

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

M.L.T., a minor, by her Next Friend and
mother, Shamia Lee and
Shamia Lee, Individually,
Plaintiffs,

Civil No. 19-cv-10065
Hon. Paul D. Borman
Mag. Judge Stephanie Dawkins Davis

v.

United States of America,
Defendant,

United States of America,
Third-Party Plaintiff,

v.

DMC Hutzel Women’s Hospital, an assumed
Name of VHS Harper-Hutzel Hospital, Inc., VHS
Harper-Hutzel Hospital, Inc., a Delaware Corporation,
Elizabeth Bryant, M.D., Steven Dudick, M.D.,
Erica Louden, M.D., Karoline Puder, M.D., and
Wayne State University Physician Group.
Third-Party Defendants

M.L.T., a minor, by her Next Friend and
mother, Shamia Lee,
Plaintiffs,

v

VHS Harper-Hutzel Hospital, Inc, a Delaware Corp
d/b/a DMC Hutzel Women’s Hospital,
Wayne State University Physician Group, a Mich Corp.,
Elizabeth Bryant, M.D., an individual
Steven Dudick, M.D., an individual
Erica Louden, M.D., an individual
and Karoline Puder, M.D., an individual
Defendants,

**PLAINTIFFS’ SECOND AMENDED COMPLAINT, DEMAND FOR
JURY AND AFFIDAVITS OF MERITORIOUS CLAIM**

NOW COME the above-named Plaintiffs by their attorneys, GERALD E. THURSWELL and ARDIANA CULAJ, of THE THURSWELL LAW FIRM, and complaining against the above-named Defendant, its agents, servants and/or employees, either real or ostensible, and submit the Second Amended Complaint as follows:

JURISDICTION, PARTIES AND VENUE

¹

1. That this is a medical malpractice case brought under the Federal Tort Claims Act for severe and permanent injuries arising out of negligent acts or omissions of employees, agents, apparent agents, servants or representatives of the United States while acting within the course and scope of their employment, agency, apparent agency, servitude, or representative capacity, under circumstances where the United States of America, if a private person, would be liable to the Plaintiffs under the laws of the State of Michigan where the acts and/or omissions occurred. This Court has original subject matter jurisdiction pursuant to 28 U.S.C. §1346 (b).
2. That at all times relevant and/or material to these matters, the employees, agents, apparent agents, servants or representatives of the United States were subject to the United States' right to control, including substantial supervision and direction over their day-to-day activities.

¹ Attached is a Glossary of Abbreviations of terms that may appear in this Complaint.