

D61590782

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Attorneys for Defendant

IN THE COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO

Penelope Campbell  
2747 Cyclorama Drive  
Cincinnati, OH 45211

Plaintiff,

v.

The Christ Hospital  
c/o Statutory Agent,  
CT Corporation System  
36 E. 7<sup>th</sup> Street, Suite 2400  
Cincinnati, OH 45202

and

Steven L. Stephanides, M.D.  
University Hospital  
231 Albert Sabin Way  
ML 0769  
Cincinnati, OH 45209

and

University Emergency Physicians, Inc.  
c/o Statutory Agent,  
W. Brian Gibler  
231 Bethesda Avenue  
ML 769  
Cincinnati, OH 45267

and

Justin Williams, M.D.  
c/o Statutory Agent,  
CT Corporation System  
36 E. 7<sup>th</sup> Street, Suite 2400  
Cincinnati, OH 45202

Case No.  
(J. 40409510

COMPLAINT AND JURY DEMAND

ORIG COMP. PARTIES, SUMMONS		
<input checked="" type="checkbox"/> CERT MAIL	<input type="checkbox"/> SHERIFF	<input type="checkbox"/> WAVE
<input type="checkbox"/> PROCESS SERVER	<input type="checkbox"/> NONE	JIC
CLERKS FEES	_____	
SECURITY FOR COST	_____	
DEPOSITED BY	20065	
FILING CODE	A345	

**and**

**Justin Williams, M.D.  
The Christ Hospital  
2139 Auburn Avenue  
Cincinnati, OH 45219**

**Defendants.**

For her Complaint, Plaintiff states as follows

1 On or about November 28, 2003, Penelope Campbell underwent laproscopic surgery for lysis of adhesions performed by Dr Michael Draznik

2 Dr Draznik performed the surgery at The Christ Hospital and left Penny in the care of the Post-operative Care Unit

3 Post-operatively, Penny suffered severe pain and was unable to urinate Therefore, the PACU nurse placed a catheter per Dr Draznik's order, administered pain medication and discharged Penny home

4 Within a few short hours, Penny returned to the Emergency Room at The Christ Hospital and was evaluated by Dr Steven Stephanides and Dr Justin Williams

5 During that time, Penny was screaming from the top of her lungs in pain and was unable to urinate and had low urine output

6 Penny remained in the Emergency Room for several hours and during that time, Dr Stephanides and Dr Williams consulted with Dr Draznik and decided to admit Penny for pain control

7 Penny was admitted to The Christ Hospital per Dr Draznik's order

8 Although Penny continued to have severe abdominal pain and had no improvement  
in condition, a CT scan was not performed until approximately 5 30 p m on November 29, 2003

9 The CT scan showed moderate ascites throughout the abdomen and pelvis as well as  
new mass or free air

10 The results of the CT scan were called to Dr Draznik at approximately 6 20 p m  
November 29, 2003 A consult was performed by Dr Alexander Saba and Penny was taken back  
to surgery to repair perforated viscus

11 Post-operatively however, Penny developed overwhelming sepsis and a respiratory  
distress syndrome and remained in the hospital until March of 2004

12 Penny was then transferred to The Drake Center for continued care

13 At all times herein relevant, Steven Stephanides was and is a physician licensed to  
practice emergency medicine in the State of Ohio

14 At all times herein relevant, Justin Williams was and is a physician licensed to  
practice medicine in the State of Ohio

15 At all times herein relevant, University Emergency Physicians, Inc was and is  
incorporated in and licensed to do business in the State of Ohio

16 At all times herein relevant, The Christ Hospital was and is incorporated in and  
licensed to do business in the State of Ohio

**FIRST CLAIM FOR RELIEF**

17 Plaintiff hereby incorporates by reference the allegations contained in paragraphs 1  
through 16 above as if fully restated herein

18 Defendant, Steven Stephanides, M D fell below accepted standards of care in his care and treatment of Penelope Campbell by failing to properly diagnose and treat Penelope's perforated viscus while in the Emergency Room

19 As a direct and proximate result of the above-mentioned negligence, Penelope Campbell experienced excruciating pain and suffering, hospitalization, expensive medical care and treatment, and has incurred medical bills in excess of \$700,000 00

20 As a direct and proximate result of the above-mentioned negligence, Penelope Campbell will continue to endure pain and suffering, loss of ability to perform usual activities, physical disability and impairment of her earning capacity

21 As a direct and proximate result of Defendant, Stephanides' negligence, Penelope is unable to work and has suffered a loss of wages

**SECOND CLAIM FOR RELIEF**

22 Plaintiff hereby incorporates by reference the allegations contained in paragraphs 1 through 21 above as if fully restated herein

23 Defendant, Justin Williams, M D fell below accepted standards of care in his care and treatment of Penelope Campbell by failing to properly diagnose and treat Penelope's perforated viscus while in the Emergency Room

24 As a direct and proximate result of the above-mentioned negligence, Penelope Campbell experienced excruciating pain and suffering, hospitalization, expensive medical care and treatment, and has incurred medical bills in excess of \$700,000 00

25 As a direct and proximate result of the above-mentioned negligence, Penelope Campbell will continue to endure pain and suffering, loss of ability to perform usual activities, physical disability and impairment of her earning capacity

26 As a direct and proximate result of Defendant, Williams' negligence, Penelope is unable to work and has suffered a loss of wages

**THIRD CLAIM FOR RELIEF**

27 Plaintiff hereby incorporates by reference the allegations contained in paragraphs 1 through 26 above as if fully restated herein

28 At all times herein relevant, Stephen Stephanides, M D is an employee, agent and/or servant of University Emergency Physicians, Inc

29 All of the previously described actions/inactions of Dr Stephanides were within the course and scope of his employment/agency with University Emergency Physicians, Inc

30 Defendant University Emergency Physicians, Inc is therefore vicariously liable for all injuries and damages enumerated herein directly and proximately caused by the negligence of Defendant, Steven Stephanides, M D

**FOURTH CLAIM FOR RELIEF**

31 Plaintiff hereby incorporates by reference the allegations contained in paragraphs 1 through 30 above as if fully restated herein

32 Defendant, Justin Williams, M D is an employee, agent and/or servant of The Christ Hospital

33 All the previously described actions/inactions of Dr Williams were within the course and scope of his employment/agency with Defendant, The Christ Hospital

34 Defendant, The Christ Hospital is therefore vicariously liable for all injuries and damages enumerated herein directly and proximately caused by the negligence of Defendant, Justin Williams, M D

**FIFTH CLAIM FOR RELIEF**

35 Plaintiff hereby incorporates by reference the allegations contained in paragraphs 1 through 34 above as if fully restated herein

36 The Christ Hospital is a health care facility that provides medical care and treatment to patients for compensation

37 All of the actions/inactions of the employees, agents and/or servants of The Christ Hospital were all within the course and scope of their employment and/or agency with The Christ Hospital

38 As a direct and proximate result of the above-mentioned negligence, Penelope Campbell experienced excruciating pain and suffering, hospitalization, expensive medical care and treatment, and has incurred medical bills

39 As a direct and proximate result of the above-mentioned negligence, Penelope Campbell will continue to endure pain and suffering, loss of ability to perform usual activities, physical disability and impairment of her earning capacity

40 As a direct and proximate result of Defendant, The Christ Hospital's negligence, Penelope is unable to work and has suffered a loss of wages

41 The Christ Hospital is therefore liable for the negligence of the employee, agents and/or servants that cared for Penelope Campbell in its facility

**WHEREFORE**, Plaintiff demands judgment against Defendants, jointly and severally

**FIRST CLAIM FOR RELIEF** - In an amount in excess of Twenty-Five Thousand Dollars (\$25,000 00) and all other relief to which they are entitled


SECOND CLAIM FOR RELIEF - In an amount in excess of Twenty-Five Thousand Dollars (\$25,000 00) and all other relief to which they are entitled

THIRD CLAIM FOR RELIEF - In an amount in excess of Twenty-Five Thousand Dollars (\$25,000 00) and all other relief to which they are entitled

FOURTH CLAIM FOR RELIEF - In an amount in excess of Twenty-Five Thousand Dollars (\$25,000 00) and all other relief to which they are entitled

FIFTH CLAIM FOR RELIEF - In an amount in excess of Twenty-Five Thousand Dollars (\$25,000 00) and all other relief to which they are entitled

Respectfully submitted,



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**JURY DEMAND**

Plaintiff hereby demands a trial by jury



David P Kamp

L Beth Zahneis