

MARY ELLON DANIEL
2407 Claret Drive
Fallston, MD 21047

Plaintiff

V.

DAVID O'NEIL, M.D.
17 Fontana Lane, #201
Baltimore, MD 21237

Defendant

* IN THE
* CIRCUIT COURT
* FOR 03-C-96-5065

* BALTIMORE COUNTY

Civil File

00.00

Appearance Fee

* Case No.: 10.00

TOTAL 100.00

COMMENT:

Daniel vs O'Neil

COMPLAINT
FIRST COUNT

Receipt #190600003286

Cashier: KG CENACOP667

05/21/91

Mary Ellon Daniel, Plaintiff, by Stuart Jay Robinson and Leonard A. Orman, her attorneys, hereby sues David O'Neil, M.D., Defendant, and states as follows:

1. On or about January 30, 1991, Plaintiff came under the care of Defendant, David O'Neil, M.D., who held himself out as duly qualified to render proper and adequate medical services.

2. When the said Plaintiff, Mary Ellon Daniel, came under the Defendant's care, it then and there became the duty of the said Defendant to exercise that degree of care and professional competence normally used by physicians when administering to patients.

3. Defendant treated Plaintiff at the above time and thereafter terminated her pregnancy status.

4. While Plaintiff was a patient of said Defendant, she was administered to by said Defendant, who, contrary to the accepted standards of medical care, failed to properly diagnose the Plaintiff's condition, failed to properly administer to the Plaintiff, failed to take proper x-rays and sonograms and failed to

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BALTIMORE COUNTY
CIRCUIT COURT
MAY 21 1991

HP

properly read x-rays, performed surgery improperly, performed improper surgery, failed to give proper follow-up care and he was otherwise negligent and acting below the standard of care, including, but not limited to performing an incomplete therapeutic abortion, not removing all of the fetal tissue, disturbing the pregnancy enough to precipitate a pelvic infection, failed to properly utilize sonograms and other equipment and procedures and he was otherwise negligent.

5. As a result of the aforesaid negligence, carelessness, recklessness, imprudence and acting below the standard of care of the said Defendant, Plaintiff suffered and sustained great pain, shock, permanent injury, infection, required additional surgery, mental anguish, emotional pain and suffering, as well as medical expenses and loss of earning capacity.

WHEREFORE the Plaintiff brings this claim for damages in excess of TWENTY THOUSAND DOLLARS (\$20,000.00).

SECOND COUNT

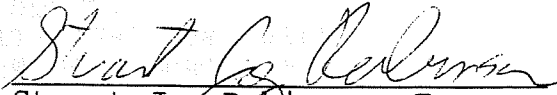
Mary Ellon Daniel, Plaintiff, by Stuart Jay Robinson and Leonard A. Orman, her attorneys, brings this action against David O'Neil, M.D., Defendant.

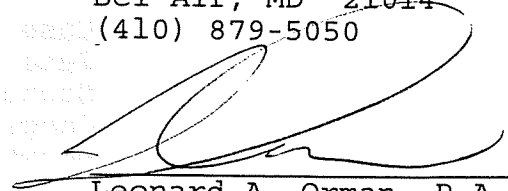
6. Plaintiff repeats and realleges all of the allegations contained in the First Count of this Claim and incorporates same herein as if fully set forth.

7. Defendant failed to obtain the informed consent of Plaintiff prior to performing medical procedures on her in that he did fail to advise her of the extent of her condition and in that he failed to notify her of the extent of the necessary medical

procedure.

WHEREFORE the Plaintiff brings this claim for damages in excess of TWENTY THOUSAND DOLLARS (\$20,000.00).


Stuart Jay Robinson, Esq.
24 E. Pennsylvania Avenue
Bel Air, MD 21014
(410) 879-5050


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5 Light St., #1100
Baltimore, MD 21202
(410) 962-0400

Attorneys for Plaintiff

CIRCUIT COURT FOR BALTIMORE COUNTY

Suzanne Mensh

Clerk of the Circuit Court

County Courts Building

401 Bosley Avenue

P.O. Box 6754

Towson, MD 21285-6754

(410)-887-2601, TTY for Deaf: (800)-735-2258

Maryland Toll Free Number (800) 938-5802

11/06/03

Case Number: 03-C-96-005065 OT

Date Filed: 05/21/1996

Status: Closed/Inactive

Judge Assigned: To Be Assigned,

Location :

Daniel vs ONeil

C A S E H I S T O R Y

OTHER REFERENCE NUMBERS

Description	Number
Case Folder ID	C96005065V01
	C9605065

INVOLVED PARTIES

Type Num	Name(Last.First.Mid.Title)	Addr Str/End	Disposition Addr Update	Entered
PLT 001	Daniel. Mary Ellon	Party ID: 0084591	CT GR 01/16/98	05/21/96
	Mail: 2407 Claret Drive Fallston. MD 21047	05/21/96		
	Attorney: 0008447 Robinson, Stuart Jay 24 E Pennsylvania Ave Bel Air. MD 21014 (410)879-5050			05/21/96
	0011994 Orman, Leonard A Law Offices Of Leonard A. Orman & Associates 26 South Street Baltimore, MD 21202			05/21/96

(410)962-0400

Type Num	Name(Last.First.Mid.Title)	Addr Str/End	Disposition Addr Update	Entered
DEF 001	ONeil, David, MD		CT GR 01/16/98	05/21/96
		Party ID: 0084594		
	Mail: 17 Fontana Lane #201 Baltimore, MD 21237	05/21/96		
	Attorney: 0000336 Rice, Mary C		Removed:10/11/96	06/25/96
	0015588 Roling, David A 104 West St Po Box 551 Annapolis, MD 21404-0551 (410)263-5900			10/11/96
	0017623 Bowie, A Gwynn Wharton Levin Ehrmantraut Klein & Nash 104 West St P.O. Box 551 Annapolis, MD 21404-0551 (410)263-5900			06/25/96
	0026627 Ehrmantraut, William 104 West St P.O. Box 551 Annapolis, MD 21404-0551 (301)263-5900			06/26/97

CALENDAR EVENTS

Date	Time	Dur	Event Description	Text SA	Jdg Day	Of Notice	User ID
Result			ResultDt By Result Judge	Rec			
03/25/97	01:30P	01H	Settlement Conference		FEC	01 /01	GO RPA
Vacate			08/01/96				
04/23/97	09:30A	06H	Civil Jury Trial	Y	TBA	01 /03	GO RPA
Vacate			08/01/96				
04/24/97	09:30A	06H	Civil Jury Trial	Y	TBA	02 /03	GO RPA
Vacate			09/16/96 C				

Date	Time	Dur	Event Description	Text SA	Jdg Day	Of Notice	User ID
Result			ResultDt By Result Judge	Rec			

04/25/97	09:30A	06H	Civil Jury Trial	Y	TBA	03 /03	GO RPA
	Vacate		09/16/96 C				
07/29/97	09:00A	01H	Settlement Conference	Y	FEC	01 /01	KGR KFF
	Conclude		01/16/98 C F.Cicone				
08/26/97	09:30A	06H	Civil Jury Trial	Y	TBA	01 /03	KGR FG
	Postpone		08/22/97 C J.Turnbull, II				
08/27/97	09:30A	06H	Civil Jury Trial	Y	TBA	02 /03	KGR FG
	Vacate		08/22/97 C				
08/28/97	09:30A	06H	Civil Jury Trial	Y	TBA	03 /03	KGR FG
	Vacate		08/22/97 C				
01/13/98	09:30A	06H	Civil Jury Trial	Y	TBA	01 /04	KGR KFF
	Conclude		01/16/98 C				
01/14/98	09:30A	06H	Civil Jury Trial	Y	TBA	02 /04	KGR KFF
	Conclude		01/16/98 C				
01/15/98	09:30A	06H	Civil Jury Trial	Y	TBA	03 /04	KGR KFF
	Conclude		01/15/98 C D.Levitz	Y			
	Photographer(s):		William C. Forand				
01/16/98	09:30A	06H	Civil Jury Trial	Y	TBA	04 /04	KGR KFF
	Vacate		01/15/98 C	Y			

JUDGE HISTORY

JUDGE ASSIGNED	Type	Assign Date	Removal RSN
TBA To Be Assigned.	J	05/21/96	

DOCUMENT TRACKING

Num/Seq	Description	Filed	Entered	Party	Jdg Ruling	Closed	User ID
0001000	Complaint with Request for Jury Trial	05/21/96	05/21/96	PLT001	TBA	01/16/98	KP KFF
0001001	Answer	06/24/96	06/25/96	DEF001	TBA	01/16/98	KDC KFF
0002000	Writ of Summons - Civil	05/21/96	05/21/96	DEF001	TBA	05/21/96	KP KP
0003000	Scheduling Order	07/29/96	07/29/96	000	TBA	07/29/96	GO GO

Num/Seq	Description	Filed	Entered	Party	Jdg Ruling	Closed	User ID
0004000	assessment of costs from the Health Claims Arbitration in the amount of \$487.20	08/05/96	08/07/96	000	TBA	01/16/98	PH KFF
0005000	Scheduling Order	09/16/96	09/16/96	000	TBA	09/16/96	KGR KGR
0006000	Attorney Appearance Filed enter the appearance of David A. Roling and strike the appearance of Mary C. Rice as counsel for the defdt.	10/10/96	10/11/96	000	TBA	01/16/98	JBK KFF
0007000	Plaintiffs Expert Witness	04/03/97	04/04/97	PLT001	TBA	01/16/98	DA KFF
0008000	Motion To Compel Discovery And To Preclude Use Of Experts. exhibit.	05/16/97	05/19/97	PLT001	BKH Granted	07/01/97	JBK LG
0008001	Opposition to Motion	06/25/97	06/26/97	DEF001	TBA	01/16/98	CB KFF
0008002	Reply to Opposition **	06/30/97	07/01/97	PLT001	TBA	01/16/98	PH KFF
0008003	Opposition to Motion	07/03/97	07/07/97	DEF001	TBA	01/16/98	CB KFF
0008004	Reply to Answer	07/07/97	07/09/97	PLT001	TBA	01/16/98	CB KFF
0009000	Certificate as to Rule 2-431	05/16/97	05/19/97	PLT001	TBA	01/16/98	JBK KFF
0010000	Motion to Compel ** ORDER ENTERED IN ERROR ON 7/1/97, ORDER IS DENIED AS MOOT PER JUDGE HOWE.	06/30/97	07/01/97	DEF001	CMK Granted	08/05/97	PH LG
0010001	Answer **	06/30/97	07/01/97	PLT001	TBA	01/16/98	PH KFF
0011000	Correspondence	08/08/97	08/08/97	DEF001	TBA	08/08/97	CKC CKC
0012000	Scheduling Order	08/27/97	08/27/97	000	TBA	08/27/97	KGR KGR
0013000	Writ of Attachment Before Judgment-Exec. ENTERED IN ERROR	12/10/97	12/10/97	000	TBA	12/10/97	GB CH
0014000	Writ of Attachment Before Judgment-Exec. ENTERED IN ERROR	12/10/97	12/10/97	000	TBA	12/10/97	GB CH
0015000	Writ of Attachment Before Judgment-Exec. ENTERED IN ERROR	12/10/97	12/10/97	000	TBA	12/10/97	GB CH
0016000	Scheduling Order	12/10/97	12/10/97	000	TBA	12/10/97	GB GB
0017000	Motion in Limine * (No DCM).	01/08/98	01/09/98	PLT001	TBA	01/16/98	DFF KFF
0018000	Motion in Limine No. 2 * (No DCM).	01/08/98	01/09/98	PLT001	TBA	01/16/98	DFF KFF

Num/Seq Description	Filed	Entered	Party	Jdg Ruling	Closed	User ID
0018001 Opposition to Motion **	01/12/98	01/14/98	DEF001	TBA	01/16/98 SD	KFF
0019000 Open Court Proceeding Jan. 13, 1998. Hon. Dana M. Levitz. Case tried, jury sworn, Not concluded. resume 1/14/98.	01/13/98	01/16/98	000	DML	01/16/98 KFF	KFF
0020000 Open Court Proceeding Jan. 14, 1998. Hon. Dana M. Levitz. Prior to trial and testimony taken, Hearing had in re Defendant's Motion in Limine as to experts opinion concerning abandonment- , Trial and Testimony resumed. End of Plaintiff's case, Defendant's Motion for judgment as to informed consent claim-Granted. As to balance of counts-Denied. Not concluded, resume 1/15/98.	01/14/98	01/16/98	000	DML	01/16/98 KFF	KFF
0021000 Open Court Proceeding Jan. 15, 1998. Hon. Dana M. Levitz. Trial and Testimony resumed. End of entire case. Defendant's renewed Motion for Judgment-Denied. Plaintiff's Motion for Judgment-Granted as to contributory negligence. Denied as to balance of counts.	01/15/98	01/16/98	000	DML	01/16/98 KFF	KFF
0022000 Open Court Proceeding Jan. 15, 1998. Hon. Dana M. Levitz. Verdict of the jury in favor of the Defendant for costs. Jan. 15, 1998. Judgment indexed.	01/15/98	01/16/98	000	DML	01/16/98 KFF	ED
0000 Judgment Entered	01/16/98	01/16/98	000	TBA	01/16/98 KFF	KFF
0024000 Notice of Recorded Judgment	01/16/98	01/16/98	000	TBA	01/16/98 KFF	KFF
0025000 Copies of judgment sent per Rule 1-324.	01/16/98	01/16/98	000	TBA		KFF KFF

SERVICE

Form Name	Issued	Response Served	Returned Agency
WRIT OF SUMMONS	05/21/96		Certified Mail
DEF001 ONeil, David			

TICKLE

Code Tickle Name	Status Expires	#Days AutoExpire	GoAhead From	Type	Num	Seq
1ANS 1st Answer Tickle	CLOSED 06/24/96	0 no	no	DANS D	001	001
CTOS Create Tickle On Ser	CLOSED 05/21/96	0 no	no		000	000
NCDT Notice Of Contemplat	CANCEL 09/18/96	120 no	no	DANS D	000	000

Code Tickle Name	Status Expires	#Days	AutoExpire	GoAhead From	Type	Num	Seq
SLIL Set List - Informati	CANCEL 10/10/96	0	no	no	DAAF D	006	000
SLMR Set List For Motions	CANCEL 06/07/97	22	no	no	MCOP D	000	000
SLMR Set List For Motions	CANCEL 07/17/97	22	no	no	MOPP D	000	000
SLMR Set List For Motions	CANCEL 07/22/97	22	no	no	DANS D	000	000
SLMR Set List For Motions	CANCEL 07/25/97	22	no	no	MOPP D	000	000
SLMR Set List For Motions	CANCEL 02/03/98	22	no	no	MOPP D	000	000
SLTR Set List For Trial	CANCEL 06/24/96	0	yes	no	1ANS T	001	001
SLTR Set List For Trial	CANCEL 08/22/97	0	yes	no	CITR S	000	000

EXHIBITS

Line #	Marked	Code	Description	SpH	Sloc	NoticeDt	Disp	Dt	Dis	By
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Offered By:	PLT	001	Daniel, Mary Ellon							
000		I	BOX 56/EXHIBITS							B

Offered By:	DEF	001	ONeil, David							
000		I	BOX 56/EXHIBIT							B

BEGIN JUDGMENT(S) - CASE HISTORY

001 COSTS JUDGMENT

ORIGINAL JUDGMENT

Judgment Against: Daniel, Mary Ellon
Judgment in Favor of: ONeil, David MD
Judgment Entry Date: 01/16/98
Judgment Index Date: 01/16/98
Amount of Judgment: COSTS
Judgment Indexed: 01/16/98

END JUDGMENT(S) - CASE HISTORY

DIFFERENTIATED CASE MANAGEMENT

TRACKS AND MILESTONES

Track : C1 Description: CIVIL STANDARD TRACK Custom: Yes
 Assign Date: 07/29/96 Order Date : 07/29/96
 Start Date : 07/29/96 Remove Date: 08/01/96

Milestone	Scheduled	Target	Actual	Status
Motions to Dismiss under MD. Rule 2-322(08/13/96	08/01/96	SUPERCEDED	
Plaintiff's Expert Reports or Md.Rule2-4	11/25/96	08/01/96	SUPERCEDED	
Defendant's Expert Reports or Md.Rule2-4	12/25/96	08/01/96	SUPERCEDED	
Joinder of Additional Parties Deadline i	12/25/96	08/01/96	SUPERCEDED	
Dismissal Notice for unserved defendants	11/26/96	08/01/96	SUPERCEDED	
Discovery must by completed by	02/08/97	08/01/96	SUPERCEDED	
All other Motions (excluding Motions in	02/23/97	08/01/96	SUPERCEDED	
ADR Deadline Date is	02/23/97	08/01/96	SUPERCEDED	
Settlement Conference is	03/25/97	02/24/97	08/01/96	SUPERCEDED
Deadline/Exchange list of all exhib. and	04/08/97	08/01/96	SUPERCEDED	
Deadline for Motions in Limine incl. obj	04/18/97	08/01/96	SUPERCEDED	
TRIAL DATE is	04/23/97	03/26/97	08/01/96	SUPERCEDED

Track : C1 Description: CIVIL STANDARD TRACK Custom: Yes
 Assign Date: 08/02/96 Order Date : 12/10/97
 Start Date : 08/02/96 Remove Date:

Milestone	Scheduled	Target	Actual	Status
Motions to Dismiss under MD. Rule 2-322(08/17/96	01/16/98	CLOSED	
Plaintiff's Expert Reports or Md.Rule2-4	03/31/97	01/16/98	CLOSED	
Defendant's Expert Reports or Md.Rule2-4	04/30/97	01/16/98	CLOSED	
Joinder of Additional Parties Deadline i	04/30/97	01/16/98	CLOSED	
Dismissal Notice for unserved defendants	11/30/96	01/16/98	CLOSED	
Discovery must by completed by	06/14/97	01/16/98	CLOSED	
All other Motions (excluding Motions in	06/29/97	01/16/98	CLOSED	
ADR Deadline Date is	06/29/97	01/16/98	CLOSED	
Settlement Conference is	07/29/97	02/28/97	01/16/98	CLOSED
Deadline/Exchange list of all exhib. and	12/29/97	01/16/98	CLOSED	
Deadline for Motions in Limine incl. obj	01/08/98	01/16/98	CLOSED	
TRIAL DATE is	01/13/98	03/30/97	01/16/98	CLOSED