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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

CHRISTY T. O'CONNELL,

Plaintiff

v. * Case No: 14-cv-1339

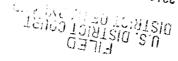
ASSOCIATES IN OB/GYN CARE, LLC, et al.

Defendants

MOTION TO CONSOLIDATE WITH CASE NO. 15-CV-3820

Plaintiff, Christy T. O'Connell, by and through her attorneys, Emily C. Malarkey and Salsbury, Clements, Bekman, Marder & Adkins L.L.C., hereby moves to consolidate the above-captioned case with Case No. 15-cv-3820, and for reasons states as follows.

- 1. In this wrongful birth case, which was initiated with the filing of a Complaint in April of 2014, the Plaintiff Christy O'Connell alleged that the Defendants, Iris Dominy, M.D. and a Frederick, Maryland abortion clinic known as Associates in OB/GYN Care, were negligent in their care and treatment of her, leading to the wrongful birth of Ms. O'Connell's son in 2012. Specifically, Plaintiff alleges that Dr. Dominy and an unknown individual who interpreted an obstetric sonogram were negligent in interpreting that sonogram to show that Ms. O'Connell's medical abortion was successful, when in fact she was still pregnant.
- 2. In 2015, Plaintiff initiated a second lawsuit against Stephen Brigham, M.D. and Vikram Kaji, M.D., which was docketed as No. 15-cv-2418. That Complaint alleged that Dr. Brigham and Dr. Kaji, the owner and an employee the abortion clinic, respectively, were abortion instituting a policy whereby untrained "office managers" were permitted to



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interpret obstetric sonograms, in violation of the standard of care. The case against Drs.

Brigham and Kaji was consolidated with this case in October of 2015, and the Court ordered that all further pleadings be filed under No. 14-cv-1339. *See* ECF No. 49.

- 3. On December 16, 2015, Plaintiff filed an additional lawsuit against Mansour Panah, M.D., who was the medical director of the Maryland abortion clinic at issue in this case. That case was docketed as No. 15-cv-3820 and was re-assigned to Your Honor.
- 4. The lawsuit against Dr. Panah arises out of the same nexus of facts as the original Complaint against Dr. Dominy and the abortion clinics, as well as the case against Dr. Brigham and Kaji. To promote judicial economy, this Court should consolidate the above-captioned case with No. 15-cv-3820. The allegations in the Complaint in that case are substantially similar to those asserted in this case. This case and No. 15-cv-3820 share common parties, common issues of fact and law, and as such, under Federal Rule of Civil Procedure 42, should be tried together.

WHEREFORE, Plaintiff Christy O'Connell, respectfully requests that this Court consolidate the above-captioned lawsuit with Case No. 15-cv-3820.

/s/

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