

SE-LAH THORNTON, Personal
Representative of the Estate of the Late
KINGSTON BRADLEY, Deceased
1000 Arion Park Road
Baltimore, Maryland 21229

and

SE-LAH THORNTON
1000 Arion Park Road
Baltimore, Maryland 21229

and

SE-LAH THORNTON,
To The Use Of
HAYWOOD BRADLEY
28 Dauber Court
Windsor Mill, Maryland 21244

Plaintiffs

v.

CHRISTINE HYUN SEON
SOHN WOO, M.D.
4920 Campbell Boulevard
Nottingham, Maryland 21236

and

KAISER FOUNDATION HEALTH PLAN
OF THE MID-ATLANTIC STATES, I
2101 East Jefferson Street
Rockville, Maryland 20852

Serve on Resident Agent:
Prentice Hall Corporation System
7 Saint Paul Street, Suite 1660
Baltimore, Maryland 21202

and

GIA FIRTH, CRNM
6701 North Charles Street
Baltimore, Maryland 21204

IN THE
CIRCUIT COURT
FOR

BALTIMORE COUNTY

Case No.: C-14-0596

RECEIVED AND FILED
2014 JAN 16 A 11:12
CLERK OF CIRCUIT COURT
BALTIMORE COUNTY

and

BRUCE S. GNESHIN, M.D.
827 Linden Avenue
Baltimore, Maryland 21201

and

GREATER BALTIMORE
MEDICAL CENTER
6701 North Charles Street
Baltimore, Maryland 21204

Serve on Resident Agent:
John B. Chessare
6701 North Charles Street
Baltimore, Maryland 21204

Defendants

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COMPLAINT

COUNT I

COMES NOW the Plaintiff, Se-Lah Thornton, Personal Representative of the Estate of the Late Kingston Bradley, Deceased, by her attorneys, Jonathan Schochor, James D. Cardea, and Schochor, Federico and Staton, P.A. and sues, Christine Hyun Seon Sohn Woo, M.D., Kaiser Foundation Health Plan of the Mid-Atlantic States, I, Gia Firth, CRNM, Bruce S. Gneshin, M.D., and Greater Baltimore Medical Center, Defendants:

1. At all times of which the Plaintiff complains, the Defendants Christine Hyun Seon Sohn Woo, M.D. (hereinafter referred to as "Woo"), Gia Firth, CRNM (hereinafter referred to as "Firth"), Bruce S. Gneshin, M.D. (hereinafter referred to as "Gneshin") represented to the Plaintiff and Plaintiff's Decedent and the public that they possessed the degree of skill, knowledge and ability possessed by reasonably competent medical practitioners, practicing under the same or similar circumstances as those involving the Plaintiff and Plaintiff's Decedent.

2. The Plaintiff alleges that the Defendants Woo, Firth and Gneshin herein, including duly authorized agents and/or employees of the Defendant Hospital, owed to the Plaintiff and Plaintiff's Decedent the duty to exercise the degree of care, skill and judgment expected of a competent medical practitioner acting in the same or similar circumstances, which duty included the performance of adequate and proper diagnostic tests and procedures to determine the nature and severity of the Plaintiff's and Plaintiff's Decedent's condition, careful diagnosis of such condition, employment of appropriate procedures, surgery and/or treatment to correct such conditions without injury upon the Plaintiff and Plaintiff's Decedent, continuous evaluation of the Plaintiff's and Plaintiff's Decedent's condition and the effects of such treatment, and adjustment of the course of treatment in response to such ongoing surveillance and evaluation -- all of which these Defendants failed to do.

3. The Defendants Woo, Firth and Gneshin were negligent in that they failed to employ appropriate treatment, surgery, tests and/or procedures, failed to carefully and thoroughly evaluate the Plaintiff's and Plaintiff's Decedent's condition, failed to properly and appropriately diagnose the Plaintiff's and Plaintiff's Decedent's condition, failed to thoroughly evaluate the effects and results of any tests and/or procedures performed, failed to properly evaluate the effects of chosen treatment, failed to adjust the Plaintiff's and Plaintiff's Decedent's treatment in response to appropriate evaluation of the effects of treatment, failed to properly monitor the course of the Plaintiff's and Plaintiff's Decedent's condition and treatment, failed to employ adequate and proper diagnostic procedures and/or tests to determine the nature and extent of the Plaintiff's and Plaintiff's Decedent's condition, and were otherwise negligent.

4. The Plaintiff alleges that the Defendant Kaiser Foundation Health Plan of the Mid-Atlantic States, I, through its agents, servants and employees, owed to the Plaintiff and

Plaintiff's Decedent a duty to exercise a degree of care, skill and judgment expected of a competent medical corporation acting in the same or similar circumstances, which duty included the performance of adequate and proper diagnostic tests and procedures to determine the nature and severity of the Plaintiff's and Plaintiff's Decedent's condition, careful diagnosis of such condition, employment of appropriate procedures, tests, surgery and/or treatment to correct such conditions without inflicting injury upon the Plaintiff and Plaintiff's Decedent, continuous evaluation of the Plaintiff's and Plaintiff's Decedent's condition and effects of such treatment, and the adjustment of the course of treatment in response to ongoing surveillance and evaluation -- all of which the Defendants failed to do.

5. The Defendant Kaiser Foundation Health Plan of the Mid-Atlantic States, I, through its agents, servants and/or employees, was negligent in that it failed to employ appropriate treatment, surgery and/or procedures, failed to carefully and thoroughly evaluate the Plaintiff's and Plaintiff's Decedent's condition, failed to thoroughly evaluate the effects and results of any tests, treatment and/or procedures performed, failed to adjust the Plaintiff's and Plaintiff's Decedent's treatment in response to appropriate evaluation of the effects of treatment, failed to properly monitor the course of the Plaintiff's and Plaintiff's Decedent's condition and treatment, failed to employ adequate and proper diagnostic procedures and/or tests to determine the nature and extent of the Plaintiff's and Plaintiff's Decedent's condition, failed to diagnose the Plaintiff's and Plaintiff's Decedent's condition and was otherwise negligent.

6. The Plaintiff alleges that the Defendant Greater Baltimore Medical Center (hereinafter referred to as "Hospital"), through its agents, servants and employees, owed to the Plaintiff and Plaintiff's Decedent a duty to exercise a degree of care, skill and judgment expected of a competent medical corporation acting in the same or similar circumstances, which duty

included the performance of adequate and proper diagnostic tests and procedures to determine the nature and severity of the Plaintiff's and Plaintiff's Decedent's condition, careful diagnosis of such condition, employment of appropriate procedures, tests, surgery and/or treatment to correct such conditions without inflicting injury upon the Plaintiff and Plaintiff's Decedent, continuous evaluation of the Plaintiff's and Plaintiff's Decedent's condition and effects of such treatment, and the adjustment of the course of treatment in response to ongoing surveillance and evaluation -- all of which the Defendant failed to do.

7. The Defendant Hospital, through its agents, servants and/or employees, was negligent in that it failed to employ appropriate treatment, surgery and/or procedures, failed to carefully and thoroughly evaluate the Plaintiff's and Plaintiff's Decedent's condition, failed to thoroughly evaluate the effects and results of any tests, treatment and/or procedures performed, failed to adjust the Plaintiff's and Plaintiff's Decedent's treatment in response to appropriate evaluation of the effects of treatment, failed to properly monitor the course of the Plaintiff's and Plaintiff's Decedent's condition and treatment, failed to employ adequate and proper diagnostic procedures and/or tests to determine the nature and extent of the Plaintiff's and Plaintiff's Decedent's condition, failed to diagnose the Plaintiff's and Plaintiff's Decedent's condition and was otherwise negligent.

8. At all times referred to herein, the Defendant Woo acted for herself and as a duly authorized agent and/or employee of the Defendant Kaiser Foundation Health Plan of the Mid-Atlantic States, I and/or the Defendant Hospital, acting within the scope of her authority. Additionally, at all times referred to herein, the Defendants Firth and Gneshin acted for themselves and as duly authorized agents and/or employees of the Defendant Hospital, acting with the scope of their respective authority.

9. On October 1, 2011, at approximately 12:54 a.m., the Plaintiff, Se-Lah Thornton, a pregnant female presented to the Defendant Hospital at 40-5/7 weeks of gestation in labor. It is alleged that she was post-dates and required close monitoring to assess the condition of her fetus as labor progressed. It is alleged that the Plaintiff was admitted to the labor and delivery suite and monitored. However, it is alleged that the Plaintiff was left in labor for an extreme, protracted period of time. When she presented to the Defendant Hospital at approximately 12:54 a.m., she was in labor. At 1:34 a.m., she was only 1-2 centimeters dilated. At 10:25 a.m., approximately 9 hours after presentation, she was only 4 centimeters dilated. At 3:01 p.m., approximately 14 hours after presentation, she was only 6 centimeters dilated.

10. It is alleged that shortly after 3:00 p.m., the Infant's fetal monitoring tracing showed evidence of fetal stress which, over a period of time, progressed to fetal distress. It is alleged that it was obvious at 3:00 p.m., that the Plaintiff was not going to normally progress through labor and, in fact, had suffered an arrest of labor. It is further alleged that the Plaintiff was post-dates, rendering her unborn infant more vulnerable to the effects of a protracted labor -- thus requiring close monitoring and timely intervention, if necessary.

11. It is alleged that by 4:00 p.m., the Infant Plaintiff's fetal monitoring tracing required birth by a judiciously performed cesarean section to avoid any permanent injury to the unborn baby. It is asserted, however, that these Defendants and each of them, negligently ignored the ongoing findings which manifested shortly after 3:00 p.m., and failed to birth the baby via cesarean section until 6:14 p.m. -- more than 17 hours after her presentation to the hospital. Further, it is alleged that the baby was not born until at least 2 hours and 15 minutes after the standards of care required delivery.

12. It is asserted that during this period of time that the baby was negligently left *in utero*, the uterus became a hostile environment. It is asserted that the baby suffered hypoxia, and when born at 6:14 p.m., clearly showed evidence of the hypoxia, requiring resuscitation. In fact, it is alleged that the baby was blue at birth due to hypoxia -- deprivation of oxygen to the brain -- due to the negligence of these Defendants.

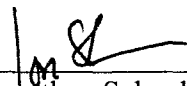
13. At 8:50 p.m., it is alleged that the Infant's grandmother notified a nurse that the baby was not breathing. A code was subsequently called and the baby was resuscitated for approximately 25 minutes including intubation. Chest compressions were performed in addition to the utilization of epinephrine. The code was discontinued at 9:54 p.m., and the baby was tragically pronounced dead. An autopsy performed at the Defendant Hospital confirmed the cause of the baby's death to be a massive, pulmonary hemorrhage. It is asserted that the pulmonary hemorrhage directly and proximately resulted from the ongoing hypoxia from which the baby suffered as the direct and proximate result of the ongoing negligence of these Defendants and each of them.

14. Had the baby been born in a timely fashion by 4:00 p.m., it is alleged that all of the injuries, damages, including the pulmonary hemorrhage would have been avoided. In fact, had these Defendants adhered to the standards of care, it is alleged that all of the injuries, damage and the ultimate death of the baby would have been avoided and the baby would have left the hospital with his mother in a normal state with no deficits whatsoever.

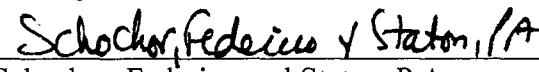
15. It is alleged that the baby was viable and suffered unending physical pain, emotional anguish as well as fear and anxiety prior to his death. Additionally, it is alleged that his estate incurred hospital, surgical, pharmacological, funeral, burial and other losses and expenses for which claim is made.

16. The Plaintiff and Plaintiff's Decedent refer to the negligence of these Defendants and each of them as the sole and proximate cause of all of the injuries, damages and tragic demise the Plaintiff's Decedent -- with the Plaintiff and Plaintiff's Decedent being in no way contributorily negligent.

17. The negligence complained of occurred in Baltimore County. Venue is claimed in Baltimore County. The amount in controversy exceeds Thirty Thousand Dollars (\$30,000.00).


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Attorneys for the Plaintiffs

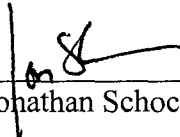
COUNT II


COMES NOW the Plaintiff, Se-Lah Thornton, by her attorneys, Jonathan Schochor, James D. Cardea, and Schochor, Federico and Staton, P.A. and sues, Christine Hyun Seon Sohn Woo, M.D., Kaiser Foundation Health Plan of the Mid-Atlantic States, I, Gia Firth, CRNM, Bruce S. Gneshin, M.D., and Greater Baltimore Medical Center, Defendants:

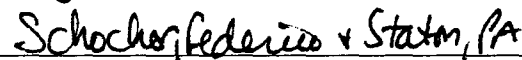
1. The Plaintiff incorporates in this Count those facts set forth in Count I hereinabove by reference thereto intending that each and every allegation hereinabove be deemed part hereof as if the same were repeated herein.

2. As the direct and proximate result of the negligence of these Defendants, the Plaintiff has incurred hospital, medical, surgical, pharmacological, funeral, burial and other losses and expenses for which claim is made.

3. The negligence complained of occurred in Baltimore County. Venue is claimed in Baltimore County. The amount in controversy exceeds Thirty Thousand Dollars (\$30,000.00).


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James D. Cardea


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Attorneys for the Plaintiffs

COUNT III

COMES NOW the Plaintiff, Se-Lah Thornton, by her attorneys, Jonathan Schochor, James D. Cardea, and Schochor, Federico and Staton, P.A. and sues, Christine Hyun Seon Sohn Woo, M.D., Kaiser Foundation Health Plan of the Mid-Atlantic States, I, Gia Firth, CRNM, Bruce S. Gneshin, M.D., and Greater Baltimore Medical Center, Defendants:


1. The Plaintiff incorporates in this Count those facts set forth in Counts I and II hereinabove by reference thereto intending that each and every allegation hereinabove be deemed part hereof as if the same were repeated herein.

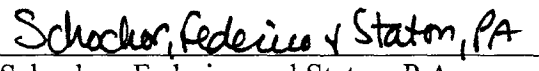
2. The Plaintiff alleges that she is the surviving mother of the Plaintiff's Decedent, Kingston Bradley. As a result of the negligence of these Defendants, the Plaintiff asserts that the relationship she enjoyed with the Plaintiff's Decedent was destroyed.

3. The Plaintiff alleges that she has lost the love, support, guidance, advice and comfort furnished by her beloved son as the result of the negligence of these Defendants. The death of her son represents a tragedy from which she will never recover.

4. The negligence complained of occurred in Baltimore County. Venue is claimed in Baltimore County. The amount in controversy exceeds Thirty Thousand Dollars (\$30,000.00).


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James D. Cardea


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Attorneys for the Plaintiffs

COUNT IV

COMES NOW the Plaintiff, Se-Lah Thornton, To The Use Of Haywood Bradley, by her attorneys, Jonathan Schochor, James D. Cardea, and Schochor, Federico and Staton, P.A. and sues, Christine Hyun Seon Sohn Woo, M.D., Kaiser Foundation Health Plan of the Mid-Atlantic States, I, Gia Firth, CRNM, Bruce S. Gneshin, M.D., and Greater Baltimore Medical Center, Defendants:

1. The Plaintiff incorporates in this Count those facts set forth in Counts I and II hereinabove by reference thereto intending that each and every allegation hereinabove be deemed part hereof as if the same were repeated herein.


2. The Plaintiff alleges that Haywood Bradley is the surviving father of the Plaintiff's Decedent, Kingston Bradley. As a result of the negligence of these Defendants, the Plaintiff asserts that the relationship he enjoyed with the Plaintiff's Decedent was destroyed.

3. The Plaintiff alleges that he has lost the love, support, guidance, advice and comfort furnished by his beloved son as the result of the negligence of these Defendants. The death of his son represents a tragedy from which he will never recover.

4. The negligence complained of occurred in Baltimore County. Venue is claimed in Baltimore County. The amount in controversy exceeds Thirty Thousand Dollars (\$30,000.00).


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