

VIRGINIA

IN THE CIRCUIT COURT OF ARLINGTON COUNTY

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ARLINGTON CIRCUIT COURT

Deborah ESSEX,

Plaintiff,

vs.

Case No. 17-1253

Mid Atlantic Permanente Medical Group

d/b/a KAISER PERMANENTE

Serve Registered Agent:

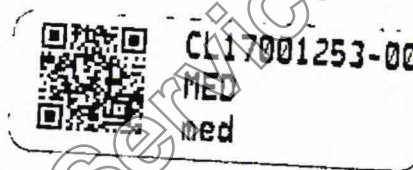
Corporation Service Company

Bank of America Center, 16<sup>th</sup> Floor

1111 East Main Street

Richmond, Virginia 23219

Defendant



and

Stella L. BLOSSER, MD

5999 Burke Commons Road

Burke, Virginia 22015

Defendant.

**COMPLAINT**

COMES NOW your Plaintiff, Deborah Essex, by her Counsel, and for her cause of action against the Defendants Mid-Atlantic Permanente Medical Group and Dr. Stella L. Blosser, MD, states as follows:

1. This medical malpractice action arises out of the failure of the defendant doctor and hospital to follow the standards of care for medical providers in Northern Virginia in their treatment of the Plaintiff, Deborah Essex. Deborah Essex arrived at Arlington Hospital Center (Hereafter "Arlington") shortly before 6:00am on May 22, 2015 for a hysterectomy to be performed by Dr. Stella L. Blosser, MD. Defendant Blosser performed surgery on May 22, 2015 to remove Plaintiff's large fibroid uterus. This surgery involved extensive and extremely dense pelvic adhesions. There were adhesions

of the bowel to the right side as well. Dr. Blosser did not request any assistance from a general surgeon and failed to adequately protect from causing injury to Plaintiff's bowel. As a result of the Defendant's failure to remove the uterus without perforating the bowel and failing to properly inspect the bowel upon completing the surgery, the Plaintiff exhibited symptoms of sepsis, was saddled with a colostomy bag and endured multiple surgeries to correct over the following months.

#### **Parties and Venue**

2. Plaintiff Deborah Essex is a resident of Virginia.
3. At all times relevant hereto, Defendant Blosser was employed by Mid-Atlantic Permanente Medical Group as a physician and was acting in her capacity as a physician. Plaintiff sues Defendant Blosser in her individual capacity as well.
4. Defendant Blosser treated the decedent at Virginia Hospital Center in the County of Arlington, Virginia.
5. This Court has proper venue and jurisdiction over this action.

#### **Factual Allegations**

6. On May 22, 2015, Dr. Blosser performed a hysterectomy on Plaintiff at the Arlington Hospital Center.
7. During the surgery, Dr. Blosser noted extensive and extremely dense adhesions in the surgical field.
8. Dr. Blosser continued with the hysterectomy without calling for assistance from a more experienced surgeon to assist or observe the procedure.
9. During the procedure, Dr. Blosser noted oozing from epiploica close to the rectum.
10. Dr. Blosser used FloSeal over the oozing and continued with the procedure.
11. At the conclusion of the procedure, Dr. Blosser checked the bladder and ureteral orifices, but did not check the bowel or further inspect the oozing from the epiploica.
12. Plaintiff was released from the Arlington Hospital Center by Dr. Blosser that afternoon.
13. Plaintiff presented at Kaiser Permanente on May 25, 2015 with complaints of fever, nausea and severe abdominal pain.
14. Diagnostic testing was performed and revealed pneumoperitoneum with dilated small bowel loops and air fluid levels.
15. Plaintiff was transferred to Virginia Hospital Center.
16. Plaintiff received a CT of the abdomen with results confirming intraabdominal free air and free fluid.

17. Plaintiff was taken to surgery to correct an iatrogenic bowel perforation by the surgeon on call, Dr. Suri.
18. On May 26, 2015, Plaintiff underwent an exploratory laparotomy, abdominal washout, sigmoid colectomy, and end colostomy.
19. Plaintiff was discharged from Virginia Hospital Center on June 5, 2015.
20. On October 1, 2015, Plaintiff had surgery to reverse the colostomy.

### **COUNT ONE**

#### **Claim for NEGLIGENCE**

21. The Plaintiff re-alleges and incorporates by reference herein all of the allegations contained in paragraphs 1-20 above.
22. At all times relevant hereto, Defendant Blosser had a duty to use reasonable medical care within the common medical standards of practice for this area.
23. Defendant Blosser breached this duty of care during the events described above and were therefore negligent.
24. As a direct and proximate result of the negligence and breach of the standards of care, Defendant Blosser caused Deborah Essex to suffer a bowel perforation during her hysterectomy, thereby causing Plaintiff to suffer damages of further medical costs, loss of employment, loss of income, loss of future enjoyment, and pain and suffering.

### **COUNT TWO – In the Alternative**

#### **Claim for NEGLIGENCE**

25. The Plaintiff re-alleges and incorporates by reference herein all of the allegations contained in paragraphs 1-20 above.
26. At all times relevant hereto, Defendant Blosser had a duty to use reasonable medical care within the common medical standards of practice for this area.
27. Defendant Blosser breached this duty of care during the events described above and were therefore negligent.
28. As a direct and proximate result of the negligence and breach of the standards of care, Defendant Blosser caused Deborah Essex to suffer sepsis by failing to properly review the surgical field to determine if the bowel had been perforated, which thereby could have been corrected during the surgery and preventing the necessity for future surgical interventions, thereby causing Plaintiff to suffer damages of further medical costs, loss of employment, loss of income, loss of future enjoyment, and pain and suffering.



**DAMAGES**

29. As a direct and proximate cause of the conduct by Defendant Blosser as described above, Plaintiff suffered mental and physical anguish, medical expenses, lost wages, and other damages.

WHEREFORE, Plaintiff Deborah Essex, by counsel, demands judgment against Defendants Blosser and Mid-Atlantic Permanente Medical Group in the amount of ONE MILLION THREE HUNDRED THOUSAND DOLLARS (\$1,300,000.00) as compensatory damages, together with Plaintiff's costs incurred herein and interest from May 22, 2015.

**TRIAL BY JURY IS DEMANDED.**

DEBORAH ESSEX  
By Counsel



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