

009607

STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

JURY FEE PAID  
JUL 20 2012

SHAWANNA HUNLEY,  
  
Plaintiff,

HUNLEY, SHAWANNA v SUMMIT WOMEN'S  
Hon. Jeanne Stempien 07/20/2012



12-009607-NH

-VS-

SUMMIT WOMEN'S CENTER OF DETROIT, INC.  
d/b/a SUMMIT MEDICAL CENTER and  
MICHAEL ROTH, M.D., Jointly and Severally

Defendants.

\_\_\_\_\_  
HOWARD J. VICTOR (P27811)  
Attorney for Plaintiff  
30445 Northwestern Highway  
Suite 210  
Farmington Hills, MI 48334  
(248) 737-9101  
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*[Handwritten signature]*

*[Handwritten signature]*  
JUL 20 2012  
JURY FEE PAID  
JUL 20 2012

There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this Complaint pending in this Court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a judge, nor do I know of any other civil action not between these parties arising out of the same transaction or occurrence as alleged in this Complaint that is either pending or was previously filed and dismissed, transferred or otherwise disposed of after having been assigned to a judge in this Court.

*[Handwritten signature]*  
HOWARD J. VICTOR (P27811)

**COMPLAINT AND JURY DEMAND**

NOW COMES the Plaintiff, SHAWANNA HUNLEY, by and through counsel, WORSHAM & VICTOR, P.C., and for her cause of action against the Defendants above, present unto this Honorable Court the following:



**COUNT I**  
**[GENERAL ALLEGATIONS]**

1. That the Plaintiff, SHAWANNA HUNLEY, is a resident of the City of Detroit, County of Wayne, State of Michigan.
2. That the Defendant, SUMMIT WOMEN'S CENTER OF DETROIT, INC., d/b/a SUMMIT MEDICAL CENTER, [hereinafter called "SUMMIT"], is a foreign profit corporation doing business at 15801 W. McNichols Road, in the city of Detroit, the County of Wayne, and State of Michigan.
3. That the Defendant SUMMIT has as its registered agent CSC – Lawyers Incorporating Service, 601 Abbot Road, East Lansing MI 48823.
4. That the Defendant, MICHAEL ROTH, M.D., is a duly licensed physician in the State of Michigan and was, and at all times relevant herein, an employee, agent, servant, officer and/or representative of SUMMIT acting within the scope of such.
5. That the incident giving rise to this Complaint against Defendants arose in the City of Detroit, County of Wayne, State of Michigan, and venue is proper pursuant to MCL 600.1629.
6. That the amount in controversy is in excess of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS.
7. That at the time of the incident at issue, SHAWANNA HUNLEY was a 30 year old African American female with two dependents.
8. That SHAWANNA has been pregnant a total of three times.
9. That the first two pregnancies were full term, resulting in the births of her two children, and the third is the abortion at issue.

10. That SHAWANNA gave birth to her first son on September 27, 2006.
11. That she gave birth to her second son on February 8, 2010.
12. That she had no complications with either of these pregnancies.
13. That SHAWANNA realized that she was pregnant in approximately October 2010.
14. That she was undecided as to whether or not she was going to keep the pregnancy.
15. That In January 2011, SHAWANNA made the decision to terminate the pregnancy at went to Eastland Women's Clinic.
16. That because she was too far along, Eastland Women's Clinic would not perform the abortion and referred her to the SUMMIT.
17. That on January 22, 2011, SHAWANNA went to SUMMIT for the abortion.
18. That SHAWANNA scheduled the abortion and it was to be done in two procedures.
19. That the first procedure was to be done on January 28, 2011, where she was going to have Laminaria/Dilapan inserted.
20. That on January 28<sup>th</sup>, SHAWANNA went back to SUMMIT for the first procedure.
21. THAT MICHAEL ROTH, M.D. was the physician who inserted the Laminaria/Dilapan.



22. That on January 29, 2011, SHAWANNA returned to SUMMIT for the second procedure.

23. That DR. ROTH began the procedure and it was very painful.

24. That SHAWANNA was screaming and crying during the procedure because it hurt so badly, so DR. ROTH stopped the procedure.

25. That afterwards, she was given pain medication.

26. That a uterine perforation occurred during the procedure.

27. That SHAWANNA was informed that she had to be sent to the Emergency Room for further treatment, but she was not informed as to what occurred or what the problem was.

28. That SHAWANNA had to wait an hour or so for EMS to come and take her to the hospital.

29. That SHAWANNA was eventually transported to the Emergency Room at Providence Hospital and was told that her uterus and bowel had been perforated.

30. That SHAWANNA was taken to the operating room where DR. ROTH and Vinay Malviya, M.D. performed an exploratory laparotomy, removed the products of conception, repaired the uterine perforation, and performed a rectosigmoid resection with anastomosis which occurred during the second trimester pregnancy termination.

31. That during the surgery, an 8 cm perforation along the posterior side of the uterus was visualized and had to be repaired.

32. That the postoperative diagnoses were a uterine perforation and a rectosigmoid injury.

33. That SHAWANNA remained in the hospital for a week and was discharged on February 9, 2011.

34. That during her hospitalization, SHAWANNA required a blood transfusion.

35. That SHAWANNA has followed up with Dr. Calacutti.

36. That SHAWANNA has difficulty digesting certain foods and must take laxatives and eat a lot of fiber.

37. That as a result of the breaches of the standard of care, SHAWANNA suffered a uterine perforation and a rectosigmoid injury which required surgery to repair.

38. That further, as a result of the breaches of the standard of care, SHAWANNA HUNLEY has suffered severe pain and suffering, discomfort, disability, depression, scarring, extensive medical expenses, economic loss.

WHEREFORE, Plaintiff, by and through counsel, WORSHAM & VICTOR, P.C., respectfully request that this Honorable Court enter a judgment against Defendants in an amount in excess of Twenty-Five Thousand (\$25,000.00) Dollars together with costs, fees, and interest.