

JURISDICTION & VENUE

1. At all times relevant, Plaintiff resided at 13446 Buchanan Drive, Ft. Washington, Maryland 20744.

2. At all times relevant, Defendant Bryan S. Williams, M.D. was a licensed physician, with a principal place of business in Prince George's County, Maryland. At the present time, Dr. Williams' license to practice medicine has been summarily suspended by the Maryland Board of Physicians in connection with his sexual battery and abuse of the Plaintiff and six other female patients of Kaiser.

3. Defendant Kaiser is a Maryland corporation and operator of health care facilities in various parts of Maryland including a location in Largo, Maryland.

4. At all times relevant, Dr. Williams was employed by and acting as an agent of Kaiser as a physician specializing in interventional pain management, and treated the Plaintiff primarily at Kaiser's Largo, MD health care facility.

STATEMENT OF FACTS

5. On or about November 21, 2012, Plaintiff presented to Dr. Williams with complaints of low back pain and for pain management treatment consisting of a lumbar transforaminal epidural steroid injection ("TFESI").

6. During the examination conducted on November 21, 2012, Dr. Williams instructed Plaintiff to lower her pants. Dr. Williams, who was not wearing gloves, then separated the cheeks of Plaintiff's buttocks and felt inside Plaintiff's buttocks. Dr. Williams also reached around and came close to, but did not touch Plaintiff's vagina. A female chaperone was not present at any time during the examination.

7. On or about June 14, 2013, Plaintiff presented to Dr. Williams for another lumbar TFESI.

8. Prior to the procedure, Plaintiff was standing and Dr. Williams was seated behind her. Dr. Williams moved his hands up Plaintiff's legs to her vagina, and separated Plaintiff's labia and moved his hands up and down along the inside of her vaginal walls while touching her clitoris. Plaintiff asked Dr. Williams what he was doing at which time Dr. Williams advised the Plaintiff not to worry, and that "it'll be alright." A female chaperone was not present at any time during the examination, and Dr. Williams gave no explanation for why he touched Plaintiff in this manner.

9. On or about January 24, 2014, Plaintiff returned to Dr. Williams for another lumbar TFESI. During the examination, Dr. Williams asked the Plaintiff, who was wearing a surgical gown, to stand. Dr. Williams was seated behind Plaintiff and wearing gloves, when he began to move up her legs with both hands. As he had done previously, Dr. Williams separated Plaintiff's labia and moved his hands up and down the walls of her vagina, while his knuckles touched her clitoris repeatedly. As he did so, Plaintiff observed that Dr. Williams had an erection. A female chaperone was not present during the examination.

10. Shortly after January 24, 2014, Plaintiff reported these incidents involving Dr. Williams to her primary care physician who was also an employee of Kaiser.

11. Later, Kaiser conducted an "investigation" in which it questioned the Plaintiff's veracity and falsely and maliciously accused the Plaintiff of manufacturing a story. At one point, an investigator acting as an apparent agent of Kaiser told Plaintiff that scrubs are "loose fitting" and that it would be "impossible" for Plaintiff to observe

that Dr. Williams had an erection when he allegedly sexually molested the Plaintiff on January 24, 2014.

12. During a panel "investigation" conducted by Kaiser, Kaiser also suggested that any actions of Dr. Williams were part of an acceptable medical examination. Further, Kaiser had an investigator interrogate the Plaintiff and challenge her veracity.

13. During this "investigation", Kaiser also suggested to the Plaintiff that she was emotionally upset due to her sister's death and having nothing to do with the conduct of Dr. Williams.

14. During this "investigation" and at all times relevant, Kaiser was placed on notice by numerous other female patients of similar conduct committed by Dr. Williams amounting to offensive sexual battery.

COUNT I
Battery
Defendant Bryan S. Williams, M.D.

15. Plaintiff fully adopts and incorporates herein the allegations set forth in Paragraphs 7 - 14 and further states:

16. The conduct and actions of Dr. Williams constituted an intentional and nonconsensual touching of Plaintiff that was highly offensive to the Plaintiff's reasonable sense of personal dignity.

17. The conduct and actions of Dr. Williams were purely gratuitous acts that had no conceivable connection to legitimate medical treatment, and were far beyond accepted standards of medical care. These actions were undertaken by Dr. Williams

with actual malice and for his own deviant sexual self-gratification, and were designed to inflict emotional harm upon the Plaintiff.

18. The actions of Dr. Williams stated herein were not isolated events, but rather constituted a pattern of lascivious and malicious conduct committed by Dr. Williams on the Plaintiff and numerous other female patients while Dr. Williams was acting as an agent and employee of Kaiser.

19. That as a result of Dr. Williams' malicious and deplorable conduct and actions, Plaintiff has suffered, and will continue to suffer severe emotional injury, extreme mental anguish, and has incurred medical and other related expenses and loss of income.

WHEREFORE, Plaintiff Linda D. Johnson demands judgment against Defendant Bryan S. Williams, M.D. for an amount in excess of \$75,000 in compensatory and punitive damages, along with court costs and interest.

COUNT II

Intentional Infliction of Emotional Distress Defendant Bryan S. Williams, M.D.

20. Plaintiff fully adopts and incorporates herein the allegations set forth in Paragraphs 1 – 19 and further states:

21. Dr. Williams' conduct was extreme, malicious, outrageous, went beyond all possible bounds of decency and is utterly intolerable in a civilized community.

22. The conduct of Dr. Williams was intentional, reckless, and in deliberate disregard of a high degree of probability that Plaintiff would suffer severe emotional distress.

23. That as a direct result of the behavior and malicious conduct of Dr. Williams, Plaintiff has suffered and will continue to suffer severe emotional injury, extreme mental anguish, and has incurred medical and other related expenses and loss of income.

WHEREFORE, Plaintiff Linda D. Johnson demands judgment against Defendant Bryan S. Williams, M.D. for an amount in excess of \$75,000 in compensatory and punitive damages, along with court costs and interest.

COUNT III
Respondent Superior
Health Care Provider Kaiser

24. Plaintiff fully adopts and incorporates herein the allegations set forth in Paragraphs 1 – 23 and further states:

25. At all times relevant hereto, Dr. Williams was employed by and acting as an agent of Kaiser and used his position as a Kaiser physician to engage in unlawful sexual battery and abuse as described herein.

26. That in using his position as a physician employed by Kaiser, Dr. Williams was acting within the scope of his employment with Kaiser in that the unlawful sexual battery was committed while he was acting as a physician for Kaiser, under the guise of medical treatment, and in furtherance of Kaiser's interests and said acts were regularly committed at Kaiser's health care facilities.

27. As the employer of Dr. Williams, Kaiser is responsible for all acts committed by Dr. Williams within the scope of his employment.

WHEREFORE, Plaintiff Linda D. Johnson demands judgment against Defendant Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc. for an

amount in excess of \$75,000 in compensatory and punitive damages, plus court costs and interest.

COUNT IV
Negligent Hiring, Supervision and Retention
Defendant Kaiser

28. Plaintiff fully adopts and incorporates herein the allegations set forth in Paragraphs 1 – 27 and further states:

29. Kaiser hired Dr. Williams as a physician and to render pain management treatment to Kaiser's patients.

30. Kaiser regularly placed Dr. Williams in a position where he examined female patients, including Plaintiff, without a female chaperone which was negligent and a breach of acceptable standards of medical treatment.

31. Dr. Williams used his position as a Kaiser physician to engage in unlawful sexual battery with the Plaintiff.

32. Upon information and belief, Dr. Williams engaged in unlawful sexual battery and abuse of many more female patients while he was employed by Kaiser from 2012 through 2014.

33. Kaiser knew or should have known by the exercise of diligence and reasonable care that Dr. Williams had previously engaged in unlawful sexual battery with other female patients and that Dr. Williams would likely do so again.

34. Kaiser knew or should have known by the exercise of diligence and reasonable care that Dr. Williams was using his position as a physician with Kaiser to engage in unlawful sexual battery with Plaintiff and other female patients.

35. Kaiser owed a duty to Plaintiff use proper care in selecting, supervising and retaining Dr. Williams.

36. Kaiser was negligent and breached its duty to Plaintiff by failing to use reasonable care in hiring, supervising and retaining Dr. Williams.

37. That as a proximate cause of Kaiser's negligence in allowing Plaintiff to be examined by Dr. Williams without a female chaperone and breach of its duty to Plaintiff to use reasonable care in hiring, supervising and retaining Dr. Williams, Dr. Williams was able to use his position as a Kaiser physician to engage in an unlawful sexual battery of Plaintiff thereby causing Plaintiff to suffer injury including extreme emotional injury, severe mental anguish, and to incur medical and other related expenses and loss of income.

WHEREFORE, Plaintiff Linda D. Johnson demands judgment against Defendant Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc. for an amount in excess of \$75,000 in compensatory and punitive damages.

COUNT V
Defamation
Defendant Kaiser

38. Plaintiff fully adopts and incorporates herein the allegations set forth in Paragraphs 1 – 37 and further states:

39. During the investigation performed by Kaiser, agents and employees of Kaiser made false statements of fact, and falsely accused Plaintiff of manufacturing a story devoid of truth.

40. The statements made by Kaiser and its employees and agents were malicious and known to be false and were made at a time when Kaiser knew, or

should have known, that other female patients had been sexually battered and abused by Dr. Williams. If not known known to be false, the statements made by Kaiser and its employees and agents were made with a reckless disregard for the truth and were made at a time when Kaiser had obvious reasons to distrust the accuracy of such statements.

41. The statements made by Kaiser and its employees and agents were communicated to third persons, including a panel of investigators.

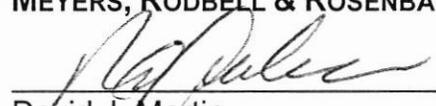
42. The statements made by Kaiser and its employees and agents exposed Plaintiff to public scorn, hatred, contempt and ridicule causing damage to Plaintiff's reputation, and significantly exacerbated the extreme emotional injury and mental anguish that Plaintiff suffered due to the conduct of Dr. Williams.

WHEREFORE, Plaintiff Linda D. Johnson demands judgment against Defendant Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc. for an amount in excess of \$75,000 in compensatory and punitive damages.

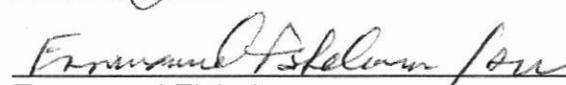
Respectfully submitted,

MEYERS, ROBBELL & ROSENBAUM, P.A.

By:



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