

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND
Civil Division

LORRAINE JOHNSON)
23 Tyler Avenue)
Fenwick Island, Delaware 19944)

Plaintiff,)

v.)

A.M. GOHARI, M.D., individually)
and as President of)
METROPOLITAN FAMILY PLANNING)
INSTITUTE, INC.)
5915 Greenbelt Road)
College Park, MD. 20740)

Defendant.)

Case No. _____

COMPLAINT
(Negligence)

1. Jurisdiction of this matter lies within this Court as the claim for relief herein on behalf of Plaintiff against Defendant is for an amount in excess of Twenty Thousand Dollars (\$20,000.00).
2. The cause of action and injuries sustained therefrom occurred in College Park, Maryland, within Prince George's County.
3. On or about July 21, 1992, Plaintiff was examined by Defendant in his College Park, Maryland office. Plaintiff was seeking to have an abortion and Defendant held himself out to be a medical expert who had performed numerous abortions. Therefore, Plaintiff, relying on his expertise, went to Defendant's office for the procedure.
4. After the abortion was performed, Defendant was able to see that there was a smaller amount of tissue than expected and yet, he took no further action other than to throw the tissue down

a drain.

5. At such time, it was the duty of Defendant Gohari to exercise due care, skill, and diligence in performing the abortion on Plaintiff. Defendant's aforesaid actions in not properly performing the abortion nor paying attention to the amount of tissue extracted thereby, constituted negligent and reckless conduct and a breach of his duties to the Plaintiff.

6. On or about July 28, 1992, Plaintiff came to Defendant's office for a follow-up visit. During this visit, Plaintiff complained of a distended abdomen. Upon examining Plaintiff, Defendant informed her that everything appeared to be normal. Shortly after that visit, Plaintiff fainted in a public place.

7. After Plaintiff fainted, she contacted Defendant's office. Plaintiff indicated to Defendant that her arm was sore and that she had excruciating pain in her abdomen. Defendant asked Plaintiff to come back into his office the next day to have a blood test performed.

8. On or about July 29, 1992, Plaintiff's blood was taken by Defendant's nurse since Defendant was not in his office to examine Plaintiff. At that time, Plaintiff asked that a sonogram be performed. Defendant would not perform this procedure. The results of the blood test revealed that she was still pregnant. Defendant again did nothing.

9. On or about July 30, 1992, when Plaintiff telephoned Defendant's office, she was asked to come in the next day for another abortion.

10. On or about July 30, 1992, due to her severe pain,


continuing fainting spells, sleeplessness and general illness, Plaintiff took herself to the emergency room and immediately underwent emergency surgery for a ruptured ectopic pregnancy.

11. The aforesaid resulting injury to Plaintiff was directly and proximately caused by Defendant's negligence and through no fault on the part of the Plaintiff.

12. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered severe and possibly permanent injuries, including a ruptured ectopic pregnancy; permanent scarring; and possible infertility. Plaintiff has experienced and will continue to experience great pain and suffering. Plaintiff has and will continue to suffer from emotional distress and nightmares. Plaintiff has incurred and will continue to incur numerous hospital, doctor, and other medical expenses, due to her injuries.

WHEREFORE, Plaintiff Lorraine Johnson demands judgment in her favor against Defendant A.M. Gohari, M.D., in the amount of Seven Hundred Fifty Thousand Dollars (\$750,000.00), plus costs, interest, reasonable attorney's fees, and any other such relief as this Court deems just and proper.

Respectfully submitted.


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IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND
LORRAINE JOHNSON

Plaintiff

v.

A. M. GOHARI, M.D.

Defendant

Case No. CAL 93-12038

MOTION TO DISMISS FOR FAILURE TO ARBITRATE

COMES NOW the Defendant, A. M. Gohari, M.D., ,by and through his attorneys, DeCaro, Doran, Siciliano, Gallagher, Sonntag & DeBlasis, and moves this Honorable Court to dismiss the Complaint for failure to submit this claim to Health Claims Arbitration pursuant to Maryland Courts and Judicial Proceedings, Section 3-2A-02(a)(2). In support of this Motion the Defendant states:

1. A Complaint was filed in the Circuit Court for Prince George's County on June 25, 1993 alleging a cause of action in medical negligence.

2. The Complaint alleges that Dr. Gohari committed medical malpractice with respect to the care he rendered to the Plaintiff, Lorraine Johnson.

3. The value of damages sought in the Complaint exceeds the District Court's concurrent jurisdiction amount, specifically twenty thousand dollars (\$20,000.00).

4. Maryland Code Courts and Judicial Proceedings, Section 3-2A-02(a), requires that any claim filed against a health care provider in excess of twenty thousand dollars

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