

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Index No.:

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BRIDGET HODASI,

Plaintiff,

- against -

CONSTANCE YOUNG, M.D., SIERRA SEAMAN, M.D.,
TIMOTHY RYNTZ, M.D., ABRAM KRIKHELY, M.D.,
TRACEY ARNELL, M.D., AMANDA POWERS, M.D., and
NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY
MEDICAL CENTER,

Defendants.
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Plaintiffs designate
New York County as
the place of trial.

SUMMONS

The basis of the venue
is where the cause of
action arose.

To the above named defendant(s):

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorneys within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York): and in case of your failure to appear or answer, judgment will be taken for the relief demanded herein.

A COPY OF THIS SUMMONS WAS FILED WITH THE CLERK OF THE COURT, NEW YORK COUNTY, ON JANUARY 25, 2019 IN COMPLIANCE WITH CPLR §§305(a) AND 306(a).

Dated: New York, New York
January 25, 2019

**KRAMER, DILLOF, LIVINGSTON
& MOORE**



By: **Pani Vo**
Attorneys for Plaintiff
217 Broadway – 10th Floor
New York, New York 10007
(212) 267-4177

Defendants' Address:

CONSTANCE YOUNG, M.D.

**c/o Herbert Irving Pavilion
161 Fort Washington Avenue
New York, New York 10032**

**c/o New York Presbyterian
Columbia University Medical Center
630 West 168th Street
New York, New York 10032**

SIERRA SEAMAN, M.D.

**c/o Herbert Irving Pavilion
161 Fort Washington Avenue
New York, New York 10032**

**c/o New York Presbyterian
Columbia University Medical Center
630 West 168th Street
New York, New York 10032**

TIMOTHY RYNTZ, M.D.

**c/o Herbert Irving Pavilion
161 Fort Washington Avenue
New York, New York 10032**

**c/o New York Presbyterian
Columbia University Medical Center
630 West 168th Street
New York, New York 10032**

ABRAM KRIKHELY, M.D.

**c/o Herbert Irving Pavilion
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New York, New York 10032**

**c/o New York Presbyterian
Columbia University Medical Center
630 West 168th Street
New York, New York 10032**

TRACEY ARNELL, M.D.

**c/o Herbert Irving Pavilion
161 Fort Washington Avenue
New York, New York 10032**

**c/o New York Presbyterian
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**c/o Herbert Irving Pavilion
161 Fort Washington Avenue
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**c/o New York Presbyterian
Columbia University Medical Center
630 West 168th Street
New York, New York 10032**

**NEW YORK PRESBYTERIAN
COLUMBIA UNIVERSITY
MEDICAL CENTER**

**630 West 168th Street
New York, New York 10032**

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

BRIDGET HODASI,

-----X Index No.: _____

Plaintiff,

- against -

**VERIFIED
COMPLAINT**

**CONSTANCE YOUNG, M.D., SIERRA SEAMAN, M.D.,
TIMOTHY RYNTZ, M.D., ABRAM KRIKHELY, M.D.,
TRACEY ARNELL, M.D., AMANDA POWERS, M.D., and
NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY
MEDICAL CENTER**

Defendants.

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Plaintiff above named, complaining of the defendants, by her attorneys, **KRAMER,
DILLOF, LIVINGSTON & MOORE, ESQS.**, respectfully alleges:

AS AND FOR THE FIRST CAUSE OF ACTION

1. At all times herein mentioned, defendant **CONSTANCE YOUNG, M.D.** was a physician duly licensed to practice medicine in the State of New York.
2. At all times herein mentioned, the plaintiff **BRIDGET HODASI** was a patient of defendant **CONSTANCE YOUNG, M.D.**
3. At all times herein mentioned, defendant **CONSTANCE YOUNG, M.D.** was an agent, servant and/or employee of defendant **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER.**
4. At all times herein mentioned, defendant **SIERRA SEAMAN, M.D.** was a physician duly licensed to practice medicine in the State of New York.
5. At all times herein mentioned, the plaintiff **BRIDGET HODASI** was a patient of defendant **SIERRA SEAMAN, M.D.**

6. At all times herein mentioned, defendant **SIERRA SEAMAN, M.D.** was an agent, servant and/or employee of defendant **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER.**

7. At all times herein mentioned, defendant **TIMOTHY RYNTZ, M.D.** was a physician duly licensed to practice medicine in the State of New York.

8. At all times herein mentioned, the plaintiff **BRIDGET HODASI** was a patient of defendant **TIMOTHY RYNTZ, M.D.**

9. At all times herein mentioned, defendant **TIMOTHY RYNTZ, M.D.** was an agent, servant and/or employee of defendant **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER.**

10. At all times herein mentioned, defendant **ABRAM KRIKHELY, M.D.** was a physician duly licensed to practice medicine in the State of New York.

11. At all times herein mentioned, the plaintiff **BRIDGET HODASI** was a patient of defendant **ABRAM KRIKHELY, M.D.**

12. At all times herein mentioned, defendant **ABRAM KRIKHELY, M.D.** was an agent, servant and/or employee of defendant **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER.**

13. At all times herein mentioned, defendant **TRACEY ARNELL, M.D.** was a physician duly licensed to practice medicine in the State of New York.

14. At all times herein mentioned, the plaintiff **BRIDGET HODASI** was a patient of defendant **TRACEY ARNELL, M.D.**

15. At all times herein mentioned, defendant **TRACEY ARNELL, M.D.** was an agent, servant and/or employee of defendant **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER.**

16. At all times herein mentioned, defendant **AMANDA POWERS, M.D.** was a physician duly licensed to practice medicine in the State of New York.

17. At all times herein mentioned, the plaintiff **BRIDGET HODASI** was a patient of defendant **AMANDA POWERS, M.D.**

18. At all times herein mentioned, defendant **AMANDA POWERS, M.D.** was an agent, servant and/or employee of defendant **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER.**

19. At all times herein mentioned, defendant **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER** was a domestic corporation, duly incorporated and existing under and by virtue of the laws of the State of New York.

20. At all times herein mentioned, defendant **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER** was the owner of a hospital known as **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER**, located at 622 West 168th Street, New York, New York 10032.

21. At all times herein mentioned, defendant **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER** operated, managed and controlled the aforesaid hospital.

22. At all times herein mentioned, plaintiff **BRIDGET HODASI** was a patient of defendant **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER.**

23. At all times mentioned, all of the defendants **CONSTANCE YOUNG, M.D., SIERRA SEAMAN, M.D., TIMOTHY RYNTZ, M.D., ABRAM KRIKHELY, M.D., TRACEY ARNELL, M.D., AMANDA POWERS, M.D.** were agents, servants, and/or employees of **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER** with regard to the medical and surgical diagnosis, care, and treatment of the plaintiff **BRIDGET HODASI**.

24. At all times herein mentioned, all of the physicians, nurses, and medical personnel involved in the medical and surgical diagnosis, care, and treatment of plaintiff **BRIDGET HODASI** at defendant **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER** were agents, servants, and/or employees of defendant **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER**.

25. At all times herein mentioned, defendants **CONSTANCE YOUNG, M.D., SIERRA SEAMAN, M.D., TIMOTHY RYNTZ, M.D., ABRAM KRIKHELY, M.D., TRACEY ARNELL, M.D., AMANDA POWERS, M.D.** and **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER** were agents, servants and/or employees of each other in the medical and surgical care, treatment, and diagnosis of the plaintiff **BRIDGET HODASI**.

26. Beginning in or about July 2016 and continuing through in or about July 2017, plaintiff **BRIDGET HODASI** was a patient of the defendants **CONSTANCE YOUNG, M.D., SIERRA SEAMAN, M.D., TIMOTHY RYNTZ, M.D., ABRAM KRIKHELY, M.D., TRACEY ARNELL, M.D., AMANDA POWERS, M.D.** and **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER**, their agents, servants, and/or employees, under the medical and surgical diagnosis, care, and treatment of the

defendants, their agents, servants and/or employees, and during the course of the ongoing and continuous care and treatment, plaintiff was treated at the offices of the aforesaid defendants and as an in-patient in defendant **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER**, including but not limited to inpatient admissions from on or about August 22, 2016 and from on or about August 26, 2016 through September 15, 2016 and admissions of September 21, 2016 and October 17, 2016, during which course of treatment, operative procedures were performed on plaintiff **BRIDGET HODASI**, including but not limited to a “laparoscopy, lysis of multiple dense adhesions and bilateral salpingectomy” on August 22, 2016, a “diagnostic laparoscopy and placement of peritoneal drains” on or about August 27, 2016, and a “laparoscopic exploration of abdomen, placement of abdominal drains to drain abscess” on or about August 27, 2016, on or about August 31, 2016, an operative procedure known as an “exploratory laparotomy and diverting ileostomy” and an ileostomy reversal on or about October 20, 2016 and as a result of the failure by the defendants, their agents, servants and/or employees to render good and accepted medical, surgical, and gynecological diagnosis, care and treatment during the pre-operative, operative, and post-operative periods, including but not limited to their failure to properly operate on plaintiff, the failure to properly identify, locate and protect plaintiff’s internal structures, including her bowel, and the failure to properly and timely recognize and treat bowel perforations, during the operative procedures and in the post-operative periods, plaintiff **BRIDGET HODASI** sustained severe injuries and complications including pain and suffering and loss of enjoyment of life to the present and continuing into the future.

27. Said occurrence was due to the carelessness and negligence of the defendants, their agents, servants and/or employees in failing to treat the plaintiff **BRIDGET HODASI** in a

timely, good, accepted and proper medical manner, and without any fault or lack of care on the part of plaintiff **BRIDGET HODASI**.

28. As a result of the foregoing medical and surgical diagnosis, care and treatment of the plaintiff **BRIDGET HODASI**, including the failures by the defendants, their agents, servants and/or employees to properly diagnose, care for, operate on and treat the plaintiff **BRIDGET HODASI**, she sustained severe and serious personal injuries, and was caused to suffer severe physical pain and mental anguish as a result thereof, and upon information and belief these injuries are of a permanent and lasting nature; and plaintiff **BRIDGET HODASI** was incapacitated from attending her regular activities; and there was caused to be expended sums of money for medical and hospital care on her behalf.

29. Said occurrence was due to the carelessness and negligence of the defendants, their agents, servants and/or employees in failing to treat the plaintiff in the accepted and proper medical manner and all without any fault or lack of care on the part of the plaintiff herein.

30. The amount of damages sought exceeds the jurisdiction of all lower courts that would otherwise have jurisdiction.

31. This action falls within the exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A SECOND CAUSE OF ACTION
FOR LACK OF INFORMED CONSENT**

32. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of the complaint marked and designated 1. through 31. inclusive, with the same force and effect as if hereinafter set forth at length.

33. Defendants failed to inform the plaintiff of the risks, hazards and alternatives to the surgical procedures performed and/or treatments rendered so that an informed consent could be given.

34. Reasonably prudent persons in the plaintiff's position would not have undergone the surgical procedures performed and/or treatments rendered, if they had been fully informed of the risks, hazards and alternatives connected with said procedures and/or treatments.

35. The failure to adequately and fully inform the plaintiff of the risks, hazards and alternatives of the surgical procedures performed and/or treatments rendered, is a proximate cause of the injuries that plaintiff **BRIDGET HODASI** sustained.

36. As a consequence of the foregoing there was no informed consent to the treatment rendered and surgical procedures performed.

37. The amount of damages sought exceeds the jurisdiction of all lower courts that would otherwise have jurisdiction.

AS AND FOR A THIRD CAUSE OF ACTION
AS TO NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER

38. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of the complaint marked and designated 1. through 37. inclusive, with the same force and effect as if hereinafter set forth at length.

39. Defendants **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER** prior to the granting or renewing of privileges or employment of defendants, residents, nurses and others involved in plaintiff's care failed to investigate the qualifications, competence, capacity, abilities and capabilities of said defendants, residents, nurses and other employees, including but not limited to obtaining the following information: patient grievances, negative health care outcomes, incidents injurious to patients, medical malpractice actions commenced against said persons, including the outcome thereof, any history of association, privilege and/or practice at other institutions, any discontinuation of said association, employment, privilege and/or practice at said institution, and any pending

professional misconduct proceedings in this State or another State, the substance of the allegations in such proceedings and any additional information concerning such proceedings and the findings of such proceedings and the institutions failed to make sufficient inquiry of the physician, nurse and/or employee and institutions which should and did have information relevant to the capacity, capability, ability and competence of said persons rendering treatment.

40. Had the defendant **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER** made the above-stated inquiry or in the alternative had defendant institutions reviewed and analyzed the information obtained in a proper manner, privileges and/or employment would not have been granted and/or renewed.


41. By reason of the defendant **NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY MEDICAL CENTER** failure to meet the aforementioned obligation, plaintiff was treated by physicians, nurses and/or other employees who were lacking the requisite skills, abilities, competence and capacity, as a result of which plaintiff sustained severe injuries and complications.

42. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

WHEREFORE, plaintiff demands judgment against defendants in such sum as a jury would find fair, adequate and just.

Dated: New York, New York
January 25, 2019

KRAMER, DILLOF, LIVINGSTON & MOORE

By:  _____
Pani Vo
Attorneys for Plaintiff
217 Broadway – 10th Floor
New York, New York 10007
212-267-4177

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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Index No.: _____

BRIDGET HODASI,

Plaintiff,

-against-

ATTORNEY
VERIFICATION

CONSTANCE YOUNG, M.D., SIERRA SEAMAN, M.D.,
TIMOTHY RYNTZ, M.D., ABRAM KRIKHELY, M.D.,
TRACEY ARNELL, M.D., AMANDA POWERS, M.D., and
NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY
MEDICAL CENTER,

Defendants.

-----X

STATE OF NEW YORK)

:ss:

COUNTY OF NEW YORK)

PANI VO, an attorney duly admitted to practice in the Courts of New York State, an associate of the law firm **KRAMER, DILLOF, LIVINGSTON & MOORE, ESQS.**, attorneys for the plaintiff in the within action, hereby affirms under penalty of perjury:

That she has read the within Summons and Verified Complaint and knows the contents thereof, and that the same is true to her own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters she believes it to be true.

That the sources of her information and knowledge are investigations and records in the file.

That the reason this verification is made by affirmant and not by the plaintiff is that the plaintiff is not within the County where the attorney has her office.

Dated: New York, New York
January 25, 2019



PANI VO

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

=====X
BRIDGET HODASI,

Index No.:

Plaintiff,

-against-

**CERTIFICATE OF
MERIT**


**CONSTANCE YOUNG, M.D., SIERRA SEAMAN, M.D.,
TIMOTHY RYNTZ, M.D., ABRAM KRIKHELY, M.D.,
TRACEY ARNELL, M.D., AMANDA POWERS, M.D., and
NEW YORK PRESBYTERIAN COLUMBIA UNIVERSITY
MEDICAL CENTER,**

Defendants.

=====X
PANI VO, an attorney duly admitted to practice in the Courts of New York State, and an associate of the firm **KRAMER, DILLOF, LIVINGSTON & MOORE**, attorneys for the plaintiff in the within action, hereby affirms under penalty of perjury:

I have reviewed the facts of this case and have consulted with at least one physician who is licensed to practice medicine in the State of New York and who I reasonably believe is knowledgeable in the relevant issues involved in this matter. I have concluded on the basis of the review and the consultation that there is a reasonable basis for the commencement of this action.

Dated: New York, New York
January 25, 2019



PANI VO