



STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

DEBORAH ERICKSEN,  
and ROBERT ERICKSEN,

Plaintiff,

v.

Case No. 97- -NH  
Hon.

PAMELA BOCK, M.D., PAMELA BOCK,  
M.D., P.C., HISTOPATHOLOGY  
ASSOCIATES, INC., MUJTABA HUSAIN,  
M.D., GILBERT HERMAN, M.D., DETROIT  
MEDICAL CENTER CORPORATION, an  
assumed name for HURON VALLEY HOSPITAL,  
INC., jointly and severally,

Defendant.

NORMAN H. ROSEN (P19629)  
ALESSANDRA A. NAVETTA (P39488)  
Attorneys for Plaintiff  
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Southfield, MI 48034  
(248) 356-0999

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**COMPLAINT AND  
DEMAND FOR JURY TRIAL**

NOW COMES the above named Plaintiff herein, DEBORAH ERICKSEN, and ROBERT ERICKSEN by and through their attorneys, ERLICH, ROSEN & BARTNICK, and for their cause of action against the Defendants, states as follows:

1. Plaintiffs Deborah Ericksen and Robert Ericksen are residents of the City of Brighton, County of Oakland, State of Michigan.
2. Defendant Dr. Pamela Bock is a physician licensed to practice in the State of Michigan

with her principle place of business located in the City of Milford, County of Oakland, State of Michigan.

3. Defendant, Pamela Bock, M.D., P.C. is a professional corporation incorporated in the State of Michigan with represented to the public and the Plaintiff that it could provide medical care and treatment in a manner consistent with the standard of practice through its agents, servants, and/or employees including but not limited to Dr. Pamela Bock, M.D.

4. Defendant Histopathology Associates, Inc. is a professional corporation incorporated in the State of Michigan with its principle place of business located in the City of Southfield, County of Oakland, State of Michigan.

5. Defendant Histopathology Associates, Inc. did employ various physicians and cytotechnicians as its agents, servants, and/or employees including but not limited to Dr. Mujtaba Husain, M.D. and Gilbert Herman, M.D.

6. Defendant Histopathology Associates, Inc. represented to the public and especially the Plaintiff that they could provide accurate interpretation of specimens submitted to them for diagnostic purposes.

7. Plaintiff treated with Dr. Pamela Bock for routine gynecologic care for a number of years.

8. During the time period in which she treated with Dr. Bock she underwent routine pelvic examinations and pelvic smears.

9. The slides were sent to Histopathology Associates, Inc. and interpreted by various physicians and cytologists including but not limited to Dr. Gilbert Herman and Dr. Mujtaba Husain.

10. During the various times the results of the pap smears revealed the presence of atypical cells.

11. In 1995 a colposcopy and LEEP procedure were performed due to the presence of

abnormal cells.

12. At that time it was determined that Plaintiff, Deborah Ericksen was suffering from adenocarcinoma of the vagina.

13. Since the diagnosis was made Mrs. Ericksen has undergone chemotherapy, radiation and pelvic exenteration due to the spread of her carcinoma.

14. Defendants owed a duty to the Plaintiff to provide her with medical care and treatment in a manner consistent with the standard of care.

15. Notwithstanding said duty, the Defendants violated said duty in the following particulars:

- [a] In failing to perform pelvic exams in a careful prudent manner;
- [b] In failing to obtain specimens from the appropriate areas of the vagina and cervix.
- [c] In failing to properly interpret the slides performed.
- [d] In failing to timely order follow up diagnostic studies in the presence of atypical cells.

16. As a result of the actions or inaction of the Defendants, Plaintiff has undergone extensive surgery as well as chemotherapy and radiation in order to arrest the spread of her cancer.

17. As a result of Defendants delay and diagnosis and treatment of Ms. Ericksen's cancer, she experiences a shortened life expectancy.

18. As a result of the actions or inaction of the Defendants, Plaintiff has experienced severe physical pain and mental anguish.

19. As a result of the actions or inaction of the Defendants, Plaintiff has experienced humiliation and embarrassment.

20. As a result of the actions or inaction of the Defendants, Plaintiff has suffered a loss of

a trial by jury in the above entitled cause of action.

ERLICH, ROSEN & BARTNICK, P.C.



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Dated: June 24, 1997

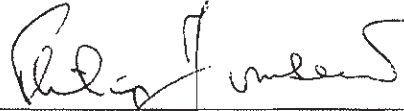
**AFFIDAVIT OF MERIT**

STATE OF FLORIDA        )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )


DR. PHILLIP TOWNSEND, first being duly sworn, deposes and says:

1. I am a board certified gynecologist and surgeon.
2. I have reviewed the medical records and Notice of Intent pertaining to Deborah Erickson.
3. Based upon my review of the materials provided to me I believe that there was a violation of the standard of care with regard to the care provided to Deborah Erickson by Dr. Pamela Bock.
4. Deborah Erickson treated with Dr. Bock for routine gynecologic care.
5. In May of 1994 a pap smear was performed and interpreted as showing atypical cells.
6. A colposcopy of the cervix was performed in June of 1994. However, the vagina was not included in the examination.
7. A pap smear performed in December of 1994 showed dysplasia.
8. This was followed by a LEEP procedure, in March of 1995 and a conization performed in April of 1995, which confirmed the presence of adenocarcinoma.
9. Dr Bock violated the standard of care by failing to conduct a thorough examination of the vagina during the colposcopy of June of 1994 and by failing to reconcile the discrepancy between the pap smear of May of 1994 and the biopsy of June of 1994. As a result, the vaginal cancer was not diagnosed until April of 1995 at which time it had spread to a stage 2-B.
10. As a result of the spread of the cancer Ms. Erickson has been subjected to extensive surgery and chemo and radiation therapy to arrest the spread of her cancer. Given the delay in diagnosis and treatment of the vaginal cancer Ms. Erickson faces a poor prognosis for cure.

11. I reserve my final opinion until further discovery has been performed.

  
\_\_\_\_\_  
Dr. Phillip Townsend

Subscribed and sworn to before me  
this 31<sup>st</sup> day of March, 1997

  
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Notary Public  
County, Florida  
My Commission Expires: 8-1-97

**MAUREEN PEREZ**  
NOTARY PUBLIC, STATE OF FLORIDA  
My Commission Expires August 1, 1997  
Comm. # CC304248