, P.C.

3655A Old Court Road - Suite 11

Pikesville, Maryland 21208

Phone: (410) 921-9534

Fax: (410) 467-6900

Email: marleneajohnson@marleneajohnsonlaw.com

Attorney for Lakeisha Smith, et al.

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Smith, et al.
Plaintiff(s)

*

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v.

CASE NO.:

*

Greater Baltimore Medical Center, et al.
Defendant(s)

*

REQUEST FOR SUMMONS/SUMMONS RENEWAL

Renewal

Serve by Sheriff/Constable

Served by Restricted Delivery Mail

Serve by Private Process

Please issue the summons in this case for Cynthia Arnold, CRPN (Defendant) at the following address:

Cynthia Arnold, CRPN (Defendant)

6701 N Charles Street
Towson, Maryland 21204

SERVE ON:

Amy Heinrich, Esquire (Attorney for Defendant)

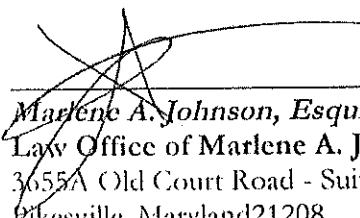
Goodell, DeVries, Leech and Dann, L.L.P.

One South Street - 20th Floor

Baltimore, Maryland 21202

January 29, 2018

Date



Marlene A. Johnson, Esquire
Law Office of Marlene A. Johnson, P.C.
3655A Old Court Road - Suite 11
Pikesville, Maryland 21208
Phone: (410) 921-9534
Fax: (410) 467-6900
Email: marleneajohnson@marleneajohnsonlaw.com
Attorney for Lakeisha Smith, et al.

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Smith, et al.
Plaintiff(s)

*

*

v.

CASE NO.:

*

Greater Baltimore Medical Center, et al.
Defendant(s)

*

REQUEST FOR SUMMONS/SUMMONS RENEWAL

Renewal

Serve by Sheriff/Constable

Send by Restricted Delivery Mail

Serve by Private Process

Please issue the summons in this case for M. Shervill (Defendant) at the following address:

M. Shervill (Defendant)

6701 N Charles Street

Towson, Maryland 21204

SERVE ON:

Amy Heinrich, Esquire (Attorney for Defendant)

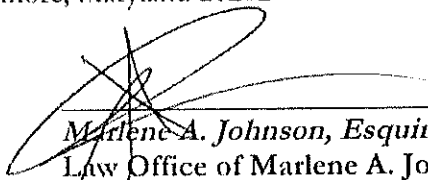
Goodell, DeVries, Leech and Dann, L.L.P.

One South Street – 20th Floor

Baltimore, Maryland 21202

January 29, 2018

Date



Marlene A. Johnson, Esquire

Law Office of Marlene A. Johnson, P.C.

3655A Old Court Road - Suite 11

Pikesville, Maryland 21208

Phone: (410) 921-9534

Fax: (410) 467-6900

Email: marleneajohnson@marleneajohnsonlaw.com

Attorney for Lakeisha Smith, et al.

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Smith, et al.
Plaintiff(s)

*

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v.

CASE NO.:

*

Greater Baltimore Medical Center, et al.
Defendant(s)

*

REQUEST FOR SUMMONS/SUMMONS RENEWAL

Renewal

Serve by Sheriff/Constable

Send by Restricted Delivery Mail

Serve by Private Process

Please issue the summons in this case for Claire Weitz, M.D. (Defendant) at the following address:

Claire Weitz, M.D. (Defendant)

6701 N Charles Street
Towson, Maryland 21204

SERVE ON:

Amy Heinrich, Esquire (Attorney for Defendant)


Goodell, DeVries, Leech and Dann, L.L.P.

One South Street - 20th Floor

Baltimore, Maryland 21202

January 29, 2018

Date



Marlene A. Johnson, Esquire
Law Office of Marlene A. Johnson, P.C.

2655A Old Court Road - Suite 11
Pikesville, Maryland 21208

Phone: (410) 921-9534

Fax: (410) 467-6900

Email: marleneajohnson@marleneajohnsonlaw.com

Attorney for Lakeisha Smith, et al.

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Smith, et al.
Plaintiff(s)

*

*

v.

CASE NO.:

*

Greater Baltimore Medical Center, et al.
Defendant(s)

*

REQUEST FOR SUMMONS/SUMMONS RENEWAL

Renewal

Serve by Sheriff/ Constable

Send by Restricted Delivery Mail

Serve by Private Process

Please issue the summons in this case for Unknown Physician #1 (Defendant) at the following address:

Unknown Physician #1 (Defendant)

6701 N Charles Street
Towson, Maryland 21204

SERVE ON:

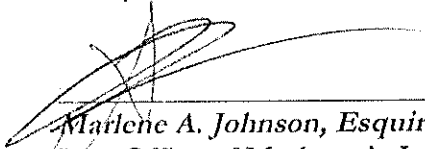
Amy Heinrich, Esquire (Attorney for Defendant)

Goodell, DeVries, Leech and Dann, L.L.P.

One South Street - 20th Floor
Baltimore, Maryland 21202

January 29, 2018

Date



Marlene A. Johnson, Esquire
Law Office of Marlene A. Johnson, P.C.
3655A Old Court Road - Suite 11
Pikesville, Maryland 21208
Phone: (410) 921-9534
Fax: (410) 467-6900
Email: marleneajohnson@marleneajohnsonlaw.com
Attorney for Lakeisha Smith, et al.

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Smith, et al.
Plaintiff(s)

*

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v.

CASE NO.:

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Greater Baltimore Medical Center, et al.
Defendant(s)

*

REQUEST FOR SUMMONS/SUMMONS RENEWAL

Renewal

Serve by Sheriff/ Constable

Send by Restricted Delivery Mail

Serve by Private Process

Please issue the summons in this case for Unknown Physician #2 (Defendant) at the following address:

Unknown Physician #2 (Defendant)

6701 N Charles Street
Towson, Maryland 21204

SERVE ON:

Amy Heinrich, Esquire (Attorney for Defendant)

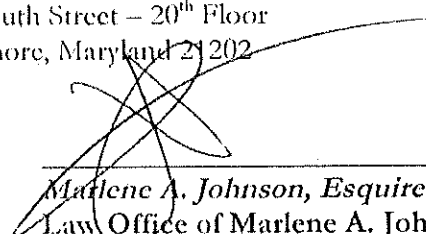
Goodell, DeVries, Leech and Dann, L.L.P.

One South Street - 20th Floor

Baltimore, Maryland 21202

January 29, 2018

Date


Marlene A. Johnson, Esquire

Law Office of Marlene A. Johnson, P.C.

3655A Old Court Road - Suite 11

Pikesville, Maryland 21208

Phone: (410) 921-9534

Fax: (410) 467-6900

Email: marleneajohnson@marleneajohnsonlaw.com

Attorney for Lakeisha Smith, et al.

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Lakeisha Smith, et al.
Plaintiff(s)

*

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v.

CASE NO.:

*

Greater Baltimore Medical Center, et al.
Defendant(s)

*

REQUEST FOR SUMMONS/SUMMONS RENEWAL

Renewal

Serve by Sheriff/ Constable

Send by Restricted Delivery Mail

Serve by Private Process

Please issue the summons in this case for Mars (Defendant) at the following address:

Mars (Defendant)

6701 N Charles Street -- Suite 2358

Towson, Maryland 21204

SERVE ON:

Amy Heinrich, Esquire (Attorney for Defendant)

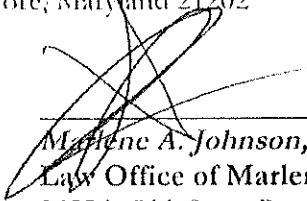
Goodell, DeVries, Leech and Dann, L.L.P.

One South Street -- 20th Floor

Baltimore, Maryland 21202

January 29, 2018

Date


Marlene A. Johnson, Esquire

Law Office of Marlene A. Johnson, P.C.

3655A Old Court Road - Suite 11

Pikesville, Maryland 21208

Phone: (410) 921-9534

Fax: (410) 467-6900

Email: marleneajohnson@marleneajohnsonlaw.com

Attorney for Lakeisha Smith, et al.

LAW OFFICE OF MARLENE A. JOHNSON, P.C.

BALTIMORE CITY OFFICE:

2520 Maryland Avenue - Suite 1B * Baltimore, Maryland 21218

BALTIMORE COUNTY OFFICE:

3655A Old Court Road - Suite 11 * Pikesville, Maryland 21208

Phone: (410) 921-9534 * Fax: (410) 467-6900

Email: marleneajohnson@marleneajohnsonlaw.com

January 29, 2018

Clerk, Civil Division for Baltimore County
Circuit Court for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204-0754

RE: Case/Matter: Lakeisha Smith, et al. v. Greater Baltimore Medical Center, et al.
Case No.: TBA
MAJ File No.: 2015.0056

Dear Madam/Sir:

Enclosed please find the following documents in connection with the above-captioned matter:

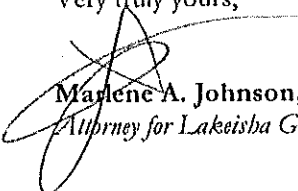
- Complaint with corresponding exhibits
- Answer to Complaint/Petition/Motion filed by the opposing party
- Notice of Intention to Defend and Demand for Strict Proof
- Counter-Complaint
- Motion
- Certificate of Service/Discovery
- Request for the Issuance/Re-issuance of Summons
- Entry of Appearance
- Stipulation of Dismissal
- Line
- Proposed Order/Judgment
- Affidavit(s) signed by Michael Smith and Lakeisha Smith
- Civil Information Sheet - Non-Domestic
- And a check in the amount of \$60.00 to cover filing fees.
- Other: _____
- Other: _____

We respectfully request that you take the following actions with respect to this filing (check all that apply):

- File the enclosed documents and return the necessary Writ(s) of Summons to this office for private process
- File the enclosed documents and return the necessary materials to this office for further handling or process (Please time stamp all copies)
- File the enclosed documents and forward the same to the appropriate judge for consideration
- Other: _____

If you have any questions or need to discuss this matter further, please feel free to contact me at (410) 921-9534. Thank you for your time and consideration in this matter.

Very truly yours,


Marlene A. Johnson, Esquire
Attorney for Lakeisha Galloway-Smith, et al.

C-18-946

(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).

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

THIS INFORMATION REPORT CANNOT BE ACCEPTED AS A PLEADING

FORM FILED BY: PLAINTIFF DEFENDANT **CASE NUMBER** _____ (Clerk to insert)

CASE NAME: Lakeisha Smith, et al. vs. Greater Baltimore Medical Center, et al.
Plaintiff Defendant

PARTY'S NAME: Lakeisha Smith, et al. **PHONE:** _____

PARTY'S ADDRESS: 4 Overmill Court, Owings Mills, Maryland 21117

PARTY'S E-MAIL: _____

If represented by an attorney:

PARTY'S ATTORNEY'S NAME: Marlene A. Johnson, Esquire **PHONE:** 410-921-9534

PARTY'S ATTORNEY'S ADDRESS: 3655A Old Court Road - Suite 11, Pikesville, Maryland 21208

PARTY'S ATTORNEY'S E-MAIL: marleneajohnson@marleneajohnsonlaw.com

JURY DEMAND? Yes No

RELATED CASE PENDING? Yes No If yes, Case #(s), if known: _____

ANTICIPATED LENGTH OF TRIAL?: _____ hours 5 days

PLEADING TYPE

New Case: Original Administrative Appeal Appeal

Existing Case: Post-Judgment Amendment

If filing in an existing case, skip Case Category/ Subcategory section - go to Relief section.

IF NEW CASE: CASE CATEGORY/SUBCATEGORY (Check one box.)

<p>TORTS</p> <p><input type="checkbox"/> Asbestos</p> <p><input type="checkbox"/> Assault and Battery</p> <p><input type="checkbox"/> Business and Commercial</p> <p><input type="checkbox"/> Conspiracy</p> <p><input type="checkbox"/> Conversion</p> <p><input type="checkbox"/> Defamation</p> <p><input type="checkbox"/> False Arrest/Imprisonment</p> <p><input type="checkbox"/> Fraud</p> <p><input type="checkbox"/> Lead Paint - DOB of Youngest Plt: _____</p> <p><input type="checkbox"/> Loss of Consortium</p> <p><input type="checkbox"/> Malicious Prosecution</p> <p><input checked="" type="checkbox"/> Malpractice-Medical</p> <p><input type="checkbox"/> Malpractice-Professional</p> <p><input type="checkbox"/> Misrepresentation</p> <p><input type="checkbox"/> Motor Tort</p> <p><input type="checkbox"/> Negligence</p> <p><input type="checkbox"/> Nuisance</p> <p><input type="checkbox"/> Premises Liability</p> <p><input type="checkbox"/> Product Liability</p> <p><input type="checkbox"/> Specific Performance</p> <p><input type="checkbox"/> Toxic Tort</p> <p><input type="checkbox"/> Trespass</p> <p><input checked="" type="checkbox"/> Wrongful Death</p> <p>CONTRACT</p> <p><input type="checkbox"/> Asbestos</p> <p><input type="checkbox"/> Breach</p> <p><input type="checkbox"/> Business and Commercial</p> <p><input type="checkbox"/> Confessed Judgment</p> <p>(Cont'd)</p> <p><input type="checkbox"/> Construction</p> <p><input type="checkbox"/> Debt</p> <p><input type="checkbox"/> Fraud</p>	<p><input type="checkbox"/> Government</p> <p><input type="checkbox"/> Insurance</p> <p><input type="checkbox"/> Product Liability</p> <p>PROPERTY</p> <p><input type="checkbox"/> Adverse Possession</p> <p><input type="checkbox"/> Breach of Lease</p> <p><input type="checkbox"/> Detinue</p> <p><input type="checkbox"/> Distress/Distrain</p> <p><input type="checkbox"/> Ejectment</p> <p><input type="checkbox"/> Forcible Entry/Detainer</p> <p><input type="checkbox"/> Foreclosure</p> <p><input type="checkbox"/> Commercial</p> <p><input type="checkbox"/> Residential</p> <p><input type="checkbox"/> Currency or Vehicle</p> <p><input type="checkbox"/> Deed of Trust</p> <p><input type="checkbox"/> Land Installments</p> <p><input type="checkbox"/> Lien</p> <p><input type="checkbox"/> Mortgage</p> <p><input type="checkbox"/> Right of Redemption</p> <p><input type="checkbox"/> Statement Condo</p> <p><input type="checkbox"/> Forfeiture of Property / Personal Item</p> <p><input type="checkbox"/> Fraudulent Conveyance</p> <p><input type="checkbox"/> Landlord-Tenant</p> <p><input type="checkbox"/> Lis Pendens</p> <p><input type="checkbox"/> Mechanic's Lien</p> <p><input type="checkbox"/> Ownership</p> <p><input type="checkbox"/> Partition/Sale in Lieu</p> <p><input type="checkbox"/> Quiet Title</p> <p><input type="checkbox"/> Rent Escrow</p> <p><input type="checkbox"/> Return of Seized Property</p> <p><input type="checkbox"/> Right of Redemption</p> <p><input type="checkbox"/> Tenant Holding Over</p>	<p>PUBLIC LAW</p> <p><input type="checkbox"/> Attorney Grievance</p> <p><input type="checkbox"/> Bond Forfeiture Remission</p> <p><input type="checkbox"/> Civil Rights</p> <p><input type="checkbox"/> County/Mncpl Code/Ord</p> <p><input type="checkbox"/> Election Law</p> <p><input type="checkbox"/> Eminent Domain/Condemn.</p> <p><input type="checkbox"/> Environment</p> <p><input type="checkbox"/> Error Coram Nobis</p> <p><input type="checkbox"/> Habeas Corpus</p> <p><input type="checkbox"/> Mandamus</p> <p><input type="checkbox"/> Prisoner Rights</p> <p><input type="checkbox"/> Public Info. Act Records</p> <p><input type="checkbox"/> Quarantine/Isolation</p> <p><input type="checkbox"/> Writ of Certiorari</p> <p>EMPLOYMENT</p> <p><input type="checkbox"/> ADA</p> <p><input type="checkbox"/> Conspiracy</p> <p><input type="checkbox"/> EEO/HR</p> <p><input type="checkbox"/> FLSA</p> <p><input type="checkbox"/> FMLA</p> <p><input type="checkbox"/> Workers' Compensation</p> <p><input type="checkbox"/> Wrongful Termination</p> <p>INDEPENDENT PROCEEDINGS</p> <p><input type="checkbox"/> Assumption of Jurisdiction</p> <p><input type="checkbox"/> Authorized Sale</p> <p><input type="checkbox"/> Attorney Appointment</p> <p><input type="checkbox"/> Body Attachment Issuance</p> <p><input type="checkbox"/> Commission Issuance</p>	<p><input type="checkbox"/> Constructive Trust</p> <p><input type="checkbox"/> Contempt</p> <p><input type="checkbox"/> Deposition Notice</p> <p><input type="checkbox"/> Dist Ct Mtn Appeal</p> <p><input type="checkbox"/> Financial</p> <p><input type="checkbox"/> Grand Jury/Petit Jury</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Perpetuate Testimony/Evidence</p> <p><input type="checkbox"/> Prod. of Documents Req.</p> <p><input type="checkbox"/> Receivership</p> <p><input type="checkbox"/> Sentence Transfer</p> <p><input type="checkbox"/> Set Aside Deed</p> <p><input type="checkbox"/> Special Adm. - Atty</p> <p><input type="checkbox"/> Subpoena Issue/Quash</p> <p><input type="checkbox"/> Trust Established</p> <p><input type="checkbox"/> Trustee Substitution/Removal</p> <p><input type="checkbox"/> Witness Appearance-Compel</p> <p>PEACE ORDER</p> <p><input type="checkbox"/> Peace Order</p> <p>EQUITY</p> <p><input type="checkbox"/> Declaratory Judgment</p> <p><input type="checkbox"/> Equitable Relief</p> <p><input type="checkbox"/> Injunctive Relief</p> <p><input type="checkbox"/> Mandamus</p> <p>OTHER</p> <p><input type="checkbox"/> Accounting</p> <p><input type="checkbox"/> Friendly Suit</p> <p><input type="checkbox"/> Grantor in Possession</p> <p><input type="checkbox"/> Maryland Insurance Administration</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Specific Transaction</p> <p><input type="checkbox"/> Structured Settlements</p>
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IF NEW OR EXISTING CASE: RELIEF (Check All that Apply)

- | | | | |
|--|--|--|---|
| <input type="checkbox"/> Abatement | <input type="checkbox"/> Earnings Withholding | <input type="checkbox"/> Judgment-Interest | <input type="checkbox"/> Return of Property |
| <input type="checkbox"/> Administrative Action | <input type="checkbox"/> Enrollment | <input type="checkbox"/> Judgment-Summary | <input type="checkbox"/> Sale of Property |
| <input type="checkbox"/> Appointment of Receiver | <input type="checkbox"/> Expungement | <input checked="" type="checkbox"/> Liability | <input type="checkbox"/> Specific Performance |
| <input type="checkbox"/> Arbitration | <input checked="" type="checkbox"/> Findings of Fact | <input type="checkbox"/> Oral Examination | <input type="checkbox"/> Writ-Error Coram Nobis |
| <input type="checkbox"/> Asset Determination | <input type="checkbox"/> Foreclosure | <input checked="" type="checkbox"/> Order | <input type="checkbox"/> Writ-Execution |
| <input type="checkbox"/> Attachment b/f Judgment | <input type="checkbox"/> Injunction | <input type="checkbox"/> Ownership of Property | <input type="checkbox"/> Writ-Garnish Property |
| <input type="checkbox"/> Cease & Desist Order | <input type="checkbox"/> Judgment-Affidavit | <input type="checkbox"/> Partition of Property | <input type="checkbox"/> Writ-Garnish Wages |
| <input type="checkbox"/> Condemn Bldg | <input type="checkbox"/> Judgment-Attorney Fees | <input type="checkbox"/> Peace Order | <input type="checkbox"/> Writ-Habeas Corpus |
| <input type="checkbox"/> Contempt | <input type="checkbox"/> Judgment-Confessed | <input type="checkbox"/> Possession | <input type="checkbox"/> Writ-Mandamus |
| <input checked="" type="checkbox"/> Court Costs/Fees | <input type="checkbox"/> Judgment-Consent | <input type="checkbox"/> Production of Records | <input type="checkbox"/> Writ-Possession |
| <input checked="" type="checkbox"/> Damages-Compensatory | <input type="checkbox"/> Judgment-Declaratory | <input type="checkbox"/> Quarantine/Isolation Order | |
| <input checked="" type="checkbox"/> Damages-Punitive | <input type="checkbox"/> Judgment-Default | <input type="checkbox"/> Reinstatement of Employment | |

If you indicated *Liability* above, mark one of the following. 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.

MONETARY DAMAGES (Do not include Attorney's Fees, Interest, or Court Costs)

- Under \$10,000 \$10,000 - \$30,000 \$30,000 - \$100,000 Over \$100,000
- Medical Bills \$ _____ Wage Loss \$ _____ Property Damages \$ _____

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 C. Settlement Conference Yes No
- B. Arbitration Yes No D. Neutral Evaluation Yes No

SPECIAL REQUIREMENTS

- If a Spoken Language Interpreter is needed, check here and attach form CC-DC-041
- If you require an accommodation for a disability under the Americans with Disabilities Act, check here and attach form CC-DC-049

ESTIMATED LENGTH OF TRIAL

- With the exception of Baltimore County and Baltimore City, please fill in the estimated LENGTH OF TRIAL.*
- (Case will be tracked accordingly)*
- 1/2 day of trial or less 3 days of trial time
- 1 day of trial time More than 3 days of trial time
- 2 days of trial time

BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM

- For all jurisdictions, if Business and Technology track designation under Md. Rule 16-308 is requested, attach a duplicate copy of complaint and check one of the tracks below.*
- Expedited**- Trial within 7 months of Defendant's response **Standard** - Trial within 18 months of Defendant's response

EMERGENCY RELIEF REQUESTED

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

FOR PURPOSES OF POSSIBLE SPECIAL ASSIGNMENT TO ASTAR RESOURCES JUDGES under Md. Rule 16-302, attach a duplicate copy of complaint and check whether assignment to an ASTAR is requested.

- Expedited** - Trial within 7 months of Defendant's response **Standard** - Trial within 18 months of Defendant's response

IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, 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.
- Civil-Short Trial 210 days from first answer.
- Civil-Standard Trial 360 days from first answer.
- Custom Scheduling order entered by individual judge.
- Asbestos Special scheduling order.
- Lead Paint Fill in: Birth Date of youngest plaintiff.....
- Tax Sale Foreclosures Special scheduling order.
- Mortgage Foreclosures No scheduling order.

CIRCUIT COURT FOR BALTIMORE COUNTY

- Expedited (Trial Date-90 days) Attachment Before Judgment, Declaratory Judgment (Simple), Administrative Appeals, District Court Appeals and Jury Trial Prayers, Guardianship, Injunction, Mandamus.
- Standard (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.
- Extended Standard (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.
- Complex (Trial Date-450 days) Class Actions, Designated Toxic Tort, Major Construction Contracts, Major Product Liabilities, Other Complex Cases.

01/29/2018

Date

3655A Old Court Road - Suite 11

Address

Pikesville

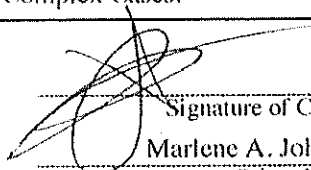
City

MD

State

21208

Zip Code


Signature of Counsel / Party
Marlene A. Johnson, Esquire
Printed Name

