

SCANNED

FILED

IN THE CIRCUIT COURT FOR PRINCE GEORGES COUNTY, MARYLAND

SHANNON HALL

#07 JAN 23 2013 *

PLAINTIFF CLERK OF THE CIRCUIT COURT*
FOR PRINCE GEORGES COUNTY, MD.

VS.

* CASE No. CAL 11-26731

HAROLD O. ALEXANDER, M.D., ET AL *

DEFENDANTS *

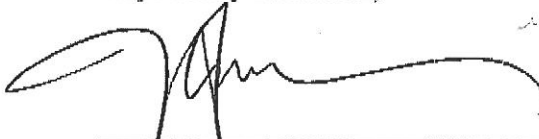
MOTION IN LIMINE

COMES NOW, Defendant, Harold O. Alexander, M.D., *pro se*, and respectfully moves, *in Limine*, this Honorable Court, with respect to the following:

1. This is a medical malpractice case wherein Plaintiff alleges that Defendant was negligent and breached the standard of care causing injuries to Plaintiff.
2. As the Court is aware, Defendant's license to practice is currently suspended.
3. Defendant moves that Plaintiff, or any of her witnesses, be prohibited from testifying and/or telling the jury that his license is suspended. Said suspension is totally unrelated to this case. Defendant submits that such a disclosure would be unfairly prejudicial to Defendant.

WHEREFORE, Defendant respectfully requests that an Order be entered, in Limine, preventing Plaintiff or any of her witnesses from testifying and/or telling the jury that Defendant's license is currently suspended.

Respectfully submitted,



Harold O. Alexander, M.D.

IN THE CIRCUIT COURT FOR PRINCE GEORGES COUNTY, MARYLAND

SHANNON HALL

*

PLAINTIFF

*

vs.

* CASE No. CAL 11-26731

HAROLD O. ALEXANDER, M.D., ET AL *

DEFENDANTS

*

PRE-TRIAL STATEMENT OF DEFENDANTS

I. NATURE OF THE CASE

On July 8, 2008, Plaintiff sought the services of Defendant Alexander to terminate a pregnancy. Defendant Alexander diagnosed that Plaintiff had a Molar pregnancy which needed to be terminated and advised Plaintiff of the need for follow-up care and testing. Plaintiff began said follow-up care, but failed to return to Defendant Alexander after July 28, 2008 for further care and testing. On October 8, 2008, Plaintiff presented herself at the Emergency Room at Prince Georges Hospital due to complications associated with the Molar pregnancy.

Subsequently, Plaintiff was transferred to Mercy Hospital in Baltimore, MD and underwent a hysterectomy and chemotherapy treatments.

II. CLAIMS AND DEFENSES

Plaintiff asserts that Defendant Alexander breached the standard of care by not following up with respect to her care resulting in her having to obtain a hysterectomy and treatment for cancer. Defendant denies breaching the standard of care and asserts that Plaintiff failed to follow up with respect to her care and treatment despite having been advised of the necessity for such follow up care and treatment.

III. UNDISPUTED ISSUES AND FACTS

None

IV. STIPULATIONS

None.

V. RELIEF SOUGHT

Plaintiff seeks damages for the treatment and care that she has incurred and alleges will incur in the future.

VI. WITNESSES

Defendant will call the following witnesses to testify:

1. Defendant, as an expert witness (OB/GYN)
2. Gloria Goodin
3. Teresa Harris
4. Mark Clarke, M.D., as an expert witness (OB/GYN)
5. E. Smith, M.D., as an expert witness (OB/GYN)

Defendant also reserves the right to call the Plaintiff to testify as an adverse witness, any witness called by the Plaintiff, rebuttal witnesses and any expert called by the Plaintiff.

VII. EXHIBITS

Plaintiff may introduce the following documents at trial:

1. All pleadings and attachments to pleadings.
2. Records from Defendant.
3. Records from Prince George's Hospital Center.
4. Curricula Vitae from the expert witnesses noted above.

RETURN OF SERVICE

L11-20731

Clerk of the
Circuit Court

State of Maryland

County of Prince George's

Circuit Court

Case Number: CAL11-26731 Court Date: 1/28/2013

2013 JAN 23 AM 10:39

Plaintiff:

SHANNON HALL

vs.

Defendant:

HAROLD O. ALEXANDER, M.D., ET AL

PR GEO CO MD #75

For:

Jonathan E. Goldberg, Esq.
SCHOCHOR, FEDERICO & STATON, P.A.
1211 St. Paul Street
Baltimore, MD 21202

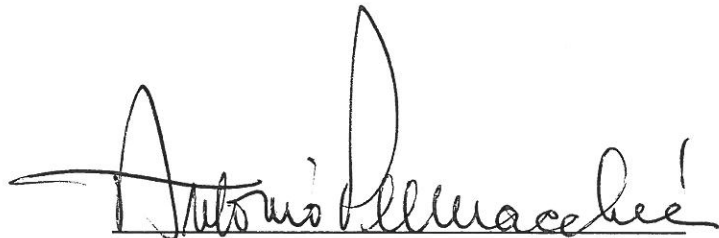
Received by AGP ATTORNEY SERVICES, LLC on the 14th day of January, 2013 at 4:33 pm to be served on
GLORIA GOODIN, 6229 64TH AVE, APT 1, RIVERDALE, MD 20737.

I, Antonio Pennacchia, do hereby affirm that on the **16th day of January, 2013 at 3:50 pm, I:**

INDIVIDUALLY/PERSONALLY served by delivering a true copy of the **TRIAL SUBPOENA** with the date and hour of service endorsed thereon by me, to: **Gloria Goodin Aka Gloria Jean Goodin** at the address of: **6229 64TH AVE, APT 1, RIVERDALE, MD 20737**, and informed said person of the contents therein, in compliance with state statutes.

Description of Person Served: Age: 63, Sex: F, Race/Skin Color: Blk, Height: seate, Weight: 170, Hair: Bk-Corn Rows, Glasses: N

I certify that I am over the age of 18, have no interest in the above action. Under the penalties of perjury, I declare that I have read the foregoing Affidavit of Service and that the facts stated in it are true.



Antonio Pennacchia

AGP ATTORNEY SERVICES, LLC
2522 N. Calvert St.
1st Fl
Baltimore, MD 21218
(410) 864-8873

Our Job Serial Number: AGP-2013000019
Ref: Hall v. Alexander, M.D., et al

61E

SHANNON HALL	:	IN THE
Plaintiff	:	CIRCUIT COURT
v.	:	FOR
HAROLD O. ALEXANDER, M.D., et al	:	PRINCE GEORGE'S COUNTY
Defendants	:	Case No.: CAL 11-26731

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OPPOSITION TO DEFENDANTS' REQUEST FOR POSTPONEMENT OF TRIAL

COMES NOW the Plaintiff, Shannon Hall, by and through her attorneys, Jonathan Schochor, Jonathan E. Goldberg and Schochor, Federico and Staton, P.A., and hereby opposes the Defendants' Request for Postponement of Trial and says:

1. This is a medical malpractice case wherein the Plaintiff alleges the Defendants were negligent and caused her serious and significant damages, including the need for a hysterectomy which has rendered her unable to bare children;

2. This case was originally filed in the Health Care Alternative Dispute Resolution Office on September 15, 2011. The case was waived into the Circuit Court for Prince George's County, See, Exhibit 1. An Answer was filed on behalf of the Defendants by Craig Merkle and the law firm of Goodell, DeVries, Leech and Dann. Mr. Merkle and his law firm had represented Dr. Alexander in prior malpractice cases. It was known at the time that the lawsuit was answered that Dr. Alexander and his professional association (or trust) were without liability insurance and that Dr. Alexander would be paying for the defense of this case from his own funds;

3. A trial date of January 28, 2013 was assigned by the Court;

PRINCE GEORGE'S COUNTY

CLERK OF THE

Circuit Court

4. Discovery commenced and depositions took place of the parties and various fact and expert witnesses;

5. On November 14, 2012 counsel for the Defendants moved to strike their appearance. See, Exhibit 2. Included with the materials filed with the Motion was a letter sent to Dr. Alexander by his former counsel on October 16, 2012 requesting an additional retainer for their services in this case. Also included was a letter was sent to Dr. Alexander on November 9, 2012 from his former attorneys advising that they were going to file a motion to withdraw from the case due to his inability to pay for legal services and that he had the option to either seek other counsel or to represent himself. Id.;

6. The Motion was denied without prejudice. The motion was refiled on January 2, 2013 which included the documents referenced above along with a consent signed by Dr. Alexander to permit his counsel to withdraw from this case, See, Exhibit 3. The motion was granted by this Court on January 2, 2013;

7. Defendants knew of their attorneys' intention to withdraw from this case at least as early as November 9, 2012. Thus, the withdraw of counsel should have been of no surprise to defendants;

8. On January 11, 2013, seventeen (17) days before trial, the Defendants filed a motion for a twelve (12) month continuance of this case. This request should be denied;

9. This case has been pending for more than fifteen (15) months. Plaintiff is entitled to a speedy and timely resolution of her claims. Indeed, the try-by date for this case is February 5, 2013.

10. Delaying this matter by twelve (12) months would mean that the Plaintiff's case would be pending for over two and a half years, which is prejudicial to the plaintiff as it will delay her trial;

11. Although Defendants have known since November 2012 that their former attorneys were seeking to withdraw from this case, they have offered no evidence of any efforts to secure funds for representation or that they have even consulted with an attorney who would be willing to represent them in this matter. This last minute postponement request is nothing more than an eleventh hour request to prevent the Plaintiff from having her day in court;

12. For the reasons set forth above, the Request for Postponement should be denied;

13. If, however, the Court grants the Defendants' Request for Postponement, Plaintiff requests that a new trial be scheduled within three months at a time that is convenient for Plaintiff's counsel and Plaintiff's expert witnesses. It is further requested that the Defendants be precluded from designating any additional expert witnesses and that no further discovery take place except supplementation required by the Maryland Rules and the deposition of James Barter, M.D., a defense expert witness, if the Plaintiff's Motion to Strike his designation is denied.

WHEREFORE, Plaintiff requests that an Order be entered denying the Defendants' Request for Postpone of Trial.