

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

-----X  
STACIE SEABRON,

Plaintiff,

-against-

**VERIFIED  
COMPLAINT**

ANNETTE PEREZ-DELBOY, M.D., PAULA CASTANO, M.D.,  
SARAH OBICAN, M.D., CHANTAE SULLIVAN-PIKE, M.D.,  
PIYAPA PRADITPAN, M.D., COLUMBIA OB/GYN UPTOWN,  
NEW YORK-PRESBYTERIAN HOSPITAL,

Index No.:

Defendants.  
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Plaintiffs, as and for her Verified Complaint respectfully alleges as follows:

**AS AND FOR A FIRST CLAUSE OF ACTION ON  
BEHALF OF PLAINTIFF STACIE SEABRON**

1. Upon information and belief, that at all times hereinafter mentioned, defendant NEW YORK-PRESBYTERIAN HOSPITAL, was and is a domestic corporation duly organized and existing through and by virtue of the laws of the State of New York.

2. Upon information and belief, that at all times hereinafter mentioned, the defendant, NEW YORK-PRESBYTERIAN HOSPITAL, was the owner of a hospital facility known as Columbia Presbyterian Medical Center, located in the borough of Manhattan, City and State of New York.

3. Upon information and belief, that at all times hereinafter mentioned, the defendant, NEW YORK-PRESBYTERIAN HOSPITAL, operated, managed, maintained and had care, control and custody of a hospital facility known as Columbia Presbyterian Medical Center, located in the borough of Manhattan, City and State of New York.

4. Upon information and belief, that at all times hereinafter mentioned, the defendant, NEW YORK-PRESBYTERIAN HOSPITAL, through their agent, servants and employees held themselves out as being duly competent and qualified to render medical care, attention and

treatment to the general public and for such purposes hired various physicians, nurses, orderlies, technicians and other personnel.

5. Upon information and belief, that at all times hereinafter mentioned, defendant COLUMBIA OB/GYN UPTOWN, was and is a professional corporation duly organized and existing through and by virtue of the laws of the State of New York.

6. Upon information and belief, that at all times hereinafter mentioned, the defendant ANNETTE PEREZ-DELBOY, M.D., was and is a physician duly licensed to practice medicine in the state of New York.

7. Upon information and belief, that at all times hereinafter mentioned, the defendant ANNETTE PEREZ-DELBOY, M.D., held herself out as being duly competent and qualified to render medical care, attention and treatment to the general public.

8. Upon information and belief, that at all times hereinafter mentioned, the defendant ANNETTE PEREZ-DELBOY, M.D., was an employee of the defendant NEW YORK-PRESBYTERIAN HOSPITAL.

9. Upon information and belief, that at all times hereinafter mentioned, the defendant ANNETTE PEREZ-DELBOY, M.D., was on the staff of and/or had privileges at the said defendant NEW YORK-PRESBYTERIAN HOSPITAL.

10. Upon information and belief, that at all times hereinafter mentioned, the defendant ANNETTE PEREZ-DELBOY, M.D., was a member of the defendant COLUMBIA OB/GYN UPTOWN.

11. Upon information and belief, that at all times hereinafter mentioned, the defendant ANNETTE PEREZ-DELBOY, M.D., was an employee of the defendant COLUMBIA OB/GYN UPTOWN.

12. Upon information and belief, that at all times hereinafter mentioned, the defendant PAULA CASTANO, M.D., was and is a physician duly licensed to practice medicine in the state of New York.

13. Upon information and belief, that at all times hereinafter mentioned, the defendant PAULA CASTANO, M.D., held herself out as being duly competent and qualified to render medical care, attention and treatment to the general public.

14. Upon information and belief, that at all times hereinafter mentioned, the defendant PAULA CASTANO, M.D., was an employee of the defendant NEW YORK-PRESBYTERIAN HOSPITAL.

15. Upon information and belief, that at all times hereinafter mentioned, the defendant PAULA CASTANO, M.D., was on the staff of and/or had privileges at the said defendant NEW YORK-PRESBYTERIAN HOSPITAL.

16. Upon information and belief, that at all times hereinafter mentioned, the defendant PAULA CASTANO, M.D., was a member of the defendant COLUMBIA OB/GYN UPTOWN.

17. Upon information and belief, that at all times hereinafter mentioned, the defendant PAULA CASTANO, M.D., was an employee of the defendant COLUMBIA OB/GYN UPTOWN.

18. Upon information and belief, that at all times hereinafter mentioned, the defendant SARAH OBICAN, M.D., was and is a physician duly licensed to practice medicine in the state of New York.

19. Upon information and belief, that at all times hereinafter mentioned, the defendant SARAH OBICAN, M.D., held herself out as being duly competent and qualified to render medical care, attention and treatment to the general public.

20. Upon information and belief, that at all times hereinafter mentioned, the defendant SARAH OBICAN, M.D., was an employee of the defendant NEW YORK-PRESBYTERIAN HOSPITAL.

21. Upon information and belief, that at all times hereinafter mentioned, the defendant SARAH OBICAN, M.D., was on the staff of and/or had privileges at the said defendant NEW YORK-PRESBYTERIAN HOSPITAL.

22. Upon information and belief, that at all times hereinafter mentioned, the defendant SARAH OBICAN, M.D., was a member of the defendant COLUMBIA OB/GYN UPTOWN.

24. Upon information and belief, that at all times hereinafter mentioned, the defendant SARAH OBICAN, M.D., was an employee of the defendant COLUMBIA OB/GYN UPTOWN.

25. Upon information and belief, that at all times hereinafter mentioned, the defendant CHANTAE SULLIVAN-PIKE, M.D., was and is a physician duly licensed to practice medicine in the state of New York.

26. Upon information and belief, that at all times hereinafter mentioned, the defendant CHANTAE SULLIVAN-PIKE, M.D., held herself out as being duly competent and qualified to render medical care, attention and treatment to the general public.

28. Upon information and belief, that at all times hereinafter mentioned, the defendant CHANTAE SULLIVAN-PIKE, M.D., was an employee of the defendant NEW YORK-PRESBYTERIAN HOSPITAL.

29. Upon information and belief, that at all times hereinafter mentioned, the defendant CHANTAE SULLIVAN-PIKE, M.D., was on the staff of and/or had privileges at the said defendant NEW YORK-PRESBYTERIAN HOSPITAL.

30. Upon information and belief, that at all times hereinafter mentioned, the defendant CHANTAE SULLIVAN-PIKE, M.D., was a member of the defendant COLUMBIA OB/GYN UPTOWN.

31. Upon information and belief, that at all times hereinafter mentioned, the defendant CHANTAE SULLIVAN-PIKE, M.D., was an employee of the defendant COLUMBIA OB/GYN UPTOWN.

32. Upon information and belief, that at all times hereinafter mentioned, the defendant PIYAPA PRADITPAN, M.D., was and is a physician duly licensed to practice medicine in the state of New York.

33. Upon information and belief, that at all times hereinafter mentioned, the defendant PIYAPA PRADITPAN, M.D., held herself out as being duly competent and qualified to render medical care, attention and treatment to the general public.

34. Upon information and belief, that at all times hereinafter mentioned, the defendant PIYAPA PRADITPAN, M.D., was an employee of the defendant NEW YORK-PRESBYTERIAN HOSPITAL.

35. Upon information and belief, that at all times hereinafter mentioned, the defendant PIYAPA PRADITPAN, M.D., was on the staff of and/or had privileges at the said defendant NEW YORK-PRESBYTERIAN HOSPITAL.

36. Upon information and belief, that at all times hereinafter mentioned, the defendant PIYAPA PRADITPAN, M.D., was a member of the defendant COLUMBIA OB/GYN UPTOWN.

37. Upon information and belief, that at all times hereinafter mentioned, the defendant PIYAPA PRADITPAN, M.D., was an employee of the defendant COLUMBIA OB/GYN UPTOWN.

38. That on or about the 3<sup>rd</sup> day of May, 2015, the said plaintiff, STACIE SEABRON, presented to the said defendant NEW YORK-PRESBYTERIAN HOSPITAL seeking medical care, attention and treatment.

39. That on or about the 3<sup>rd</sup> day of May, 2015, the said defendant, NEW YORK-PRESBYTERIAN HOSPITAL, undertook to render medical care, attention and treatment to the said plaintiff, STACIE SEABRON.

40. That on or about the 3<sup>rd</sup> day of May, 2015, the said plaintiff, STACIE SEABRON, was admitted to the said defendant NEW YORK-PRESBYTERIAN HOSPITAL at their facility known as Columbia Presbyterian Medical Center.

41. That on or about the 3<sup>rd</sup> day of May, 2015, the said plaintiff, STACIE SEABRON, was admitted to the said defendant NEW YORK-PRESBYTERIAN HOSPITAL at the Columbia Presbyterian Medical Center facility as a service patient.

42. That the said plaintiff, STACIE SEABRON, remained an patient of the said defendant NEW YORK-PRESBYTERIAN HOSPITAL from on or about the 3<sup>rd</sup> day of May, 2015 up to and including on or about the 13<sup>th</sup> day of May 2015.

43. That while the said plaintiff, STACIE SEABRON, was a patient of the said defendant NEW YORK-PRESBYTERIAN HOSPITAL at their Columbia Presbyterian Medical Center facility as aforesaid from on or about the 3<sup>rd</sup> day of May, 2015 up to and including on or about the 13<sup>th</sup> day of May 2015, the said defendants, ANNETTE PEREZ-DELBOY, M.D., and/or PAULA CASTANO, M.D., and/or SARAH OBICAN, M.D., and/or CHANTAE SULLIVAN-PIKE, M.D., and/or PIYAPA PRADITPAN, M.D., did render medical care, attention and treatment to said plaintiff.

44. That by reason of the aforesaid and the medical treatment rendered to the said plaintiff by the defendants herein, the medical condition of the said plaintiff was caused to the deteriorate and/or worsen resulting in severe and lasting injuries to her body as well as shock to her nervous system.

45. That the aforesaid occurrence was caused solely and wholly through and by reason of the negligence of the said defendants, individually and/or jointly; the said plaintiff in no way contributing thereto.

46. That the aforesaid occurrence was caused solely and wholly through and by reason of the negligence of the said defendants, individually and/or jointly in failing and neglecting to treat the said plaintiff in accordance with good and accepted medical customs, practices and standards; in performing surgical procedures in a careless, reckless and negligent manner; in causing injury to said plaintiff during the course of a surgical and/or medical procedures; in failing and neglecting to promptly and/or timely that injury had been occasioned to the said plaintiff during the course of a surgical and/or medical procedures; in causing, permitting and/or allowing the medical condition of the said plaintiff to deteriorate and/or worsen; and said defendants were otherwise negligent herein.

47. That by reason of the aforesaid, this plaintiff has been rendered sick, sore, lame and disabled; that she suffers, has suffered and may in the future continue to suffer great pain; that she has been compelled to seek medical care, attention and treatment in an effort to see herself cured of her said injuries and may in the future be so compelled; that she has been required to expend various sums of money in an effort to see herself cured of her said injuries and may in the future be so required; that she has been confined to a hospital and to her home and bed for a period of time and may in the future be so confined; that she has been disabled to attending to her usual duties and activities and may in the future be so disabled; and that she has otherwise been damaged herein.

48. That by reason of the aforesaid, this plaintiff has been damaged in an amount which exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A SECOND CAUSE OF ACTION ON  
BEHALF OF THE PLAINTIFF STACIE SEABRON**

49. That this plaintiff repeats, reiterates and re-alleges each and every allegation contained in the first cause of action with the same force and effect as it is fully set forth herein at length.

50. That the said defendant failed and/or neglected to advised and/or inform the said plaintiff of all risks, hazards and dangers inherent in medical and/or surgical treatment rendered to the said plaintiff; that the said defendant failed to receive an informed consent therefore; that a reasonably prudent person in the plaintiff's position would not have undergone the treatment if she had been fully informed and that the lack of informed consent is a proximate cause of the injury and/or condition for which recovery is sought; and that said defendant were otherwise negligent herein.

51. That by reason of the aforesaid, this plaintiff has been damaged in an amount that which exceeds the jurisdictional limits of all lower court which would otherwise have jurisdiction.

**WHEREFORE**, plaintiff demands judgment against the defendants on the first cause of action in an amount which exceeds the jurisdictional limits of all lower courts which otherwise

have jurisdiction; plaintiff demands judgment against the defendants on the second cause of action in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction; together with the costs and disbursements of this matter.

Dated: New York, New York  
October 8, 2015

Yours, etc.

ROSENBERG, MINC, FALKOFF & WOLFF, LLP.

A handwritten signature in black ink, appearing to read "Peter D. Rosenberg", written over a horizontal line.

PETER D. ROSENBERG, ESQ.

Attorney for Plaintiff

122 42<sup>nd</sup> Street, Suite 3800

New York, New York 10168

(212) 697-9280

File No.: 30682



**VERIFICATION**

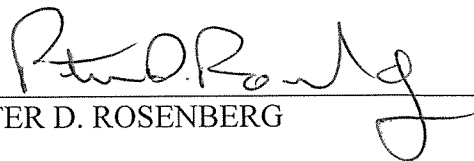
PETER D. ROSENBERG, an attorney-at-law, duly admitted to practice law before the courts in the State of New York, associate of the law firm ROSENBERG, MINC, FALKOFF & WOLFF, LLP., attorneys for the plaintiffs herein, makes the following affirmation pursuant to CPLR 2106:

That I have read the foregoing COMPLAINT and know the contents thereof; that the same is true to my own knowledge, except as to those matters therein stated to be alleged on information and belief, and that as to those matters I believe them to be true.

That the reason this verification is not made by plaintiffs is because plaintiffs are not within the County of New York, where your affirmant maintains his office.

That the source of affirmant's knowledge is based upon investigations, reports and communications had with plaintiff.

Dated: New York, NY  
October 8, 2015

  
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PETER D. ROSENBERG

**UNIFORM COURT RULE 130-1.1a CERTIFICATION**

I, the undersigned, an attorney duly admitted to practice in the Courts of New York State, Affirm that I am a member of ROSENBERG, MINC, FALKOFF & WOLFF, LLP., the attorneys of record for Plaintiff in the within action; I have read the foregoing SUMMONS AND VERIFIED COMPLAINT, and know the contents thereof; the same is true to my knowledge, except as to the matters therein alleged to be on information and belief, and as to those matters I believe it to be true.

Dated: New York, New York  
October 8, 2015

  
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PETER D. ROSENBERG