

OWEN GLEN HARE
4 Barrow Court
Towson, Maryland 21204

Plaintiff

v.

SHEPPARD PRATT HEALTH SYSTEM,
INC. t/a SHEPPARD PRATT HOSPITAL
6501 N. Charles Street
Baltimore, Maryland 21204

SERVE ON: Resident Agent:
Ray Dzieszinski
6501 N. Charles Street
Baltimore, Maryland 21204

Defendant

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE COUNTY

Case No:

BC-18-3421

CIRCUIT COURT
BALTIMORE COUNTY

2018 APR -3 PM 3:15

FILED

* * * * *

COMPLAINT AND ELECTION FOR JURY TRIAL

Plaintiff, Owen Glen Hare, by and through his attorneys, Paul D. Bekman, Jeffrey S. Quinn, and Bekman, Marder & Adkins, LLC, hereby sues Defendant, Sheppard Pratt Health System, Inc. t/a Sheppard Pratt Hospital ("Sheppard Pratt"), and, in support thereof, state as follows:

The Parties

1. Plaintiff, Owen Glen Hare, is a resident of Baltimore County, Maryland.
2. Defendant, Sheppard Pratt, is a business entity incorporated under the laws of the State of Maryland, with its principal place of business in Baltimore County, Maryland.

Jurisdiction and Venue

3. The amount of this claim exceeds Thirty Thousand Dollars (\$30,000.00).
4. Venue is proper in Circuit Court for Baltimore County, as all of the events giving rise to this cause of action occurred in Baltimore County, Maryland.

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Duty of Defendants

10. At all relevant times, Defendant, Sheppard Pratt, was and is a medical facility offering medical, surgical, mental health, and other related services through their agents, apparent agents, servants, and other employees, including nurses, staff physicians, residents, interns, and other such providers. This Defendant owed a duty to Plaintiff, Owen Glen Hare, to render and provide health care within the ordinary standards of care; to exercise reasonable care in the selection of its personnel; to properly manage, supervise, and monitor the other patients at Sheppard Pratt; to protect Plaintiff from harm from the other patients at Sheppard Pratt; to protect Plaintiff from unreasonable risks of harm; and to warn Plaintiff of all unreasonable risks of harm.

Facts

12. On April 17, 2015, Owen Hare voluntarily admitted himself into Sheppard Pratt Hospital at 6501 N. Charles Street, Baltimore, Maryland 21204.

13. During that night, Mr. Hare was checked into the T-E Unit around the same time as another patient, named Frank Johnson.

14. Shortly after checking into the T-E Unit, Mr. Johnson brutally attacked and assaulted Mr. Hare. Mr. Johnson stuck Mr. Hare in the face, and specifically, the left eye.

15. This attack was unprovoked by Mr. Hare.

16. Defendant knew, or should have know, of Mr. Johnson's propensity for violence and violent behavior.

17. Prior to being admitted to Sheppard Pratt, Mr. Johnson had been charged with assault, burglary, theft, and malicious destruction of property. Mr. Johnson was also required by the Court to remain drug and alcohol free.

18. Through his conduct, speech, or writing, Mr. Johnson further indicated his intention to the staff of Sheppard Pratt to inflict imminent physical harm on the surrounding individuals and patients, including Mr. Hare.

19. Following the attack, on April 18, 2015, Mr. Hare was taken to Greater Baltimore Medical Center (GBMC) for evaluation. He was evaluated by ophthalmology and was found to have significant facial fractures as a result of the attack.

20. Mr. Hare also complained of floaters in his eye, and subsequently made an appointment to see a retinal specialist.

21. On April 20, 2015, Mr. Hare saw a retinal specialist at GBMC. Mr. Hare was diagnosed with extensive retinal detachment. He was scheduled for surgery the next day, and on April 21, 2015, Mr. Hare underwent scleral buckle placement to reattach his retina.

Count I – Negligence

22. Plaintiff, Owen Glen Hare, adopts and incorporates paragraphs 1 through 21 as if fully set forth herein.

23. Sheppard Pratt, through its agents, servants, employees, or apparent agents, was negligent and careless in the following manners:

- a. failed to properly manage, supervise, and/or monitor Frank Johnson while he was a patient at Sheppard Pratt;
- b. failed to properly control, restrain, or medicate Mr. Johnson so as to prevent Mr. Johnson from becoming violent and/or attacking another patient;
- c. failed to prevent the attack of Mr. Johnson on Plaintiff;
- d. failed to protect Plaintiff from the violent attack of Mr. Johnson;

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- e. failed to protect Plaintiff from harm;
- f. failed to protect Plaintiff from unreasonable risk of harm;
- g. failed to warn Plaintiff of unreasonable risk of harm; and
- h. was otherwise careless and negligent.

24. As a direct and proximate result of the negligence of the Defendant, Plaintiff suffered serious physical injuries, for which he has incurred and will continue to incur substantial medical bills; has endured and will continue to endure emotional, mental, and psychological pain and suffering; has suffered other financial losses, including lost time from work; and was otherwise injured and damaged.

WHEREFORE, Plaintiff, Owen Glen Hare, claims damages against Defendant, Sheppard Pratt, in an amount in excess of Seventy-Five Thousand Dollars (\$75,000.00), to be determined by the jury, with all costs to be paid by Defendant.



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(410) 539-6633

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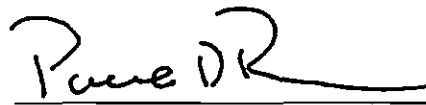
* IN THE
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* Case No:

* * * * *

ELECTION FOR JURY TRIAL

Plaintiff, Owen Glen Hare, by and through his attorneys, Paul D. Bekman, Jeffrey S. Quinn, and Bekman, Marder & Adkins, LLC, respectfully request a trial by jury in the above captioned matter.



Paul D. Bekman
Jeffrey S. Quinn
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300 W. Pratt Street, Suite 450
Baltimore, Maryland 21201
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Attorneys for Plaintiff

CIRCUIT COURT
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Circuit Court for BALTIMORE COUNTY

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(d). 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: [X] PLAINTIFF [] DEFENDANT CASE NUMBER

(Clerk to insert)

CASE NAME: OWEN GLEN HARE vs. SHEPPARD PRATT HEALTH SYSTEM, INC

Plaintiff

Defendant

JURY DEMAND: [X] Yes [] No Anticipated length of trial: hours or 5 days

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

Special Requirements? [] Interpreter (Please attach Form CC-DC 41)

[] ADA accommodation (Please attach Form CC-DC 49)

NATURE OF ACTION (CHECK ONE BOX)

DAMAGES/RELIEF

Grid containing categories: TORTS, LABOR, REAL PROPERTY, OTHER, A. TORTS (Actual Damages), B. CONTRACTS, C. NONMONETARY. Includes checkboxes for Motor Tort, Workers' Comp, Judicial Sale, etc.

ALTERNATIVE DISPUTE RESOLUTION INFORMATION

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

TRACK REQUEST

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

[] 1/2 day of trial or less [] 3 days of trial time [] 1 day of trial time [X] 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 COMPLEX SCIENCE AND/OR MEDICAL CASE MANAGEMENT PROGRAM (ASTAR), AS WELL AS ADDITIONAL INSTRUCTIONS IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, PRINCE GEORGE'S COUNTY, OR BALTIMORE COUNTY.

Date 04/03/18

Signature

Handwritten initials 'RS'

CIRCUIT COURT FOR BALTIMORE COUNTY

- | | |
|---|---|
| <input type="checkbox"/> Expedited (Trial Date-90 days) | Attachment Before Judgment, Declaratory Judgment (Simple), Administrative Appeals, District Court Appeals and Jury Trial Prayers, Guardianship, Injunction, Mandamus. |
| <input checked="" type="checkbox"/> 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. |
| <input type="checkbox"/> 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. |
| <input type="checkbox"/> Complex (Trial Date-450 days) | Class Actions, Designated Toxic Tort, Major Construction Contracts, Major Product Liabilities, Other Complex Cases. |