

EXHIBIT 11

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERTA CLARK,)

Plaintiff,)

v.)

CASE NO.: CV-2012-1045

PLANNED PARENTHOOD SOUTH-)

EAST, INC.; PLANNED PARENTHOOD)

OF GEORGIA, INC.; PLANNED)

PARENTHOOD OF ALABAMA, INC.;)

and DR. AQUA DON E. UMOREN,)

M.D.; and, Fictitious parties, A through)

I,)

Defendants.)

DEFENDANTS PLANNED PARENTHOOD SOUTHEAST, INC. AND AQUA-DON E. UMOREN, M.D.'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S INTERROGATORIES

COME NOW Defendants Planned Parenthood Southeast, Inc. ("PPS") and Aqua-Don E. Umoren, M.D. ("Dr. Umoren") (PPS and Dr. Umoren may be collectively referred to as "Defendants"), and respond as follows to Plaintiff's Interrogatories served by Plaintiff Roberta Clark ("Plaintiff").

DEFENDANTS' GENERAL OBJECTIONS

These objections apply to each and every interrogatory and, therefore, are not repeated but are incorporated by reference in each response below.

1. Defendants object to these interrogatories to the extent they, individually or cumulatively, purport to impose on Defendants duties and obligations beyond those permitted by the Alabama Rules of Civil Procedure.

2. Defendants object to these interrogatories to the extent they are overly broad, vague, ambiguous, unduly burdensome or fail to specify the information sought with reasonable

particularity and to the extent they seek information not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence or are otherwise outside the scope of discovery permitted by the Rules of Civil Procedure.

3. Defendants object to these interrogatories to the extent they purport to require Defendants to provide information outside its possession, custody or control.

4. Defendants object to these interrogatories to the extent they require Defendants to provide information that is publicly available or located in Plaintiff's records on the ground that such information is just as readily obtainable by Plaintiff and, therefore, Defendants should not have to bear the burden of disclosure.

5. Defendants object to these interrogatories insofar as they are repetitive and/or substantially overlap with other interrogatories or require Defendants to provide the same information more than once on the ground that such duplicative disclosure is unduly burdensome

6. Defendants object to these interrogatories to the extent they seek information that constitute or disclose Defendants' confidential business or personal information.

7. Defendants object to these interrogatories to the extent they require Defendants to produce information that was prepared for or in anticipation of litigation, constitutes attorney work product, is protected by the attorney-client privilege, constitutes or discloses the mental impressions, conclusions, opinions or legal theories of any attorney or other representative of Defendants concerning this or any other litigation or is protected by any other applicable privilege, statute, rule or immunity. Such information will not be produced to Plaintiff, and any inadvertent production shall not be deemed a waiver of any privilege with respect to such information or of any work product doctrine which may apply.

8. The specific responses set forth below are based upon information now available to Defendants and Defendants reserve the right at any time to revise, correct, add to, or clarify the objections or responses set forth herein.

9. In each and every response, or sub-part thereof, where Defendants interpose an objection, such objection shall be construed to preserve all of Defendants' rights to enter a similar objection as to any future supplemental response to such interrogatory. Moreover, a failure to object herein shall not constitute a waiver of any objections Defendants may interpose as to any future supplemental responses.

10. Defendants' objections and responses to these interrogatories are made expressly without in any way waiving or intending to waive, but, rather, to the contrary, preserving and intending to preserve:

a. All questions as to the competence, relevance, materiality, privilege, admissibility as evidence, or use for any purpose of the documents or information, or the subject matter thereof, in any aspect of this or any other action, arbitration, proceeding or investigation;

b. The right to object on any ground to the use of any such documents or information, or the subject matter thereof, in any aspect of this or any other action, arbitration, proceeding or investigation;

c. The right to object at any time to a demand for any further response to this or any other Interrogatories and/or Requests; and

d. The right at any time to revise, supplement, correct, amend or clarify these objections and answers.

RESPONSES TO INTERROGATORIES

1. For the corporate defendant, please state your legal name or legal Authority under which you operate and if the corporate defendant is a government or non government entity, if a government entity place state under which laws of the State or Municipality you operate.

RESPONSE: Planned Parenthood Southeast, Inc. is the legal name of the corporate entity and is not a government entity. This is a private, non-profit organization recognized by the IRS as a 501(c)(3).

2. For the corporate defendant, please state if you claim government immunity that insulate you from this lawsuit, if so describe such immunity in detail and produce any documents pertaining to such immunity.

RESPONSE: Government immunity is not claimed.

3. Please state if you either individually or jointly with co-defendant has ever rendered any service or medical treatment to plaintiff, Roberta Clark, plaintiff in this case and state specifically the following:

- (a) The date such treatment or service was rendered or provided
- (b) The type of treatment and service that was rendered or provided
- (c) The date of discharge from under your care or service
- (e) Diagnosis of condition for which treatment was rendered

Please attach all records of treatments, including but not limited to medical records, billings statements, ultrasound, pathology reports, x-rays, MRI, surgical notes or operation notes, etc.

RESPONSE:

- (a) Plaintiff was treated in PPS's office August 10, 2010 through August 20, 2010;

(b) Plaintiff received elective pregnancy termination services;

(c) Plaintiff was discharged on August 20, 2010 with instructions to call if she had any problems;

(e) Plaintiff was diagnosed with a intrauterine pregnancy and requested it be terminated by surgical abortion.

Certified copies of the complete medical records, including ultrasound and account activity reports have been produced.

4. For each non corporate defendant, Dr. Aqua Don E. Umoren, please identify yourself fully, giving your full name, current residence address, name of practice, office address and specialty that you practice in medicine.

RESPONSE: Aqua-Don E. Umoren, M.D. resides in Nigeria since 2008. He practices part-time at Alabama Women's Reproductive Health in Huntsville, Alabama at 612 Madison Street, SW.

5. List all of academic qualifications and degrees which you hold and specify for each said degree:

(a) the date on which you received the degree

(b) the school from which you obtained your degree

(c) The name and address of every hospital or other medical facility in which you served as an intern, resident or had a fellowship position and specify as to each said hospital, (1) the inclusive dates of your employment (2) your title or titles; (3) the specialty field, if any, in which you worked; (4) the name of your supervisor or the person whom you reported to in each position in each hospital.

RESPONSE:

- a. Loyola University in Chicago
- Graduated in June 1973
- with a BS
- b. University of Illinois in Chicago
-1978, M.D.
- c. Martin Luther King, Jr. Hospital/Drew School of Medicine
- Los Angeles, intern and residency from 1979 - 1983 (intern - 1979 and residency 1980-1983)
- All in OB/GYN
- Doesn't remember supervisors from those dates

Chairman of Program - Ezra Davidson, Jr.

6. State whether or not your license to practice your profession has ever been suspended or revoked or whether renewal has ever been refused. If so, state specifically and in detail of all facts surrounding each and every suspension, revocation or renewal and give the date and reasons thereof for each event.

RESPONSE: No.

7. State whether you are currently Board Certified in any specialty or sub specialty by American Board of Medical Specialties (ABMS)? If so, name each and every Board Certification you possess and indicate as to each the date that you received your certification and the last and next renewal date if applicable.

RESPONSE: Board Certified in OB/GYN, American Board of OB/GYN in June 1988. Last date renewed was December 2012. See documents produced at Exhibits I-S.

8. State the specialty and sub specialty if applicable in which you were practicing when you provided services or consultation to Roberta Clark.

RESPONSE: OB/GYN

9. State the full name and address of your employer at the time that you treated or rendered any service to Roberta Clark.

RESPONSE: At the time of treatment of the Plaintiff, Dr. Umoren worked under a Physician Consultant Agreement and Medical Director Agreement with PPS. Those agreements have been produced which describe the nature of the engagement, responsibilities and duties of the parties in connection with the relationship.

10. Please recite completely the details of your professional working experience, including in your answer, but not limited to a bibliography of your publications, Journal articles and other research projects and inventions in which you have participated, a description of your area of specialization, and the areas in which you have practiced.

RESPONSE:

Starting from 1984, worked in Nigeria at First Consultants Medical Center

June 1985, M.D. of Women's Medical Center in Nigeria until 1994

In 1994 (Feb.) worked with West Alabama Health Services in Eutaw, Alabama until 1998

In 1998, opened a practice in Tuscaloosa, Women's First Choice until 2002.

In 2003, worked in California in Fallbrook in a OB/GYN clinic (can't remember name)

In 2004, worked for Crown Medical Group, OB/GYN in Merrita, California until 2008

In 2004 until now, working at clinic in Huntsville.

No articles

11. State the name and address of each hospital, clinic, health facility or institution with which you are or have been affiliated since completing your training and as to each, indicate the

nature of your affiliation, and the inclusive dates thereof, and your title or titles.

RESPONSE: In Alabama, hospital in Eutaw, Eutaw General Hospital.

In Tuscaloosa, Druid City Hospital (DCH)

In California, Fallbook Hospital

In Murrita, Ranchos Springs Medical Center and another facility (can't currently recall the name).

Titles/Affiliations:

- Crown Medical Group - S OB/GYN, delivered and did surgeries as consultants for hospitals
- Same for DCH
- Same for Eutaw

12. State specifically and in detail the substance of all advice, instructions or warnings that you and/or any other physicians, or individual under your supervision or direction given to Roberta Clark regarding abortion services, termination of pregnancy and risk of ectopic pregnancy.

RESPONSE: Objection to the extent that the Interrogatory is vague or calls for information not pertinent to the issues of the lawsuit. Without waiver of said objection, the substance of the advice, instructions and warnings given to Plaintiff are set forth in the medical records that have been produced. Further, the physician, nurse and support staff would have verbally communicated to Plaintiff the same substantive information contained in the medical records at the time she sought and received treatment.

13. Describe in detail your policy or procedure of pre operative and post operative diagnosis ectopic pregnancy as of August 20, 2010.

RESPONSE: PPS's policies and procedures have been produced and speak for themselves.

14. Please identify and describe in detail any business arrangement, financial, employment relationship or employment agreement that you had or in effect with the corporate defendant at the time of occurrence or occurrences made the basis of this lawsuit.

RESPONSE: See response to Interrogatory No. 9 above.

15. Concerning any services or treatments rendered to plaintiff, Roberta Clark, please state whether the services were rendered in the line and scope of this defendant's employment or agency with any of co-defendants, if so, please identify which of the co-defendants and the extent of such agency relationship.

RESPONSE: The services rendered to Plaintiff were performed pursuant to the Physician Consultant Agreement and Medical Director Agreement which have been produced. The terms and conditions of said agreements speak for themselves. Defendants object to said Interrogatory to the extent that it calls for a legal determination respecting the relationship.

16. State whether or not this defendant has ever been a defendant in a malpractice suit other than the present one involving same or similar circumstances as that alleges in the complaint by Plaintiffs in this cause, if the answer to this interrogatory is in the affirmative, then state:

- (a) each case number and case name, court and trial docket number.
- (b) state the substance of the allegations made against this in each case listed defendant.
- (c) state the outcome of the case including the terms of any settlements.

RESPONSE: Neither PPS nor Dr. Umoren have been subject to a malpractice action involving an ectopic pregnancy.

17. Please admit or deny that summons and complaint were received by you or your agent.

RESPONSE: A copy of the Summons and Complaint have been received by Defendants and an Answer has been filed.

18. Please state if you take the position that the service of summons and complaint was improper. If you take the position that the service of summons and complaint was improper, please state and give the following:

- i. all factual basis your position
- ii. your correct and proper physical address for delivery or service of summons and complaint.

RESPONSE: See Defendants' initial Motions to Dismiss for Defendants' position on this Interrogatory. Subsequently, Defendants acknowledge receipt of the Complaint, as amended, and have filed their Answer, which speaks for itself.

/s/ Charles A. McCallum, III
Charles A. McCallum, III

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VERIFICATION

A. E. Umoren

Dr. Aqua-Don E. Umoren

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said county, in said State, do hereby certify that, after being duly sworn, Dr. Aqua-Don E. Umoren, an individual whose name is signed to the foregoing Responses and Objections to Plaintiff's Interrogatories, and who is known to me, acknowledged before me on this date, that, being informed of the contents of said responses, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 3rd day of May, 2013.

Eric C. Mauler

NOTARY PUBLIC

My Commission Expires: 8/14/16

VERIFICATION

Planned Parenthood Southeast, Inc.



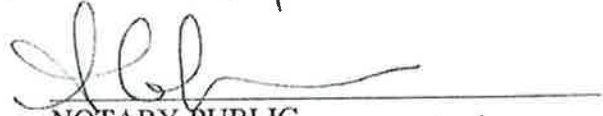
By: Chris Jueschke

Its: Director of Quality Management

Georgia
~~STATE OF ALABAMA~~)
Gwinnett
~~JEFFERSON COUNTY~~)

I, the undersigned, a Notary Public in and for said county, in said State, do hereby certify that, after being duly sworn, Planned Parenthood Southeast, Inc., a corporation whose Director of Quality Management is signed to the foregoing Responses and Objections to Plaintiff's Interrogatories, and who is known to me, acknowledged before me on this date, that, being informed of the contents of said responses, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 14 day of May, 2013.



NOTARY PUBLIC

My Commission Expires: 2/5/2017



CERTIFICATE OF SERVICE

This is to certify that on May 15, 2013, a true and correct copy of the foregoing was filed with the Clerk of the Court using the CM/ECF system, which automatically notifies counsel as follows:

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