

CHRISTY T. O'CONNELL,

Claimant

v.

ASSOCIATES IN OB/GYN CARE, LLC
d/b/a AMERICAN WOMEN'S SERVICES and
AMERICAN MEDICAL ASSOCIATES

And

IRIS DOMINY, M.D., et al.

*
* IN THE HEALTH CARE
*
* ALTERNATIVE DISPUTE
*
* RESOLUTION OFFICE
*
* OF MARYLAND
*
*
* Claim No: _____
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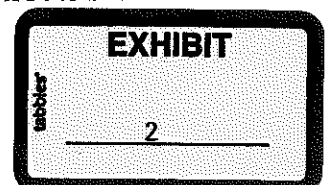
CERTIFICATE OF QUALIFIED EXPERT

I, Daniel Small, M.D., do hereby certify that I am Board Certified in Obstetrics and Gynecology. I certify that less than twenty percent (20%) of my professional activities are devoted to activities that directly involve testimony in personal injury claims.

I hereby certify that I have reviewed the medical records relating to the care and treatment of Christy O'Connell during her pregnancy in 2012, including but not limited to the medical records of American Women's Services (also known as Associates in OBGYN Care and American Medical Associates); Frederick Primary Care Associates; OB & GYN Center; and Maryland Perinatal Associates.

I hereby certify that, based upon my training, expertise and review, the care and treatment rendered to Christy O'Connell by the health care providers at American Women's Services, including Iris Dominy, M.D. and the ultrasound technicians who performed her sonograms on July 26, 2012 and August 17, 2012, failed to comply with the standard of care, and that said failures caused injury to Christy O'Connell.

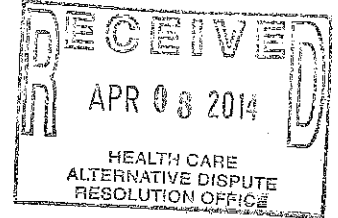
I adopt and incorporate the attached Report Re: Christy O'Connell, which sets forth the substance of my opinions.



Daniel Small MD

Date: 3.23.14

Daniel Small, M.D.
123 Franklin Corner Road
Lawrenceville, NJ 08648



REPORT RE: CHRISTY O'CONNELL

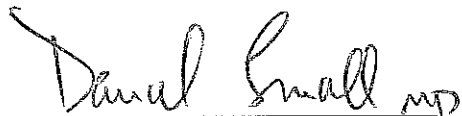
I have reviewed the medical records relating to the care and treatment of Christy O'Connell during her pregnancy in 2012, including but not limited to the medical records of American Women's Services (also known as Associates in OBGYN Care and American Medical Associates); Frederick Primary Care Associates; OB & GYN Center; and Maryland Perinatal Associates.

Based upon my training, expertise and review, the care and treatment rendered to Christy O'Connell by Iris Dominy, M.D. and other health care providers at American Women's Services whose names are not apparent in the medical records, including the ultrasound technicians who performed sonograms on July 26, 2012 and August 17, 2012, were negligent and careless in their treatment of Christy O'Connell in several respects. First, it is my opinion that Dr. Dominy breached the standard of care by falsely determining the gestational age of the pregnancy on July 26, 2012, utilizing gestational sac size rather than crown-rump length. Dr. Dominy also breached the standard of care by administering a combination of methotrexate and misoprostol, which is not sufficiently effective in inducing a complete abortion for a pregnancy at Ms. O'Connell's gestational age on July 26, 2012. The follow-up care prescribed was a single ultrasound approximately three weeks later; no blood work or other sonograms were recommended. Moreover, Dr. Dominy and the ultrasound technician who performed Ms. O'Connell's follow-up sonogram on August 17, 2012 failed to recognize the presence of a viable fetus (at over 12 weeks' gestation) on ultrasound. Then, even though Ms. O'Connell reported feeling like she was still pregnant, Dr. Dominy failed to obtain follow-up beta HCG determinations, which also would have led to the recognition that the pregnancy had not been terminated. These breaches in the

standard of care caused Ms. O'Connell to believe that she was no longer pregnant when in fact she was.

Additionally, it is my opinion that Dr. Dominy and other health care providers whose names are not apparent in the medical records were negligent in failing to provide adequate informed consent to Ms. O'Connell regarding the nature of her medical abortion and its material risks and alternatives. Ms. O'Connell was not given accurate information about the effectiveness of misoprostol/methotrexate. This deviation was magnified significantly by the error in determining gestational age; Dr. Dominy should have known that misoprostol/methotrexate was likely to be ineffective at over 9 weeks gestation. Ms. O'Connell reports that she was falsely informed that mifepristone was not available in the United States. She was also not informed that mifepristone was more effective than the misoprostol/methotrexate regimen she was given. Finally, she was not given accurate information about the relative risks and efficacy of surgical abortion.

These are my opinions as of the date of this report. I may amend or alter these opinions upon the review of additional medical records or depositions.



Date: 3.23.14

Daniel Small, M.D.
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