

AMELIA BAILEY, M.D.
1221 Lee Street
Charlottesville, Virginia 22908

*
*

Defendants.

* * * * *

COMPLAINT AND JURY DEMAND

COME NOW, the Plaintiffs, Lul Omar and Anthony Tracy, by and through the undersigned counsel, William H. Murphy, Jr., Richard V. Falcon, Pamela J. Diedrich, Murphy & Falcon, P.A., and Susan R. Green and the Law Offices of Susan R. Green, P.C., and hereby sues Defendants Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D., and for their causes of action state as follows:

PARTIES AND JURISDICTION

1. Plaintiff, Lul Omar, was at all times relevant hereto a citizen and resident of Baltimore County, Maryland. She currently is a citizen and resident of Winchester, Virginia.
2. Plaintiff, Anthony Tracy, was at all times relevant hereto a citizen and resident of Baltimore County, Maryland. He currently is a citizen and resident of Winchester, Virginia.
3. At all times relevant hereto, Defendant Teresa Hoffman, M.D. (hereinafter "Dr. Hoffman"), has been a physician engaged in the practice of Obstetrics and Gynecology in Baltimore City, Maryland, acting individually and through actual and/or apparent agents, servants and/or employees, and as the actual and/or apparent agent of Teresa Hoffman, M.D. and Associates, LLC and Mercy Medical Center, Inc. at all relevant times herein.
4. At all times relevant hereto, Defendant, Teresa Hoffman, M.D. and Associates, LLC (hereinafter "Hoffman and Associates"), has been a corporation organized under the laws of the State of Maryland involved in providing health care services in Baltimore City, Maryland, and the employer of Dr. Hoffman and Dr. Bailey.

5. At all times relevant hereto, Defendant Amelia Bailey, M.D. (hereinafter “Dr. Bailey”), has been a physician engaged in the practice of Obstetrics and Gynecology in Baltimore City, Maryland, acting individually and through actual and/or apparent agents, servants and/or employees, and as the actual and/or apparent agent of Teresa Hoffman, M.D. and Associates, LLC and Mercy Medical Center, Inc. at all relevant times herein. Upon information and belief, Dr. Bailey now practices medicine in Charlottesville, Virginia.

6. At all times relevant hereto, Defendant, Mercy Medical Center, Inc. (hereinafter “Mercy”), has been a hospital incorporated under the laws of the State of Maryland with its principal place of business in Baltimore, Maryland and is involved in providing health care services in Baltimore City, Maryland, and the employer of Dr. Hoffman and Dr. Bailey.

7. At all times relevant hereto, Dr. Hoffman and Dr. Bailey were acting individually and as the actual and/or apparent agents, servants and/or employees, and as the authorized agent of Mercy Medical Center, Inc.

8. The amount of this claim exceeds Thirty Thousand Dollars (\$30,000).

9. Pursuant to Courts and Judicial Proceedings Article 6-201, the venue for this claim is proper in Baltimore City, Maryland.

FACTS COMMON TO ALL COUNTS

10. Lul Omar, born February 14, 1971, was a healthy and active married mother of four children when she was admitted to Mercy Medical Center for induction of labor on February 14, 2008. Her prior pregnancies and deliveries were without complications. Upon the recommendation of her physicians, her labor was to be induced to insure the safety of herself and her unborn child.

11. On the date of her induction, Dr. Hoffman indicated to Mrs. Omar that she was in a hurry because she had four other deliveries. Also at the time, she was supervising a resident physician-in-training, Amelia Bailey, M.D. Dr. Bailey was not as experienced in delivering pregnancies or handling issues arising before, during, and after delivery, though this was never explained to Mrs. Omar or her husband. They were told that Dr. Hoffman would deliver their baby and complete the post delivery procedures as well and they relied on that representation. Had they been told that an inexperienced Resident would assist in the delivery of their baby and be left alone immediately following the procedure to handle any post delivery issues, they would have requested another board certified obstetrician.

12. During the delivery, Dr. Hoffman used a medical vacuum device to assist in the removal of the baby from the uterus. The use of the vacuum was unnecessary and Dr. Hoffman only utilized it because, as she explained to Mrs. Omar and her husband, she was in a hurry to get to other deliveries. The need for the use of the vacuum was never explained to Plaintiff and, therefore, informed consent was never obtained.

13. Dr. Hoffman improperly placed the vacuum during delivery of Mrs. Omar's baby and failed to properly insure that the vacuum was attached only to the baby's head. The improperly placed vacuum pulled and lacerated Mrs. Omar's posterior vaginal tissue. This improper placement could easily have been prevented by placing the vacuum and then the physician running a finger around the edge to insure it is attached only to the baby's head, not to the mother's tissue. In a grand multipara (numerous pregnancies) it is not unusual to have excess folds of vaginal tissue, so it is crucial to insure the vacuum is placed away from the tissue, or a severe injury to the mother is likely. Dr. Hoffman failed to insure proper placement of the vacuum.

14. While Dr. Hoffman was present for the delivery, she left immediately afterwards and abandoned her patient despite an enormous amount of blood actively flowing from Mrs. Omar. Incredibly, Dr. Hoffman did not do a proper exam or check on Mrs. Omar before leaving the delivery room. Had she done so, she should have recognized the posterior vaginal laceration. Instead, she left the delivery room and an unstable patient and went into another procedure without first evaluating her patient or providing appropriate supervision.

15. Dr. Bailey was left unsupervised to stitch Mrs. Omar since she had an episiotomy and care for her post-delivery. Dr. Hoffman should have been, but was not, properly supervising Dr. Bailey's acts.

16. As Dr. Bailey stitched Mrs. Omar, the blood continued to pour out. The nurses had placed a bucket that was filling with the blood. Mrs. Omar and her husband continuously asked if something was wrong and requested another physician be called because they had never seen such bleeding with their prior deliveries. Dr. Bailey ignored their requests and simply continued the stitching despite the enormous blood loss. Additionally, an IV line had not been properly placed.

17. Eventually, Dr. Bailey did seek another physician's assistance. When that physician entered the room she was shocked at the scene and finally action was taken to assess Mrs. Omar's immense bleeding and dropping vital signs.

18. The improperly placed vacuum lacerated Mrs. Omar's posterior vagina and caused intense pain and massive blood loss. Tragically, the Defendants failed to properly assess Mrs. Omar and the cause of her bleeding and instead improperly assumed that Mrs. Omar's uterus and/or cervix had been lacerated. Once again, the Defendants failed to perform a proper

and timely exam of Mrs. Omar to determine the actual cause of her bleeding and Dr. Hoffman had already abandoned Mrs. Omar.

19. As a result of erroneously believing Mrs. Omar's uterus had been lacerated, the Defendants transferred her to the operating room for an emergent abdominal hysterectomy with ligation of several bleeding vessels, unnecessarily removing Mrs. Omar's uterus and preventing any chance that she could have another child. Mrs. Omar and her husband fully intended to have additional children prior to this incident. Mrs. Omar lost an enormous amount of blood during the surgery and required multiple transfusions. The blood loss was so significant that she required ICU level care. She was perilously close to death.

20. Dr. Hoffman was unable to deal with the emergent event in the operating room and had to call in another physician to take over. This physician was able to stop the bleeding.

21. There was no need for the hysterectomy. There was no injury to the uterus and, indeed, the pathology report does not mention any laceration of the uterus at all. Because this was an unnecessary procedure, caused by medical malpractice, it should not have been billed for by Dr. Hoffman, her practice, or the hospital.

22. As a result of the improper hysterectomy, Mrs. Omar's ureter was kinked. This occurred as the Defendants clamped the uterine artery at the cervical uterine junction. As the physicians realized the kinked ureter during the surgery, they mobilized the tissue around the pedicle to release tension on the ureter and then had the urologist put in a stent. When the stent was taken out, the tissue contracted, scar tissue formed, and the ureter re-kinked, causing a permanent stricture. This extremely painful condition can be likened to pain from a kidney stone, except that the patient cannot "pass" a stone to release the pain.

23. The Defendants' attempted to cover-up the negligence by improperly documenting the medical records, providing insufficient information within the medical records, and failing to properly and timely document the medical records, all in violation of the State and Federal law. Indeed, the operative report was dictated by Dr. Hoffman on January 29, 2010, almost *two years after* the incident.

24. Also, immediately following this incident the Defendants told Mrs. Omar and her husband at least four different reasons for the bleeding in an effort to cover-up the negligence and blame Mrs. Omar.

25. Additionally, Mercy refused to treat Mrs. Omar when she came back with an infection and she was forced to go to another hospital. Incredibly, Mercy also refused to provide Mrs. Omar's medical records to the second hospital so that she could be treated properly, thus delaying necessary medical treatment and prolonging Mrs. Omar's injuries, pain, and suffering.

26. Further, the Defendants refused to provide full and complete records to Mrs. Omar's treating physicians, making it difficult for them to properly treat her because they did not have the medical records detailing what happened and the treatment provided. The records are incomplete, some are written years after the incident, and still only document limited information about the event.

27. Moreover, the Defendants failed to properly communicate with Mrs. Omar and her husband. They should have had access to a language line to provide translation as needed. As a result, Mrs. Omar did not give informed consent to these procedures.

28. In addition, Mercy Medical Center breached the standard of care by failing to properly hire, retain, train, and/or supervise Dr. Hoffman and Dr. Bailey. Dr. Bailey was a resident and required additional supervision and training to handle the delivery and subsequent

emergency. The hospital was aware that Dr. Hoffman had been sanctioned by the Maryland State Board of Physicians for breaching the standard of care in her care and treatment of another patient during delivery of her baby, including failing to properly supervise a resident. Indeed, she was on probation with the Maryland State Board of Physicians for three years just prior to this incident. She also had numerous other lawsuits against her. She was not adequately monitored or trained to be the attending in this situation.

29. The Defendants failed to properly provide all of this information to Mrs. Omar and, instead, intentionally hid the information from her before and after the incident to avoid discovery of the medical malpractice.

30. Plaintiff has suffered greatly as a result of the Defendants' negligence and misconduct and will require additional care for the rest of her life. As a result of the negligent delivery and hysterectomy, she is unable to have more children, has excruciating and ongoing pain in her abdomen, flank/pelvic area, vagina, and back. She has regular infections and other urinary difficulties. She is unable to have sexual intercourse because of the injuries and pain. Prior to this incident, Mrs. Omar did not suffer from any of these problems. She requires ongoing medical treatment for these injuries and will require additional treatment in the future, including possible surgeries, medications, and multiple medical appointments. Additionally, as a result of her pain, injuries, and limitations, she has suffered significant emotional and mental injuries, including depression, anxiety, fear, humiliation, stress, and sleeplessness. She requires ongoing medical treatment for these issues as well.

COUNT I
Medical Malpractice – Negligence

The Plaintiff, Lul Omar, hereby sues the Defendants, Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D., and states as follows:

31. Plaintiff hereby incorporates by reference and re-alleges the allegations contained in the preceding paragraphs as if stated fully herein.

32. Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D., individually and through their actual and/or apparent agents, servants and/or employees, owed Mrs. Omar a duty to exercise reasonable skill and care in her care and treatment. At all times, Dr. Hoffman and Dr. Bailey were acting as actual and/or apparent agents of Mercy Medical Center and Teresa Hoffman, M.D. and Associates, LLC.

33. Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D, individually and through their actual and/or apparent agents, servants and/or employees, breached the above described duty of care thereby deviating from the applicable standard of care and were otherwise negligent, in that they, among other things:

- a. Failed to exercise reasonable care and diligence in the application of knowledge, skill, care and ability while treating and evaluating Mrs. Omar;
- b. Failed to exercise the best medical judgment in the care and treatment of Mrs. Omar;
- c. Failed to properly assess Mrs. Omar's injury and medical needs;
- d. Failed to institute the appropriate medical treatment required to Mrs. Omar;

- e. Utilized unnecessary procedures during the delivery;
- f. Failed to properly explain risks associated with the procedures and alternative treatment methods;
- g. Failed to notify the proper medical specialties of the complications during delivery for consultation;
- h. Failed to provide Mrs. Omar with proper informed consent;
- i. Failed to adequately explain the medical emergency, treatment, and outcome to Mrs. Omar;
- j. Improperly discharged Mrs. Omar;
- k. Failed to provide adequate medical care and treatment to Mrs. Omar;
- l. Failed to properly hire, train, retain and supervise the Defendants and other nurses and staff of Mercy Medical Center;
- m. Failed to properly hire, train, retain and supervise the Defendants and other nurses and staff of Teresa Hoffman, M.D. and Associates, LLC;
- n. Improperly placed the vacuum during delivery of Mrs. Omar's baby and failed to check that it was attached properly;
- o. Dr. Hoffman failed to properly supervise Dr. Bailey before, during, and after the procedure;
- p. Dr. Hoffman failed to check Mrs. Omar before leaving the delivery room;
- q. Performed an unnecessary hysterectomy;
- r. Failed to perform the proper procedure in a timely manner and minimize Mrs. Omar's blood loss and trauma;
- s. Caused a kinked ureter and the damages that have come therefrom;

- t. Failed to keep timely and accurate medical records;
- u. Failed to provide full and complete medical records to treating Defendants in a timely manner;
- v. Refused treatment to Mrs. Omar;
- w. Failed to properly communicate with Mrs. Omar;
- x. Mercy Medical Center failed to properly retain, train, and supervise Drs. Hoffman and Dr. Bailey;
- y. Failed to properly inform Mrs. Omar about Dr. Hoffman's history of sanctions with the Board of Physicians, malpractice lawsuits, and inability to properly supervise residents;
- z. Failed to properly inform Mrs. Omar of Dr. Bailey's inexperience in performing the procedures at issue;
- aa. Improperly billed Mrs. Omar; and
- bb. Other negligence as may be shown at trial.

34. As a direct and proximate result of Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D.'s negligent assessments, monitoring, care and treatment, Mrs. Omar needlessly sustained severe, permanent and debilitating injuries. Due to the severe nature of her injuries and disabilities, Mrs. Omar suffers and will continue to suffer:

- a. Unrelenting pain;
- b. Severe emotional suffering;
- c. Continued expenses for medical care and treatment;
- d. Inability to earn a living;

- e. Inability to perform activities of daily living;
- f. Inability to have sexual intercourse; and
- g. Inability to have more children.

35. The injuries and damages complained of are permanent in nature and were directly and proximately caused by the negligence and lack of care of Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D.. Mrs. Omar in no way contributed to her own harm, but however, relied upon the expertise of Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D. for her care and treatment.

WHEREFORE, the Plaintiff brings action against Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D., jointly and severally, and seeks damages in excess of Thirty Thousand Dollars (\$30,000.00), plus costs.

COUNT II
Medical Malpractice – Lack of Informed Consent

The Plaintiff, Lul Omar, hereby sues the Defendants Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D., and states as follows:

36. Plaintiff hereby incorporates by reference and re-alleges the allegations contained in the preceding paragraphs as if stated fully herein.

37. The standard of care requires, and federal and state regulations guarantee, that patients have a right to make informed decisions regarding their care, including being made aware of their current health status and being involved in care planning and treatment.

38. The Defendants failed to inform Mrs. Omar of relevant and material facts involving the recommended procedures and the physicians performing these procedures. Mrs.

Omar was not informed, among other things, that the vacuum procedure was not necessary and that the hysterectomy performed was unnecessary based on the information available prior to the procedure with a proper assessment of the patient. She was also not informed about alternative care and treatment, risks associated with the procedure, and the nature of any benefits to the procedure.

39. The Defendants also failed to properly inform Mrs. Omar of Dr. Bailey's inexperience in performing the procedures at issue and Dr. Hoffman's extensive history of sanctions with the Board of Physicians, malpractice lawsuits, and inability to properly supervise residents.

40. Instead of providing Plaintiff with this required information in order to obtain proper informed consent they withheld the information and informed her that the procedures at issue were necessary and the physicians were properly trained and supervised to handle the procedures.

41. Because of the negligence by the Defendants in failing to inform Mrs. Omar of the above-described material facts, Mrs. Omar was unable to make an informed decision whether she would take the risk of undergoing the procedures in this manner and with these Defendants without looking into alternative treatments and physicians.

42. As a direct and proximate result of Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D.'s failure to provide proper informed consent, Mrs. Omar needlessly sustained severe, permanent and debilitating injuries. Due to the severe nature of her injuries and disabilities, Mrs. Omar suffers and will continue to suffer:

- a. Unrelenting pain;

- b. Severe emotional suffering;
- c. Continued expenses for medical care and treatment;
- d. Inability to earn a living;
- e. Inability to perform activities of daily living;
- f. Inability to have sexual intercourse; and
- g. Inability to have more children.

43. The injuries and damages complained of are permanent in nature and were directly and proximately caused by the negligence and lack of care of Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D.. Mrs. Omar in no way contributed to her own harm, but however, relied upon the expertise of Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D. for her care and treatment.

WHEREFORE, the Plaintiff brings action against Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D., jointly and severally, and seeks damages in excess of Thirty Thousand Dollars (\$30,000.00), plus costs.

COUNT III
Negligent Hiring, Training, Retention and Supervision
Against Mercy Medical Center, Teresa Hoffman, M.D.
and Teresa Hoffman, M.D. and Associates, LLC

The Plaintiff, Lul Omar, hereby sues the Defendants Mercy Medical Center, Inc., Teresa Hoffman, M.D., and Teresa Hoffman, M.D. and Associates, LLC, and states as follows:

44. Plaintiff hereby incorporates by reference and re-alleges the allegations contained in the preceding paragraphs as if stated fully herein.

45. An employment/agency relationship existed between Mercy Medical Center and Dr. Hoffman and Dr. Bailey. Both were given privileges to practice medicine at Mercy Medical

Center. Both were actual and/or apparent agents, employees, and/or servants of Mercy Medical Center.

46. An employment/agency relationship existed between Teresa Hoffman, M.D. and Associates, LLC and Dr. Hoffman and Dr. Bailey.

47. Defendants Mercy Medical Center and Teresa Hoffman, M.D. and Associates, LLC had a duty to use reasonable care to select employees/agents who were competent and fit to perform their duties as obstetrical/gynecological physicians delivering babies at Mercy Medical Center. They had a duty to perform thorough checks of their educational and professional backgrounds, including sanctions by the Board of Physicians and other medical malpractice actions.

48. Defendants Mercy Medical Center, Dr. Hoffman, and Teresa Hoffman, M.D. and Associates, LLC had a duty to use reasonable care to train their employees/agents as obstetrical/gynecological physicians delivering babies at Mercy Medical Center. They had a duty to make sure each physician and resident. Among other things, had the proper training in placing vacuums, checking to insure proper placement of vacuums, supervising residents, assessing difficulties before, during, and after deliveries, performing proper procedures, communicating with patients, and documenting the medical record.

49. Defendants Mercy Medical Center, Dr. Hoffman, and Teresa Hoffman, M.D. and Associates, LLC had a duty to use reasonable care to supervise their employees/agents as obstetrical/gynecological physicians delivering babies at Mercy Medical Center. They had a duty to make sure all physicians and residents had proper supervision to insure negligence does not occur, particularly when the physician is a resident and/or has a history of sanctions with the Board, lawsuits against them, and an inability to properly supervise residents.

50. As described herein, Defendants Mercy Medical Center, Dr. Hoffman, and Teresa Hoffman, M.D. and Associates, LLC breached these duties and failed to properly retain, train, and/or supervise Dr. Hoffman and Dr. Bailey. The Defendants knew or should have known that as a resident, Dr. Bailey required extensive training and supervision. They should have also known that Dr. Hoffman required extensive training and supervision given her history and prior acts.

51. Indeed, in 2004 Dr. Hoffman was sanctioned by the Maryland State Board of Physicians and placed on probationary status. The Board of Physicians concluded as a matter of law that Dr. Hoffman failed to meet appropriate standards of care, as determined by appropriate peer review, for the delivery of quality medical and surgical care in violation of Maryland law.

52. Incredibly, similar to this case, the findings against Dr. Hoffman in that Board Order include that she failed to properly supervise a resident physician and abandoned her patient. In that case, the woman died. Additionally, Dr. Hoffman had prior medical malpractice lawsuits filed against her related to her negligence care and treatment of patients.

53. Mercy Medical Center and Teresa Hoffman, M.D. and Associates, LLC knew or should have known that Dr. Hoffman had a history of not practicing competently

54. The Defendants' breach of their duty to use proper care in hiring, training, and supervising their agents and employees proximately caused the injuries suffered by Lul Omar. As a direct and proximate result of Mercy Medical Center, Inc., Teresa Hoffman, M.D., and Teresa Hoffman, M.D. and Associates, LLC's failure to properly hire, train, and supervise Dr. Hoffman and Dr. Bailey, Mrs. Omar needlessly sustained severe, permanent and debilitating injuries. Due to the severe nature of her injuries and disabilities, Mrs. Omar suffers and will continue to suffer:

- a. Unrelenting pain;
- b. Severe emotional suffering;
- c. Continued expenses for medical care and treatment;
- d. Inability to earn a living;
- e. Inability to perform activities of daily living;
- f. Inability to have sexual intercourse; and
- g. Inability to have more children.

55. The injuries and damages complained of are permanent in nature and were directly and proximately caused by the negligence and lack of care of Mercy Medical Center, Inc., Teresa Hoffman, M.D., and Teresa Hoffman, M.D. and Associates, LLC. Mrs. Omar in no way contributed to her own harm, but however, relied upon the expertise of Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D. for her care and treatment.

WHEREFORE, Plaintiffs demand judgment against Mercy Medical Center, Inc., Teresa Hoffman, M.D., and Teresa Hoffman, M.D. and Associates, LLC, jointly and severally, for damages in the sum of Five Million Dollars (\$5,000,000.00) in compensatory damages; plus attorney's fees, interest, and costs, as compensation for all damage, past, present and future.

COUNT IV
Loss of Consortium

The Plaintiffs, Lul Omar and Anthony Tracy, hereby sue the Defendants Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D., and state as follows:

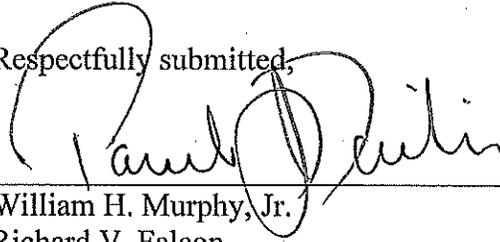
56. Plaintiffs hereby incorporate by reference and re-allege the allegations contained in the preceding paragraphs as if stated fully herein.

57. Plaintiffs were husband and wife at the time of the occurrence referred to in this Complaint. They were married on June 26, 1998 and continue to be husband and wife.

8. Defendants' conduct, more specifically described in the preceding Counts, caused injury to the marital relationship of Plaintiffs, including a loss of society, affection, assistance, companionship, and of sexual relations.

WHEREFORE, the Plaintiffs bring action against Mercy Medical Center, Inc., Teresa Hoffman, M.D., Teresa Hoffman, M.D. and Associates, LLC, and Amelia Bailey, M.D., jointly and severally, and seek damages in excess of Thirty Thousand Dollars (\$30,000.00), plus costs.

Respectfully submitted,



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Counsel for Plaintiffs

CIVIL DIVISION
BALTIMORE CITY

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Circuit Court for Baltimore City
CIVIL DIVISION

City or County

CIVIL-NON-DOMESTIC CASE INFORMATION REPORT

Directions:
Plaintiff: This Information Report must be completed and attached to the complaint filed with the Clerk of Court unless your case is exempted from the requirement by the Chief Judge of the Court of Appeals pursuant to Rule 2-111(a). A copy must be included for each defendant to be served.
Defendant: You must file an Information Report as required by Rule 2-323(h).
THIS INFORMATION REPORT CANNOT BE ACCEPTED AS AN ANSWER OR RESPONSE.

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

CASE NAME: Lul Omar, et al. v Mercy Medical Center, Inc., et al.

JURY DEMAND: Yes No Anticipated length of trial: _____ hours or 8 days

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

Special Requirements? Interpreter/communication impairment Which language _____
(Attach Form 1-332 if Accommodation or Interpreter Needed) Which dialect _____
 ADA accommodation: _____

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

ALTERNATIVE DISPUTE RESOLUTION INFORMATION
Is this case appropriate for referral to an ADR process under Md. Rule 17-101? (Check all that apply)
A. Mediation Yes No C. Settlement Conference Yes No
B. Arbitration Yes No D. Neutral Evaluation Yes No

TRACK REQUEST
With the exception of Baltimore County and Baltimore City, please fill in the estimated LENGTH OF TRIAL. THIS CASE WILL THEN BE TRACKED ACCORDINGLY.
 1/2 day of trial or less 3 days of trial time
 1 day of trial time More than 3 days of trial time
 2 days of trial time

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

Date 8/12/11 Signature [Signature]

BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM

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

Expedited
Trial within 7 months of
Defendant's response

Standard
Trial - 18 months of
Defendant's response

EMERGENCY RELIEF REQUESTED _____
Signature Date

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

CIRCUIT COURT FOR BALTIMORE CITY (check only one)

- Expedited Trial 60 to 120 days from notice. Non-jury matters.
- Standard-Short Trial seven months from Defendant's response. Includes torts with actual damages up to \$7,500; contract claims up to \$20,000; condemnations; injunctions and declaratory judgments.
- Standard-Medium Trial 12 months from Defendant's response. Includes torts with actual damages over \$7,500 and under \$50,000, and contract claims over \$20,000.
- Standard-Complex Trial 18 months from Defendant's response. Includes complex cases requiring prolonged discovery with actual damages in excess of \$50,000.
- Lead Paint Fill in: Birthdate of youngest plaintiff _____.
- Asbestos Events and deadlines set by individual judge.
- Protracted Cases Complex cases designated by the Administrative Judge.

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY

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

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

CIRCUIT COURT FOR BALTIMORE COUNTY

- 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, Intentional 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.