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COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT  
CIVIL ACTION NO. 1885CV00373

Celina Casas,  
Plaintiff,

v.

Planned Parenthood League of  
Massachusetts, Inc., Tara Kumaraswami,  
M.D. and Rebecca Krieger, RN,  
Defendants.

FILED

JUN 25 2010

ATTEST

*Del. Hall* CLERK



**SECOND AMENDED COMPLAINT AND DEMAND FOR JURY TRIAL**

**FACT COMMON TO ALL COUNTS**

1. The Plaintiff Celina Casas ("Ms. Casas") is an individual currently residing in Cicero, Illinois. At all times relevant hereto, she was a resident of Shrewsbury, Worcester County, Massachusetts.
2. The Defendant Planned Parenthood League of Massachusetts, Inc. ("Planned Parenthood") at all times relevant was and is a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, with a confidential and unpublished principal place of business. At all times relevant hereto, Planned Parenthood operated a clinic in Worcester, Worcester County, Massachusetts.

3. The Defendant Tara Kumaraswami, M.D. (“Dr. Kumaraswami”) at all times relevant was a physician duly licensed to practice medicine in the Commonwealth of Massachusetts and an agent, servant or employee of Planned Parenthood.
4. The Defendant Rebecca Krieger, RN (“Nurse Krieger”) at all times relevant was a registered nurse duly licensed to practice medicine in the Commonwealth of Massachusetts and an agent, servant or employee of Planned Parenthood.
5. On or about March 12, 2015, Dr. Kumaraswami performed the first step in a two –step abortion at the Planned Parenthood clinic in Worcester by softening the cervix.
6. This first-step placed Ms. Casas at risk for vaginal delivery of the fetus.
7. Neither Dr. Kumaraswami nor Nurse Krieger, who discharged Ms. Casas, ever informed her that she was at risk for vaginal delivery of the fetus.
8. By failing to inform Ms. Casas of the risk of vaginal delivery of the fetus, Dr. Kumaraswami and Nurse Krieger breached the standard of care applicable to each of them.
9. Later in the afternoon on the same day she was discharged, Ms. Casas began experiencing severe labor type pains and called Planned Parenthood looking for advice and instructions. Ms. Casas was told by a nurse believed to be Nurse Krieger to take the pain medication that she had been prescribed; she was not advised that she was at risk for a vaginal delivery and she was not instructed to seek medical attention.

10. Ms. Casas called Planned Parenthood later that evening, after hours, and was connected to an unknown person acting as an agent, servant and/or employee of Planned Parenthood. Ms. Casas again explained that she was having severe stomach pains and again was advised to take the medications that had been prescribed to her. She was not advised that she was at risk for a vaginal delivery and she was not instructed to seek medical attention.
11. The following morning Ms. Casas delivered the fetus in the bathroom of her home, causing her physical pain and severe emotional and mental trauma.

### **COUNT ONE—MEDICAL NEGLIGENCE**

#### **Ms. Casas vs. Planned Parenthood, Dr. Kumaraswami and Nurse Krieger**

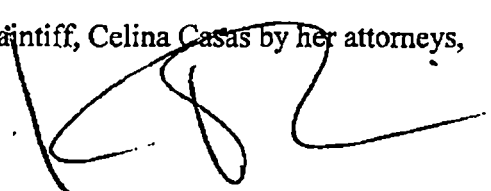
12. Ms. Casas incorporates by reference all of the averments in paragraphs 1-11.
13. Dr. Kumaraswami and Nurse Krieger breached the applicable standard of care on March 12, 2015 when they failed to advise Ms. Casas that the first step of the two step procedure placed her at risk for vaginal delivery of the fetus!
14. The agent, servant, and/or employee of Planned Parenthood who spoke with Ms. Casas after office hours, when she called complaining of pain during the evening of March 12, 2015, also breached the applicable standard of care by failing to advise her that she was at risk for vaginal delivery and to seek medical assistance.
15. Planned Parenthood is vicariously liable for the negligence of Dr. Kumaraswami, Nurse Krieger and the unknown person who failed to instruct Ms. Casas to seek medical attention when she called to complain of pain.

16. As a direct and proximate result of the above-referenced breaches of the standard of care, Ms. Casas was caused to sustain severe and permanent personal injuries; has incurred and will continue to incur great expense for her medical, surgical, and hospital care and treatment; has suffered and will continue to suffer great pain of body and anguish of mind; has been and will continue to be unable to pursue normal activities; and her ability to earn income and enjoy life has been permanently adversely affected.

**WHEREFORE**, the Plaintiff Celina Casas demands judgment against the Defendants Planned Parenthood League of Massachusetts, Inc., Tara Kumaraswami, M.D. and Rebecca Krieger, RN in an amount which will fully and fairly compensate her for all of her injuries, past, present and future, together with interest and costs.

**THE PLAINTIFF CLAIMS A TRIAL BY JURY ON ALL ISSUES.**

The Plaintiff, Celina Casas by her attorneys,



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