

[Skip to main content](#)

1684CV00127 Smith, Hope et al vs. Boston Maternal Fetal Medicine et al

- Case Type
- Torts
- Case Status
- Closed
- File Date
- 01/14/2016
- DCM Track:
- A - Average
- Initiating Action:
- Malpractice - Other
- Status Date:
- 12/23/2016
- Case Judge:
- Next Event:

- All Information
- Party
- Event
- Tickler
- Docket
- Disposition

Party Information

Smith, Hope
- Plaintiff

Alias

Party Attorney

- Attorney
- Pro Se
- Bar Code
- PROPER
- Address
- Phone Number

[More Party Information](#)

Goldman, Maxwell
- Plaintiff

Alias

Party Attorney

[More Party Information](#)

Goldman, Avery
- Plaintiff

Alias

Party Attorney

- Attorney
- Pro Se
- Bar Code
- PROPER
- Address
- Phone Number

[More Party Information](#)

Goldman, Sophie
- Plaintiff

Alias

Party Attorney

[More Party Information](#)

Boston Maternal Fetal Medicine
- Defendant

Alias

Party Attorney

- Attorney
- Barkley, Esq., Michael B
- Bar Code
- 657642
- Address
- Adler, Cohen, Harvey, Wakeman & Guekguezian, LLP
- 75 Federal St
- Boston, MA 02110
- Phone Number
- (617)423-6674
- Attorney
- Giovannini, Esq., Sheila T
- Bar Code
- 681919
- Address
- 515 east 8 street apt 3
- Boston, MA 02127
- Phone Number
- (781)424-8548

[More Party Information](#)**Takoudes, M.D., Tamara**

- Defendant

[Alias](#)**Party Attorney**

- Attorney
- Hinchey, Esq., Edward Thomas
- Bar Code
- 235090
- Address
- Sloane & Walsh
- 1 Center Plaza
- Boston, MA 02108
- Phone Number
- (617)523-6010
- Attorney
- Knight, Esq., Lydia Carleton
- Bar Code
- 684414
- Address
- Sloane and Walsh, LLP
- One Center Plaza
- Boston, MA 02108
- Phone Number
- (617)523-6010

[More Party Information](#)**Golen, M.D., Toni**

- Defendant

[Alias](#)**Party Attorney**

- Attorney
- Kogan, Esq., Jennifer
- Bar Code
- 660902
- Address
- Martin, Magnuson, McCarthy & Kenney
- 101 Merrimac St
- Boston, MA 02114-4716
- Phone Number
- (617)227-3240
- Attorney
- McTague, Esq., Paul Michael
- Bar Code
- 541779
- Address
- Martin, Magnuson, McCarthy, et al
- 101 Merrimac St
- Boston, MA 02114-4716
- Phone Number
- (617)227-3240
- Attorney
- Price, Esq., Kathryn Elizabeth
- Bar Code
- 689292
- Address
- Martin Magnuson McCarthy & Kenney
- 101 Merrimac St 7th Floor
- Boston, MA 02114
- Phone Number
- (617)227-3240

[More Party Information](#)

Hecht, M.D., Jonathan
- Defendant

[Alias](#)

Party Attorney

- Attorney
- Kogan, Esq., Jennifer
- Bar Code
- 660902
- Address
- Martin, Magnuson, McCarthy & Kenney
- 101 Merrimac St
- Boston, MA 02114-4716
- Phone Number
- (617)227-3240
- Attorney
- McTague, Esq., Paul Michael
- Bar Code
- 541779
- Address
- Martin, Magnuson, McCarthy, et al
- 101 Merrimac St
- Boston, MA 02114-4716
- Phone Number
- (617)227-3240
- Attorney
- Price, Esq., Kathryn Elizabeth
- Bar Code
- 689292
- Address
- Martin Magnuson McCarthy & Kenney
- 101 Merrimac St 7th Floor
- Boston, MA 02114
- Phone Number
- (617)227-3240

[More Party Information](#)

DOES, 1-18
- Defendant

[Alias](#)

Party Attorney

[More Party Information](#)

Brigham and Womens Hospital
- Defendant

[Alias](#)

Party Attorney

- Attorney
- Hinchey, Esq., Edward Thomas
- Bar Code
- 235090
- Address
- Sloane & Walsh
- 1 Center Plaza
- Boston, MA 02108
- Phone Number
- (617)523-6010
- Attorney
- Knight, Esq., Lydia Carleton
- Bar Code
- 684414
- Address
- Sloane and Walsh, LLP
- One Center Plaza
- Boston, MA 02108
- Phone Number
- (617)523-6010

[More Party Information](#)

Cadish MD, Lauren
- Defendant

[Alias](#)

Party Attorney

[More Party Information](#)

Events						
<u>Date</u>	<u>Session</u>	<u>Location</u>	<u>Type</u>	<u>Event Judge</u>	<u>Result</u>	
06/22/2016 02:00 PM	Civil G	BOS-10th FL, CR 1008 (SC)	Rule 12 Hearing	Ullmann, Hon. Robert L	Held as Scheduled	
09/29/2016 02:00 PM	Civil G	BOS-10th FL, CR 1008 (SC)	Conference to Review Status	Wilson, Hon. Paul D	Not Held	
10/20/2016 02:00 PM	Civil G	BOS-10th FL, CR 1008 (SC)	Conference to Review Status	Wilson, Hon. Paul D	Held as Scheduled	
12/15/2016 02:00 PM	Civil G	BOS-10th FL, CR 1008 (SC)	Rule 12 Hearing	Wilson, Hon. Paul D	Canceled	
12/15/2016 02:00 PM	Civil G	BOS-10th FL, CR 1008 (SC)	Motion Hearing to Amend Complaint	Wilson, Hon. Paul D	Canceled	

Ticklers					
<u>Tickler</u>	<u>Start Date</u>	<u>Due Date</u>	<u>Days Due</u>	<u>Completed Date</u>	
Service	01/14/2016	04/13/2016	90	12/23/2016	
Answer	01/14/2016	05/13/2016	120	12/23/2016	
Rule 12/19/20 Served By	01/14/2016	05/13/2016	120	12/23/2016	
Rule 12/19/20 Filed By	01/14/2016	06/13/2016	151	12/23/2016	
Rule 12/19/20 Heard By	01/14/2016	07/12/2016	180	12/23/2016	
Rule 15 Served By	01/14/2016	03/09/2017	420	12/23/2016	
Rule 15 Filed By	01/14/2016	04/10/2017	452	12/23/2016	
Rule 15 Heard By	01/14/2016	04/10/2017	452	12/23/2016	
Discovery	01/14/2016	01/03/2018	720	12/23/2016	
Rule 56 Served By	01/14/2016	02/02/2018	750	12/23/2016	
Rule 56 Filed By	01/14/2016	03/05/2018	781	12/23/2016	
Final Pre-Trial Conference	01/14/2016	07/02/2018	900	12/23/2016	
Judgment	01/14/2016	01/14/2019	1096	12/23/2016	

Docket Information			
<u>Docket Date</u>	<u>Docket Text</u>		<u>File Ref Nbr.</u>
01/14/2016	Original civil complaint filed.		3
01/14/2016	Civil action cover sheet filed (\$1,000,000.00)		4
01/14/2016	Affidavit of Indigency and request for waiver substitution of state payment of fees and costs filed without Supplemental affidavit ALLOWED		1
01/14/2016	Affidavit of Indigency and request for waiver substitution of state payment of fees and costs filed without Supplemental affidavit ALLOWED		2
01/14/2016	Demand for jury trial entered.		
01/14/2016	Case assigned to: DCM Track A - Average was added on 01/14/2016		
01/20/2016	Service Returned for Defendant Hecht, M.D., Jonathan: Service made in hand;		5
01/20/2016	Service Returned for Defendant Brigham and Womens Hospital: Service through person in charge / agent; in hand to Clare McGowan, agent in charge at time of service for Brigham and Womens Hospital 41 Avenue Louis Pasteur Boston, MA		7
01/21/2016	Appearance entered On this date Pro Se added for Plaintiff Hope Smith		
02/05/2016	Plaintiff Maxwell Goldman, Avery Goldman, Hope Smith, Sophie Goldman's Motion to extend time for filing Second Amended Complaint		6
02/17/2016			

Docket Date	Docket Text	File Ref Nbr.
	Endorsement on Motion for Extension of Time to File Second Amended Complaint (#6.0): DENIED without prejudice for failure to comply with Superior Court Rule 9A. The Court further notes that the attached pleading is missing many lines of type. Additional failures to comply with court rules and to correct obvious defects in court filings could lead to sanctions (dated 2/12/16) notice sent 2/16/16	
02/24/2016	Service Returned for Defendant Boston Maternal Fetal Medicine: Service through person in charge / agent;	8
02/25/2016	Summons, returned UNSERVED after diligent search 1/26/16 Applies To: Cadish MD, Lauren (Defendant)	9
02/25/2016	Appearance entered On this date Michael B. Barkley, Esq. added for Defendant Boston Maternal Fetal Medicine	
02/25/2016	Appearance entered On this date Sheila T. Giovannini, Esq. added for Defendant Boston Maternal Fetal Medicine	
03/01/2016	Summons, returned UNSERVED (Diligent Search 1/25/16) Applies To: Takoudes, M.D., Tamara (Defendant)	10
03/01/2016	Affidavit of Hope Smith regarding Service of Summons returned Unservd upon Deft. Lauren Cadish MD	11
03/01/2016	Summons, returned INCOMPLETE (Diligent Search 2/22/16) Applies To: Golen, M.D., Toni (Defendant)	12
03/04/2016	Defendant's Notice of intent to file motion To Dismiss Applies To: Golen, M.D., Toni (Defendant); Hecht, M.D., Jonathan (Defendant)	13
03/04/2016	Appearance entered On this date Kathryn Elizabeth Price, Esq. added for Defendant Toni Golen, M.D.	
03/04/2016	Appearance entered On this date Paul Michael McTague, Esq. added for Defendant Toni Golen, M.D.	
03/04/2016	Appearance entered On this date Jennifer Kogan, Esq. added for Defendant Toni Golen, M.D.	
03/04/2016	Appearance entered On this date Paul Michael McTague, Esq. added for Defendant Jonathan Hecht, M.D.	
03/04/2016	Appearance entered On this date Jennifer Kogan, Esq. added for Defendant Jonathan Hecht, M.D.	
03/04/2016	Appearance entered On this date Kathryn Elizabeth Price, Esq. added for Defendant Jonathan Hecht, M.D.	
03/07/2016	Defendant's Notice of intent to file motion Notice of Motion to Dismiss by the deft Boston Maternal Fetal Medicine Applies To: Boston Maternal Fetal Medicine (Defendant)	14
03/07/2016	Plaintiff Hope Smith, Avery Goldman's Motion to extend time for service of process on Defendant Tamara Takoudes to and including March 20, 2016	15
03/07/2016	Plaintiff Hope Smith, Avery Goldman's Motion to extend time for service of process on Defendant Toni Golden with special process server to and including March 24, 2016	16
03/08/2016	Plaintiff Hope Smith's Motion to Appoint Special Process Server: ALLOWED (dated 3/7/16)	17
03/15/2016	Endorsement on Motion for Extension of Time to Serve Process Summons and Complaint (#15.0): ALLOWED as requested (dated 3/14/16) notice sent 3/15/16	
03/15/2016	Endorsement on Motion for Extension of Time to Serve Process Summons and Complaint on Defendant (#16.0): ALLOWED as requested (dated 3/14/16) notice sent 3/15/16	
03/21/2016	Defendant Boston Maternal Fetal Medicine's Motion to dismiss all counts pursuant to MRCP 12(b) or in the Alternative, Motion to Strike the Plaintiffs' Complaint Pursuant to Mass. R. Civ. P. 12(e)	18
03/21/2016	Plaintiff Hope Smith's Motion to strike Defendants' motion to dismiss and Plaintiff's Request for Default	19
03/21/2016	Request for hearing filed Applies To: Boston Maternal Fetal Medicine (Defendant)	20
03/23/2016		

Docket Date	Docket Text	File Ref Nbr.
	The following form was generated: Notice to Appear Sent On: 03/23/2016 11:20:04	
03/23/2016	Plaintiff Hope Smith, Maxwell Goldman, Avery Goldman, Sophie Goldman's Motion to extend time for service of process on deft Tamara Takoudes	21
03/24/2016	Defendant Toni Golen, M.D., Jonathan Hecht, M.D.'s Motion to dismiss all counts	22
03/24/2016	Plaintiff Hope Smith, Avery Goldman's Motion to strike defts' motion to dismiss	23
03/30/2016	Endorsement on Motion to extend time for service of process (#21.0): and complaint on Defendant Tamara Takoudes ALLOWED Time to serve extended through 3/30/16. Dated: 3/29/16 Notice sent 3/30/16	
04/06/2016	Plaintiff Hope Smith's Motion to extend time for service of process summons and complaint on Defendant Tamara Takoudes (w/o opposition)	24
04/11/2016	Hope Smith's Memorandum in support of plffs Motion for enlargement of time to serve deft Tamara Takoudes ALLOWED Tamara Takoudes must be served by 4/25/16 No further extensions Notice Sent 4/2/16	25
04/25/2016	Plaintiff Hope Smith's EMERGENCY Motion for enlargement of time to serve deft Tamara Takoudes (w/o opposition)	26
05/05/2016	Endorsement on Motion for Enlargement of time to serve Defendant Tamara Takoudes (#26.0): ALLOWED Service must be made by 5/13/16. No further extensions (dated 5/4/16) notice sent 5/5/16	
05/18/2016	Service Returned for Defendant Takoudes, M.D., Tamara: Service made in hand;	27
06/02/2016	Plaintiff Maxwell Goldman's Motion to amend the complaint to add parties (w/o opposition)	28
06/02/2016	Attorney appearance On this date Pro Se added for Plaintiff Avery Goldman	
06/02/2016	Defendant's Notice of intent to file motion to strike & to dismiss for failure to make timely service pursuant to MRCP 12(B)(5) Applies To: Takoudes, M.D., Tamara (Defendant)	29
06/02/2016	Attorney appearance On this date Edward Thomas Hinchey, Esq. added for Defendant Tamara Takoudes, M.D.	
06/02/2016	Attorney appearance On this date Lydia Carleton Knight, Esq. added for Defendant Tamara Takoudes, M.D.	
06/03/2016	Hope Smith, Avery Goldman's request for Default 55(a) Applies To: Brigham and Womens Hospital (Defendant)	30
06/06/2016	Plaintiff's Notice of intent to file motion to add defendants in accordance with local Rule 15.1(B), memorandum of law in support of Plaintiffs motion and certificate of service Applies To: Smith, Hope (Plaintiff)	
06/07/2016	Endorsement on Motion to amend the (#28.0): DENIED complaint Notice sent 6/6/16	
06/07/2016	Defendant's Notice of intent to file motion to refile motion to amend complaint by adding party deft Applies To: Smith, Hope (Plaintiff); Goldman, Maxwell (Plaintiff); Goldman, Avery (Plaintiff); Goldman, Sophie (Plaintiff)	
06/21/2016	Defendant Tamara Takoudes, M.D.'s Motion to strike & to dismiss for failure to make timely service pursuant to MRCP 12(B)(5) (w/opposition)	31
06/21/2016	Plaintiff Hope Smith's EMERGENCY Motion to Notify the Court of Plaintiffs intent to file Plaintiffs opposition to Defendants opposition to Plaintiffs motion to amend complaint to add parties Applies To: Smith, Hope (Plaintiff); Goldman, Maxwell (Plaintiff); Goldman, Avery (Plaintiff); Goldman, Sophie (Plaintiff)	32
06/22/2016	Plaintiff Hope Smith, Maxwell Goldman, Avery Goldman, Sophie Goldman's Motion to add party original complaint by adding parties (w/opposition)	33
06/22/2016	Event Result: The following event: Rule 12 Hearing scheduled for 06/22/2016 02:00 PM has been resulted as follows: Result: Held as Scheduled	
06/28/2016	MEMORANDUM & ORDER: OF DECISION ON CERTAIN DEFENDANTS' MOTIONS TO DISMISS: CONCLUSION AND ORDER - Defendant Boston Maternal Fetal Medicine, LLC's Motion To Dismiss (Docket #18) and Motion Of Defendants Toni Golen, M.D. and Jonathan	34

Docket Date	Docket Text	File Ref Nbr.
	Hecht, M.D. To Dismiss (Docket #22) are ALLOWED. The case against them is DISMISSED with prejudice. Dated: June 27, 2016 Notice sent 6/28/16	
06/29/2016	JUDGMENT on Defendants, Boston Maternal Fetal Medicine, Toni Golen, M.D., Jonathan Hecht, M.D. 12(b) motion to dismiss against Plaintiff(s) Hope Smith. It is ORDERED and ADJUDGED: entered on docket pursuant to Mass R Civ P 58(a)as amended and notice sent to parties pursuant to Mass R Civ P 77(d)	35
06/30/2016	Plaintiff Hope Smith's Motion for recuse the Honorable Judge Robert Ullmann (w/o opposition)	36
06/30/2016	Plaintiff Hope Smith's Motion in opposition to all defts Moltions opposing plffs motion to add parties	37
07/01/2016	Hope Smith's Memorandum in support of Plaintiffs motion to recuse the Honorable Judge Robert Ullman (P#36)	38
07/01/2016	Opposition to to Plaintiffs' motion to amend complaint to add parties (P#33) filed by Tamara Takoudes, M.D.	39
07/18/2016	Plaintiff Maxwell Goldman's Motion to amend the Complaint to add parties Applies To: Smith, Hope (Plaintiff); Goldman, Maxwell (Plaintiff); Goldman, Avery (Plaintiff); Goldman, Sophie (Plaintiff)	40
07/18/2016	Plaintiff Maxwell Goldman's Motion in opposition to all Defendants motions opposing Plaintiffs motion to add parties Applies To: Smith, Hope (Plaintiff); Goldman, Maxwell (Plaintiff); Goldman, Avery (Plaintiff); Goldman, Sophie (Plaintiff)	41
07/20/2016	Plaintiff Hope Smith's Motion for Recusal of the Honorable Judge Robert Ullman (filed 7/6/16) : MOOT. The undersigned Judge (Judge Ullmann) is not responsible for this case. If Judge Ullmann returns to the session, the motion can be renewed (dated 7/13/16) Notice sent 7/19/16	42
07/28/2016	Notice of appeal filed Applies To: Smith, Hope (Plaintiff); Goldman, Maxwell (Plaintiff); Goldman, Avery (Plaintiff); Goldman, Sophie (Plaintiff)	43
08/01/2016	General correspondence regarding Notice of service of the filing of notice of Appeal to: Hope Smith; Avery Goldman; Maxwell Goldman; Michael B. Barkley, Esquire, Adler, Cohen, Harvey, Wakeman; Sheila T. Giovannini, Esquire; Jennifer Kogan, Esquire, Martin, Magnuson, McCarthy & Kenney; Paul Michael McTague, Esquire; Kathryn Elizabeth Price, Esquire; Edward Thomas Hinchey, Esquire, Sloane & Walsh; Lydia Carleton Knight, Esquire	
08/08/2016	Plaintiff Hope Smith's Motion to Rule 59(E) alter or amend judgment vacate judgment and Dismissal order with prejudice applies to BMFM Toni Golen M D Jonathan Hecht MD (w/opposition)	44
08/09/2016	Plaintiff Hope Smith's Motion to recuse the Honorable Judge Robert Ullmann (w/o opposition)	45
08/10/2016	Opposition to the defts Toni Golen M D & Jonathan Hecht M D to plffs Rule 59(E) Motion to alter or amend Judgment- Vacate Judgment & Dismissal order with prejudice filed by	46
08/11/2016	Opposition to of Plffs to defts Toni Golen M D Jonathan Hecht M D to plff's Motion to vacate Judgment & order of dismissal with prejudice for defts Toni Golen M D Jonathan Hecht M D Boston Maternal Fetal Medicine filed by	47
08/15/2016	Plaintiff Avery Goldman's EMERGENCY Motion to Extend Time for the Plaintiffs to File the Plaintiffs' Opposition to Defendant Tamare Takoudes Memorandum in Support of Her Motion to Dismiss	48
08/15/2016	Endorsement on Motion to (#48.0): ALLOWED extend time Notice sent 8/15/16	
08/18/2016	Defendant Tamara Takoudes, M.D.'s Motion to dismiss all counts	49
08/24/2016	Plaintiff Hope Smith, Maxwell Goldman, Avery Goldman, Sophie Goldman's Motion to obtain the name of the Judge assigned to the plff's case	50
08/29/2016	The following form was generated: Notice to Appear Sent On: 08/29/2016 07:58:00	
08/29/2016	ORDER: SCHEDULING STATUS CONFERENCE Dated: August 26, 2016 Notice sent 8/29/16 (See P#51 for complete order)	51
08/31/2016	Plaintiff Hope Smith's Motion in Notifying the court documents Plaintiff filed with the court are not on the docket such as Plaintiffs opposition, Plaintiffs intent to amend and amended complaint (w/ Applies To: Smith, Hope (Plaintiff); Goldman, Maxwell (Plaintiff); Goldman, Avery (Plaintiff); Goldman, Sophie (Plaintiff)	52
09/02/2016	Opposition to Defendant Tamara Takoudes' Memorandum in Support of Her Motion to Dismiss filed by Hope Smith, Avery Goldman	53

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>
09/12/2016	Plaintiffs Hope Smith, Maxwell Goldman, Avery Goldman, Sophie Goldman's Motion to notify the Court documents plffs filed with the court are not on the docket such as plffs' oppositio. plffs' intent to amend and amended complaint	54
09/20/2016	Plaintiff Hope Smith, Maxwell Goldman, Avery Goldman, Sophie Goldman's EMERGENCY Motion to serve Lauren Cadish M.D. with summons and Plaintiffs Complaint after previous timely attempt for service was returned unerved by the Boston Suffolk County Sheriff's Office for outdated address	55
09/20/2016	Plaintiff Hope Smith, Maxwell Goldman, Sophie Goldman, Sophie Goldman's EMERGENCY Motion to serve Toni Golen M.D. with summons and Complaint after previous attempt for service was returned unerved by the Boston Suffolk County Sheriff's Office	56
09/21/2016	Defendant's Notice of intent to file motion Mass R Super Ct 9E Notice of Service of deft Motion to Dismiss Applies To: Brigham and Womens Hospital (Defendant)	57
09/22/2016	Plaintiff Hope Smith's Submission of documents requested by the Honorable Judge Paul Wilson of all motions that are pending and undecided including, including the numbers assigned on the docket sheet to each such motion, any opposition to that motion and any papers related to that motion Applies To: Smith, Hope (Plaintiff); Goldman, Maxwell (Plaintiff); Goldman, Avery (Plaintiff); Goldman, Sophie (Plaintiff)	58
09/26/2016	Tamara Takoudes, M.D., Brigham and Womens Hospital's Memorandum regarding pending and undecided motions and plffs Appeal per August 26,2016 Court order	59
09/28/2016	The following form was generated: Notice to Appear Sent On: 09/28/2016 15:39:44	
09/29/2016	Event Result: The following event: Conference to Review Status scheduled for 09/29/2016 02:00 PM has been resulted as follows: Result: Not Held Reason: Request of Plaintiff	
10/06/2016	Defendant Brigham and Womens Hospital's Motion to dismiss (w/opposition)	60
10/12/2016	The following form was generated: Notice to Appear Sent On: 10/12/2016 09:36:51	
10/20/2016	Event Result: The following event: Conference to Review Status scheduled for 10/20/2016 02:00 PM has been resulted as follows: Result: Held as Scheduled	
10/24/2016	Hope Smith's Motion for leave to file Amended Complaint	61
10/25/2016	Plaintiff Hope Smith's EMERGENCY Motion for Leave to Amend Pleadings Pursuant to Rule 15(a); Amended Pleadings and Supplemental Pleadings	62
10/31/2016	Opposition to Plaintiffs' emergency motion for leave to file amended complaint pursuant to Rule 15: amended pleadings and supplemental pleadings filed by Boston Maternal Fetal Medicine	63
11/04/2016	Defendant Tamara Takoudes, M.D., Brigham and Womens Hospital's Objection to plffs Emergency Motion for leave to file amended complaint	64
11/08/2016	Opposition to Plaintiffs' emergency motion to serve Toni Golen, M.A., with summons and complaint after previous timely attempt for service was returned unerved by the Boston Suffolk County Sheriff's Office filed by Toni Golen, M.D.	65
11/08/2016	Opposition to Plaintiffs' emergency motion for leave to file amended complaint pursuant to Rule 15: amended pleadings and supplemental pleadings filed by Toni Golen, M.D., Jonathan Hecht, M.D.	66
11/09/2016	Opposition to Plaintiffs' emergency motion for leave to file amended complaint filed by Brigham and Womens Hospital, Tamara Takoudes, M.D.	67
11/09/2016	Attorney appearance On this date Edward Thomas Hinchey, Esq. added for Defendant Brigham and Womens Hospital	
11/09/2016	Attorney appearance On this date Lydia Carleton Knight, Esq. added for Defendant Brigham and Womens Hospital	
11/09/2016	Opposition to Defendants Brigham and Women's Hospital and Tamara Takoudes M.D.'s opposition to Plaintiffs' emergency motion to amend the pleadings pursuant to Rule 15 filed by Maxwell Goldman, Sophie Goldman, Hope Smith, Avery Goldman	68
11/21/2016	The following form was generated: Notice to Appear Sent On: 11/21/2016 11:21:17	
11/22/2016	Endorsement on Motion to alter or amend judgment-vacate judgment of dismissal order w/prejudice (#44.0): DENIED for the reasons set forth in the Court's 7/28/16 memorandum and order, and the opposition to this motion filed on 8/8/16 by Boston Maternal Fetal Medicine, LLC. (entered 11/9/16)	

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>
11/22/2016	MEMORANDUM & ORDER: and of decision on plffs' motion to recuse & DENIED. (entered 11/10/16) notices mailed 11/22/16	69
12/08/2016	Notice of appeal filed. Applies To: Smith, Hope (Plaintiff); Goldman, Maxwell (Plaintiff); Goldman, Avery (Plaintiff); Goldman, Sophie (Plaintiff)	70
12/09/2016	Notice of appeal filed. Applies To: Goldman, Maxwell (Plaintiff); Goldman, Avery (Plaintiff); Goldman, Sophie (Plaintiff) re: (Motion on June 30, 2016)	71
12/12/2016	General correspondence regarding Notice of service of the filing of notice of Appeal to: Michael B. Barkley, Esq., Sheila T. Giovannini, Esq., Edward Thomas Hinchey, Esq., Lydia Carleton Knight, Esq., Jennifer Kogan, Esq., Paul Michael McTague, Esq., Kathryn Elizabeth Price, Esq., and Hope Smith, Pro Se	
12/15/2016	Event Result: The following event: Rule 12 Hearing scheduled for 12/15/2016 02:00 PM has been resulted as follows: Result: Canceled Reason: Request of Plaintiff	
12/15/2016	Event Result: The following event: Motion Hearing to Amend Complaint scheduled for 12/15/2016 02:00 PM has been resulted as follows: Result: Canceled Reason: Request of Plaintiff	
12/15/2016	Plaintiff Avery Goldman's EMERGENCY Motion of notify the Court plff Hope Smith and plff Maxwell Goldman are ill and need to be seen in the hospital by medical provider, making it impossible for the plffs to be present in Court today at 2:00PM before the Honorable Judge Wilson	72
12/22/2016	JUDGMENT on Defendants, Boston Maternal Fetal Medicine, Toni Golen, M.D., Jonathan Hecht, M.D. 12(b) motion to dismiss against Plaintiff(s) Hope Smith, Maxwell Goldman, Avery Goldman, Sophie Goldman. It is ORDERED and ADJUDGED: entered on docket pursuant to Mass R Civ P 58(a) and notice sent to parties pursuant to Mass R Civ P 77(d) This is an amended Judgment for the Defendants Boston Maternal Fetal Medicine, Toni Golen M.D., and Jonathan Hecht, M.D. ONLY against ALL the Plaintiffs.	73
12/30/2016	Finding by the Court. It is ORDERED and ADJUDGED:: Final Judgment shall enter with prejudice, on all claims of all four Plaintiffs against Defendants Takoudes and Brigham and Woman's Hospital. As for the three original defendants, final judgment shall enter with prejudice on all claims of all four Plaintiffs. As to Dr. Cadish, final Judgment shall enter without prejudice on all claims of all four Plaintiffs against her, because she was never served with process of this lawsuit. As to all of the new defendants named in the Amended Complaint, final judgment without prejudice shall enter. (T.W.) entered on docket pursuant to Mass R Civ P 58(a) and notice sent to parties pursuant to Mass R Civ P 77(d)	74
01/03/2017	Plaintiffs Maxwell Goldman, Sophie Goldman, Hope Smith's EMERGENCY Motion for disqualification of the Honorable Judge Wilson pursuant to 28 USC Sec 455 (a) & Sec. 455(b)	75
01/03/2017	Notice of appeal filed. Applies To: Smith, Hope (Plaintiff); Goldman, Maxwell (Plaintiff); Goldman, Avery (Plaintiff); Goldman, Sophie (Plaintiff)	76
01/03/2017	Endorsement on Request for entry of default against defendant Brigham and Women's Hospital (#30.0): DENIED as moot, because this Defendant eventually answered the complaint by filing a motion to dismiss, and cases should be decided on the merits whenever possible. This court has allowed Plaintiffs considerable leeway with regard to their own violations of court rules and procedures as well, for the same reasons. Dated: Dec. 23, 2016 Notice sent 1/3/17	
01/03/2017	Endorsement on Motion to strike and to dismiss for failure to make timely service pursuant to Mass. R. Civ. P. 12(b)(5) (#31.0): DENIED because Plaintiffs eventually did serve this Defendant, who responded with a motion to dismiss, and cases should be resolved on the merits whenever possible. Dated: Dec. 23, 2016 Notice sent 1/3/17 Applies To: Takoudes, M.D., Tamara (Defendant)	
01/03/2017	Endorsement on Motion to amend the complaint to add parties (#33.0): No Action Taken See my order of Dec. 23, 2016. Dated: Dec. 23, 2016 Notice sent 1/3/17 Applies To: Smith, Hope (Plaintiff); Goldman, Maxwell (Plaintiff); Goldman, Avery (Plaintiff); Goldman, Sophie (Plaintiff)	
01/03/2017	Endorsement on Motion to amend the complaint to add parties (#40.0): No Action Taken See my order of Dec. 23, 2016. Dated: Dec. 23, 2016 Notice sent 1/3/17 Applies To: Smith, Hope (Plaintiff); Goldman, Maxwell (Plaintiff); Goldman, Avery (Plaintiff); Goldman, Sophie (Plaintiff)	
01/03/2017	Endorsement on Motion to dismiss (#49.0): No Action Taken Moot, because of filing of Amended Complaint. Dated: 12/23/16 Notice sent 1/3/17 Applies To: Takoudes, M.D., Tamara (Defendant)	
01/03/2017	Endorsement on Motion to serve Lauren Cadish MD with summons and Plaintiffs Complaint (#55.0): No Action Taken Moot, because of my Order of Dec. 23, 2016. Dated: 12/23/16 Notice sent 1/3/17	

Docket Date	Docket Text	File Ref Nbr.
01/03/2017	Endorsement on Motion to serve Toni Golen MD with summons and Complaint (#56.0): DENIED the claims against Defendant Golen have been dismissed with prejudice for a different reasons, on the merits. See Judge Ullmann's Order of June 28, 2016. Dated: Dec. 23, 2016 Notice sent 1/3/17	
01/03/2017	Endorsement on Motion to dismiss (#60.0): No Action Taken Moot, because of filing of Amended Complaint. Dated: Dec. 23, 2016 Notice sent 1/3/17 Applies To: Brigham and Womens Hospital (Defendant)	
01/03/2017	Endorsement on Motion to (#61.0): file Amended Complaint No Action Taken See My Order of Dec. 23, 2016. Dated: Dec. 23, 2016 Notice sent 1/3/17	
01/03/2017	Endorsement on Motion to (#62.0): amend pleadings pursuant to Rule 15(a): amended pleadings and supplemental pleadings No Action Taken See my Order of Dec. 23, 2016. Dated: 12/23/16 Notice sent 1/3/17	
01/03/2017	Endorsement on Motion to notify the Court Plaintiff Hope Smith and Plaintiff Maxwell Goldman are ill and need to be seen in the hospital/by medical provider, making it impossible for the plaintiffs to be present in court today at 2:00PM before the Honorable Judge Wilson (#72.0): ALLOWED Dated: Dec. 23, 2016 Notice sent 1/3/17 Applies To: Goldman, Avery (Plaintiff)	
01/03/2017	MEMORANDUM & ORDER: OF DECISION DISMISSING AMENDED COMPLAINT: I agree with Judge Ullmann. The oral motion of Defendants Takouds and BWH to dismiss the Amended Complaint, resting in part on written arguments they made in opposing Plaintiffs' unnecessary motions to amend is ALLOWED. The case against them is DISMISSED WITH PREJUDICE. Dated: December 23, 2016 Notice sent 1/3/17	77
01/04/2017	General correspondence regarding Notice of service of the filing of notice of Appeal to: Michael B. Barkley, Esq., Sheila T. Giovannini, Esq., Edward Thomas Hinchey, Esq., Lydia Carleton Knight, Esq., Jennifer Kogan, Esq., Paul Michael McTague, Esq., Kathryn Elizabeth Price, Esq., Hope Smith, Pro Se, and Avery Goldman, Pro Se	
01/13/2017	Notice of appeal filed. Applies To: Smith, Hope (Plaintiff); Goldman, Maxwell (Plaintiff); Goldman, Avery (Plaintiff); Goldman, Sophie (Plaintiff)	78
01/17/2017	General correspondence regarding Notice of service of the filing of notice of Appeal to: Michael B. Barkley, Esq., Sheila T. Giovannini, Esq., Edward Thomas Hinchey, Esq., Lydia Carleton Knight, Esq., Jennifer Kogan, Esq., Paul Michael McTague, Esq., Kathryn Elizabeth Price, Esq., Avery Goldman and Hope Smith, Pro Se.	
01/30/2017	Notice of appeal filed. Applies To: Smith, Hope (Plaintiff); Goldman, Maxwell (Plaintiff); Goldman, Avery (Plaintiff); Goldman, Sophie (Plaintiff)	79
02/02/2017	General correspondence regarding Notice of service of the filing of notice of Appeal to: Michael B. Barkley, Esq., Sheila T. Giovannini, Esq., Edward Thomas Hinchey, Esq., Lydia Carleton Knight, Esq., Jennifer Kogan, Esq., Paul Michael McTague, Esq., Kathryn Elizabeth Price, Esq., Avery Goldman and Hope Smith, Pro Se.	
02/03/2017	Endorsement on Motion for disqualification of the Honorable Judge Wilson's Pursuant to 28 U.S.C. Section, 455(a) and Section 455(b) (#75.0): DENIED as moot because this case has been resolved, and on the merits. Dated: 2/2/17 Notice sent 2/3/17	
02/10/2017	Court received Plaintiff's notification that transcripts have been ordered related to appeal	80
02/21/2017	Plaintiff Hope Smith, Maxwell Goldman, Avery Goldman, Sophie Goldman's Motion for Reconsideration of Denial Order of Plaintiffs Motion to Disqualify the Honorable Judge Wilson Pursuant to 28 U.S. Code sec 455 sec A and 455 sec B Where the Plaintiffs have Taken Appeal Prior to the Honorable Judge Wilson's Denial Order and the Motion to Disqualify the Honorable Judge Wilson Deals with Matters Affected by the Judgment Appeal and Appeal of Other Rulings and Concerns Subject Matter of the Appeals	81
03/09/2017	Endorsement on Motion for Reconsideration (#81.0): DENIED because (1) Although the filing package references an affidavit of compliance with Superior Court Rule 9A, I cannot find any such affidavit in this package; (2) this motion is MOOT, because this case has been resolved, Plaintiffs have filed a notice of appeal, and, even if the Superior Court still has jurisdiction, no pending motions require any Superior Court decision (nor are there likely to be future motions requiring Superior Court decisions; and (3) the motion for recusal is without merit (dated 3/7/17) notice sent 3/9/17	
04/07/2017	Notice of appeal filed. Applies To: Smith, Hope (Plaintiff); Goldman, Maxwell (Plaintiff); Goldman, Avery (Plaintiff); Goldman, Sophie (Plaintiff)	82
08/07/2017	Defendant Boston Maternal Fetal Medicine's Motion to dismiss (w/opposition) Applies To: Takoudes, M.D., Tamara (Defendant); Golen, M.D., Toni (Defendant); Hecht, M.D., Jonathan (Defendant); Brigham and Womens Hospital (Defendant)	83
08/16/2017	Plaintiffs Maxwell Goldman, Sophie Goldman, Avery Goldman, Hope Smith's EMERGENCY Motion to present to the court plaintiffs transcript order forms, transcript payment and receipt of transcript payment by the transcript office as evidence the plaintiffs ordered and paid for transcripts as plaintiffs represented to this court	84
08/18/2017	Endorsement on motion to dismiss appeal (#83.0): for want of prosecution DENIED WITHOUT PREJUDICE. It appears that plaintiffs have made some effort to obtain the transcripts. If plaintiff still have not	

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>
	obtained the transcripts within the next month, defendants may serve and file another motion to dismiss the appeal. Dated: 8/17/17 Notice sent 8/17/17	
09/19/2017	Plaintiffs Maxwell Goldman, Avery Goldman, Sophie Goldman, Hope Smith's Request for cassette where the proceedings have been recorded electronically on equipment under the control of the court - June 22nd with Judge Ullmann	85
09/19/2017	Plaintiffs Maxwell Goldman, Sophie Goldman, Avery Goldman, Hope Smith's Request for cassette where the proceedings have been recorded electronically on equipment under the control of the court - October 20th, 2016, December 21st, 2016 with Judge Wilson	86
09/22/2017	Endorsement on Request for Cassette Where the Proceedings Have been Recorded Electronically (#85.0): ALLOWED (dated 9/21/17) notice sent 9/22/17	
09/22/2017	Endorsement on Request for Cassette where the proceedings have been recorded Electronically on Equipment under Control of the Court (#86.0): ALLOWED (dated 9/21/17) notice sent 9/22/17	
09/22/2017	Plaintiffs Maxwell Goldman, Sophie Goldman, Avery Goldman, Hope Smith's Submission of Transcript for court Proceedings Held on June 22nd 2016 Before Judgment Ullmann to Lower Court and All Defense Counsel or Record	87
10/25/2017	CD containing PDF Transcript of 10/20/16 & 12/21/16 received from approved court transcriber Julianne Schultz.	88
10/30/2017	Appeal: notice of assembly of record	
11/10/2017	Notice of docket entry received from Appeals Court In accordance with Massachusetts Rule of Appellate Procedure 10 (a) (3), please note that the above-referenced case (2017-P-1429) was entered in this Court on November 3, 2017.	89
01/10/2018	Plaintiffs Hope Smith's Motion to Judge Ullman to Correct and Modify the Transcript for the Court Proceeding Held on June 22, 2016 Where the Transcript has Material Omissions and Misstatements and Does not Accurately Reflect the Statements mad During the Proceeding (without opposition)	90
01/10/2018	Plaintiff Hope Smith's Motion to Judge Wilson to Correct and Modify the Transcripts for the Court Proceeding Held on October 20, 2016 and December 21, 2016 Where the Transcripts Have Material Omissions and Misstatements and Do Not Accurately Reflect the Statements Made During the Proceedings (without opposition)	91
01/23/2018	Opposition to Plaintiffs' motion to Judge Wilson to correct and modify the Transcripts for the Court proceedings held on June 22, 2016, October 20, 2016 and December 21, 2016 (P#90 & 91) filed by Boston Maternal Fetal Medicine, Brigham and Womens Hospital, Tamara Takoudes, M.D., Toni Golen, M.D., Jonathan Hecht, M.D.	92
01/30/2018	ORDER: Order on (1) Plaintiffs Motion to Judge Ullman to Correct and Modify the Transcripts.. (p#90) and (2) Plaintiffs Motion to Judge Wilson to Correct and Modify the Transcripts...(p#91) The Two Motions are DENIED WITHOUT PREJUDICE in their current form. (see P#93 for Order) (dated 1/25/18) notice sent 1/29/18 Judge: Wilson, Hon. Paul D	93
09/06/2018	Notice of docket entry received from Appeals Court Notice of Dismissal To Trial Court: In accordance with the Standing Order Governing the Dismissals for Lack of Prosecution (copy enclosed), you are hereby given notice that the above-referenced appeal (2017-P-1429) has been dismissed for lack of prosecution for the following reasons: Brief/appendix not received or status report not filed.	94

Case Disposition

<u>Disposition</u>	<u>Date</u>	<u>Case Judge</u>
Judgment after Finding on Motion	12/23/2016	