



PLD-PI-001

FOR COURT USE ONLY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

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ATTORNEY FOR (Name): Bibiana Ike

FILED
ALAMEDA COUNTY

FEB - 8 2016

CLERK OF THE SUPERIOR COURT
By Cheryl Clark
Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

STREET ADDRESS: 1225 Fallon Street

MAILING ADDRESS:

CITY AND ZIP CODE: Oakland, CA 94612

BRANCH NAME: Civil Division

PLAINTIFF: Bibiana Ike

DEFENDANT: Kaiser Foundation Health Plan, Inc.; Kaiser Foundation Hospitals;
The Permanente Medical Group, Inc.; Ayra Puno Dee;☒ DOES 1 TO 50 Cheyenne Lang;

COMPLAINT—Personal Injury, Property Damage, Wrongful Death

☐ AMENDED (Number):

Type (check all that apply):

☐ MOTOR VEHICLE ☒ OTHER (specify): Medical Negligence☐ Property Damage ☐ Wrongful Death☒ Personal Injury ☐ Other Damages (specify):

Jurisdiction (check all that apply):

☐ ACTION IS A LIMITED CIVIL CASEAmount demanded ☐ does not exceed \$10,000☐ exceeds \$10,000, but does not exceed \$25,000☒ ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)☐ ACTION IS RECLASSIFIED by this amended complaint☐ from limited to unlimited☐ from unlimited to limited

CASE NUMBER:

RG 16803053

1. Plaintiff (name or names): Bibiana Ike

alleges causes of action against defendant (name or names):

Kaiser Foundation Health Plan, Inc.; Kaiser Foundation Hospitals; The Permanente Medical Group, Inc.;

2. This pleading, including attachments and exhibits, consists of the following number of pages: 4 Ayra Puno Dee; Cheyenne Lang;

3. Each plaintiff named above is a competent adult

a. ☐ except plaintiff (name):(1) ☐ a corporation qualified to do business in California(2) ☐ an unincorporated entity (describe):(3) ☐ a public entity (describe):(4) ☐ a minor ☐ an adult(a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed(b) ☐ other (specify):(5) ☐ other (specify):b. ☐ except plaintiff (name):(1) ☐ a corporation qualified to do business in California(2) ☐ an unincorporated entity (describe):(3) ☐ a public entity (describe):(4) ☐ a minor ☐ an adult(a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed(b) ☐ other (specify):(5) ☐ other (specify):☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

BY FAX

SHORT TITLE: Ike v. Kaiser	CASE NUMBER:
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4. ☐ Plaintiff (name):
is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.
5. Each defendant named above is a natural person
- a. ☒ except defendant (name): Kaiser Foundation
 (1) ☐ a business organization, form unknown Health Plan, Inc.
 (2) ☒ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- c. ☒ except defendant (name): The Permanente Medical Group, Inc.
 (1) ☐ a business organization, form unknown
 (2) ☒ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- b. ☒ except defendant (name): Kaiser Foundation
 (1) ☐ a business organization, form unknown Hospitals
 (2) ☒ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- d. ☐ except defendant (name):
 (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- ☐ Information about additional defendants who are not natural persons is contained in Attachment 5.
6. The true names of defendants sued as Does are unknown to plaintiff.
- a. ☒ Doe defendants (specify Doe numbers): 1-50 were the agents or employees of other named defendants and acted within the scope of that agency or employment.
- b. ☒ Doe defendants (specify Doe numbers): 1-50 are persons whose capacities are unknown to plaintiff.
7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names):
8. This court is the proper court because
- a. ☒ at least one defendant now resides in its jurisdictional area.
- b. ☒ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
- c. ☐ injury to person or damage to personal property occurred in its jurisdictional area.
- d. ☐ other (specify):
9. ☒ Plaintiff is required to comply with a claims statute, and
- a. ☒ has complied with applicable claims statutes, or
- b. ☐ is excused from complying because (specify):

SHORT TITLE:

Ike v. Kaiser

CASE NUMBER:

10. The following causes of action are attached and the statements above apply to each (*each complaint must have one or more causes of action attached*):

- a. ☐ Motor Vehicle
- b. ☐ General Negligence
- c. ☐ Intentional Tort
- d. ☐ Products Liability
- e. ☐ Premises Liability
- f. ☒ Other (*specify*):
Medical Negligence

11. Plaintiff has suffered

- a. ☒ wage loss
- b. ☐ loss of use of property
- c. ☒ hospital and medical expenses
- d. ☒ general damage
- e. ☐ property damage
- f. ☒ loss of earning capacity
- g. ☒ other damage (*specify*):
all other damages the court deems proper

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
- b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
- (2) ☐ punitive damages

The amount of damages is (*in cases for personal injury or wrongful death, you must check (1)*):

- (1) ☒ according to proof
- (2) ☐ in the amount of: \$

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (*specify paragraph numbers*):

Date: 2/7/16

Nikolaus W. Reed

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

SHORT TITLE: Ike v. Kaiser	CASE NUMBER:
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1**CAUSE OF ACTION—Medical Negligence**Page 4

(number)

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): Bibiana Ike

alleges that defendant (name): Kaiser Foundation Health Plan, Inc.; Kaiser Foundation Hospitals;
The Permanente Medical Group, Inc.; Ayra Puro Dee; Cheyenne Lang;

☒ Does 1 to 50

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): February 8, 2015

at (place): Kaiser 1200 El Camino Real, South San Francisco, CA 94080

(description of reasons for liability):

On February 8, 2015 Plaintiff presented to Defendant's facility: Kaiser South San Francisco for nausea. Defendants administered a peripheral IV. However, there were large quantities of bubbles in the IV which resulted in shock, seizures, respiratory failure, pulmonary edema, metabolic acidosis and loss of consciousness.

On February 9, 2015 a transthoracic echocardiogram (TTE) was performed and bubbles were seen on the right and left sides of the heart.

After nearly dying, Plaintiff was stabilized over the next two days and then transferred to Seton Medical Center. Plaintiff was admitted with a diagnosis of shock.

On February 11 the doctors at Seton performed a left and right heart catheterization and vascular access under ultrasonic-guidance. Injury from excessive bubbles in her IV was confirmed.

Due to this incident, Plaintiff is for the rest of her life at a higher risk of heart failure.

In addition to the emotional distress this creates, this restricts the type of job positions she can accept in her field as a registered nurse, limiting her to lower stress positions which pay less. Defendants' actions fell below the standard of care and breached their duty of care.

Defendants were acting within the course and scope of their employment with other Defendants at all times referenced herein.