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A jury Wednesday awarded no money to a woman and her father who sued an osteopath for performing an abortion while she was a minor without notifying the parent.

Ninety percent of the blame was assigned to the woman for using a fake identification indicating she was not a minor, the panel decided.

But the jury also found the doctor negligent, allowing both sides to claim victory in the first-of-its-kind lawsuit that could help determine how extensively physicians should verify the identification of women seeking abortions.

Cherise Mosley Hughes and her father, **Frederick Mosley**, 48, sued Dr. **Douglas A. Karpen**, alleging that he violated a 1999 Texas law requiring that minors' parents be notified at least 48 hours before an abortion. Hughes, who was seven weeks shy of her 18th birthday at the time of the August 2000 abortion, used an ID she obtained from a supermarket to convince Karpen and employees of his clinic that she was 18.

Hughes and Mosley did not seek criminal charges against Karpen, or seek to have his license revoked.

"This is a great day for women and women's right to choose, and a great day for doctors," said **Barbara Hachenburg**, Karpen's lawyer.

"Doctors don't have to worry about becoming investigators or private eyes, and focus on what they do best," Hachenburg said. "You can't deceive people and come into court and sue the people you deceived."

But Hughes, Mosley and their lawyer, **Jared Woodfill**, insisted that the verdict sent a message that doctors must carefully examine the IDs of women seeking abortions.

"I'm very pleased with the verdict," said Mosley. "My purpose was to expose the clinic. ... Money wasn't the issue at any time."

Mosley said he refused a "substantial" amount of money to settle the case, but declined to say how much.

Hughes, who after the abortion had two children with the father of the aborted fetus and married him, said she believes doctors will be much more careful in checking the identification of women seeking abortions because of the verdict.

"It was so easy for me to get an ID that was clearly not a government ID," Hughes said. "I know a lot of girls do the exact same thing and no one blinks an eye."

She said she accepted blame for lying to Karpen, but said she thought Karpen was more than 10 percent responsible. During the trial, she said she feared that her father, a Pentecostal minister who does not condone premarital sex, would be disappointed if she told him about the pregnancy.

Woodfill said jurors found that Karpen "did break the law" by saying he was negligent. He said he believes that doctors will ask for governmental ID's as a result of the verdict.

Hachenburg said new state guidelines that went into effect in January allow women to get abortions without any identification. Women are required to sign an affidavit saying they are 18 if they have no identification.

State District Judge **Mark Davidson** did not allow the new guidelines to be introduced during the trial because he said they were not relevant to what occurred in 2000.

Jurors declined to discuss their 10-2 verdict, which was reached after three hours of deliberation.

Karpen, who owns **Aaron Family Planning Clinic** in southwest Houston, also declined to comment.

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