

STATE OF LOUISIANA

NO.:

16-9043

DIVISION " "

HEATHER JOHNSON



2016 SEP -9 P 1:42
SECTION " "

CIVIL
DISTRICT COURT

versus

SECTION 16

KEVIN G. WORK, M.D. and CANAL WOMEN'S CLINIC L.L.C.

FILED: _____

DEPUTY CLERK

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes Plaintiff, Heather Johnson, who for her Petition for Damages respectfully avers:

- 421 LOYOLA AVENUE - ROOM 402
NEW ORLEANS, LA 70112

Plaintiff, Heather Johnson, is a person of the full age of majority, and a resident of the Parish of Orleans, State of Louisiana.

1. Plaintiff, Heather Johnson, is a person of the full age of majority, and a resident of the Parish of Orleans, State of Louisiana.

Receipt Date	9/9/2016 1:49:00 PM
Receipt Number	583326
Cashier	evaughn
Register	CDCCASH1

Named Defendant is Kevin G. Work, M.D., a person of the full age of majority and citizen of the State of Louisiana.

2. Named Defendant is Kevin G. Work, M.D., a person of the full age of majority and citizen of the State of Louisiana.

Case Number	2016-09043
Grand Total	\$ 514.00
Amount Received	\$ 514.00
Balance Due	\$ 0.00
Change Due	\$ 0.00

Named Defendant is Canal Women's Clinic L.L.C., a Louisiana limited liability company with its principal place of business in New Orleans, Louisiana.

3. Named Defendant is Canal Women's Clinic L.L.C., a Louisiana limited liability company with its principal place of business in New Orleans, Louisiana.

Payment/Transaction list
Check # 40369 \$514.00

Venue is proper in this court pursuant to articles 42 and 74 of the Louisiana Code of Civil Procedure.

4.

Item	Charged	Paid	Bal
Petition for Damages	\$440.00	\$440.00	\$0.00
Parish of Orleans College	\$0.50	\$0.50	\$0.00
Building Fund Fee	\$25.00	\$25.00	\$0.00
Litigant Legal Fee	\$10.00	\$10.00	\$0.00
JSC	\$24.00	\$24.00	\$0.00
Supreme Court- Proc essing Fee	\$10.00	\$10.00	\$0.00

At all material times Ms. Heather Johnson was a patient of Dr. Kevin Work at the Canal Women's Clinic L.L.C. In approximately March 2015, Ms. Johnson presented to Dr. Work with reported spontaneous excessive abnormal uterine bleeding eight months following the caesarian section birth of her second daughter. Dr. Work diagnosed her with polycystic ovarian syndrome, and prescribed a course of oral antibiotics and the birth control method "NuvaRing."

- 6.

After nine months of continued excessive uterine bleeding without relief, Ms. Johnson spoke with Dr. Work about her options. At that time, Dr. Work discussed a hysterectomy with

VERIFIED
Heather Johnson
09.13.16

his then 25 year old patient. Ms. Johnson reported she was not ready for such a severe option and inquired of another option. At that time, Dr. Work suggested and eventually performed a dilation and curettage in an attempt to stop the heavy bleeding. Dr. Work, however, did not prescribe any post-operative antibiotics or pain medication.

7.

In September of 2015, after dilation and curettage did not stop her hemorrhaging, Ms. Johnson returned to Dr. Work. At this time Dr. Work informed her that she had a massive uterine infection and he referred her to another physician. Upon referral Ms. Johnson first learned that she had a large infection of her uterine wall and uterine wall polyp. Ms. Johnson underwent multiple procedures in an attempt to save her uterus, but she eventually had to endure a hysterectomy.

8.

Defendants breached the applicable standards of care and are at fault for the following non-exclusive acts of negligence:

- (a) Failure to effectively monitor the Ms. Johnson's excessive bleeding;
- (b) Failure to investigate further the cause of Ms. Johnson's uterine bleeding;
- (c) Failing to properly assess, pursue and/or perform appropriate diagnostic work-up;
- (d) Lacking the degree of knowledge or skill ordinarily exercised in treating Ms. Johnson;
- (e) Failing to order and/or prescribe appropriate medication;
- (f) Failing to follow-up and monitor Ms. Johnson's condition; and
- (g) All other breaches of the standards of care, negligence or fault that may be found following discovery and at trial.

9.

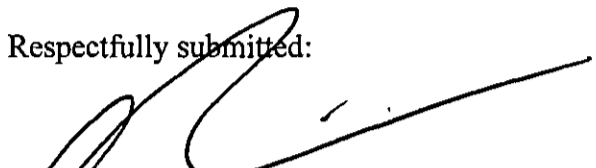
All of the above-referenced breaches of the applicable standards of care, negligence and fault of defendants caused and/or contributed to Ms. Johnson's damages. Ms. Johnson's damages include, but are not limited to the following: physical pain and suffering, past, present and future; mental suffering, past, present and future; loss of wages and/or loss of earning capacity, past, present and future; scarring and disfigurement; disability; loss of income, past, present and future; loss of earning capacity, past, present and future; loss of fringe benefits; medical expenses, past, present and future; and loss of enjoyment of life.

10.

Defendant, Canal Women's Clinic, L.L.C., is liable for the fault of negligence of its employees, agents and staff, including but not limited to the acts and omissions of Dr. Work and their staff, under the doctrine of *respondeat superior*.

WHEREFORE, Plaintiff, Heather Johnson, prays that this Petition for Damages be deemed good and sufficient and that Defendants, Kevin G. Work, M.D., and Canal Women's Clinic L.L.C., be served and cited with a copy of this Petition, and that after all due proceedings be had herein, that judgment be entered in favor of Plaintiff and against Defendants, jointly, severally and *in solido*, for all reasonable damages, together with all costs of these proceedings, for legal interest from the date of filing with the Division of Administration on August 24, 2016, or alternatively from the date of judicial demand, until paid, and for all general and equitable relief.

Respectfully submitted:



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PLEASE SERVE:

Kevin Work, M.D.
3315 Canal Street
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Canal Women's Clinic L.L.C.
Through its agent for service:
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