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IN THE CIRCUIT COURT OF FLORIDA, EIGHTH JUDICIAL CIRCUIT

IN AND FOR ALACHUA COUNTY

CIVIL ACTION

Steve Scofield, as parent and natural guardian of Jessica Ilene Scofield a minor, and Jessica Ilene Scofield, individually,

CASE NO.: 2001-CA-003285

Plaintiffs,

DIVISION:

-vs-

PAUL SIBLEY, M.D., and ALL WOMEN'S HEALTH CENTER OF GAINESVILLE, INC.,

Defendants.

AMENDED COMPLAINT

COUNT ONE

The Plaintiff, Jessica I. Scofield, individually, sues the Defendant, Paul Sibley, M.D., and says:

1. This is an action for damages that exceed the sum of \$25,000.00.
2. At the time of the acts and omissions of the Defendant alleged herein, the Plaintiff, Jessica I. Scofield, was a minor child, who lacked the legal capacity to enter into a contract or to waive her rights of action against the Defendant, Paul Sibley, M.D.
3. The Plaintiff, Jessica I. Scofield, has now reached the age of majority and has elected to rescind her signature on any and all written agreements, authorizations,

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consent forms, and written waivers of claims or actions, which pertain to the alleged acts and omissions of the Defendant, Paul Sibley, M.D., which occurred on or about September 30, 1997.

4. The Plaintiff, Jessica I. Scofield, has now reached the age of majority and has elected to rescind any and all oral authorizations, consent, and waivers of claims or actions, which pertain to the alleged acts and omissions of the Defendant, Paul Sibley, M.D.

5. At all times material hereto, the Defendant, Paul Sibley, M.D., was acting individually, and performed all acts alleged herein, in Gainesville, Alachua County, Florida.

6. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., knew or should have known that Jessica I. Scofield was a minor child, and that she did not have legal capacity and standing to enter into a binding contract, or to grant legal authority to the Defendant, Paul Sibley, M.D., to perform an abortion procedure on her and/or her unborn child, or to waive her rights or the parental rights of her father and natural guardian.

7. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., knew or should have known, with the exercise of due care, that Jessica I. Scofield was a minor child, and that she did not have the mental maturity or capacity to exercise good judgment in a stressful, life altering matters, such as whether or not to obtain an abortion, or to place for adoption the child she carried.

8. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., performed an unauthorized abortion procedure on the said Jessica I. Scofield, a minor child, without

the knowledge or consent of her father and natural guardian, Steve Scofield.

9. Said abortion procedure was performed on the premises of All Women's Health Center of Gainesville, Inc., and with the assistance of its employees or authorized agents.

10. Prior to performing the said abortion procedure, the Defendant, Paul Sibley, M.D., was under a duty to contact Plaintiff's father and natural guardian, Steve Scofield, and to obtain his consent or disapproval to perform an abortion on Jessica I. Scofield and/or her unborn child, since Jessica Scofield did not have the legal capacity, or mental maturity to make such a life altering decision.

11. Prior to performing the said abortion procedure on Jessica I. Scofield, the Defendant, Paul Sibley, M.D., negligently failed to contact, or failed to even attempt to contact Plaintiff's father, Steve Scofield, and to obtain his consent or disapproval to perform an abortion on Jessica I. Scofield and/or her unborn child, since Jessica Scofield did not have the legal capacity, or mental maturity to make such a life altering decision.

12. Prior to performing the said abortion procedure on Jessica I. Scofield, the Defendant, Paul Sibley, M.D., negligently failed to counsel with and to fully disclose to Jessica I. Scofield all of the options available to Plaintiff concerning her pregnancy, other than abortion.

13. As a direct result of said negligence, the Defendant, Paul Sibley, M.D., breached said duty, and caused damage to Plaintiff by interfering with, and effectively preventing her from obtaining proper psychological and spiritual guidance, counseling and protection from her father and natural guardian, Steve Scofield.

14. As a direct result of said negligence, the Defendant, Paul Sibley, M.D., caused damage to Plaintiff by withholding vital information concerning alternative methods of

proceeding in regard to her pregnancy, rather than abortion, thereby depriving Plaintiff of a factual basis for making a reasonable, rational, and fully informed decision concerning a life altering situation.

15. As a direct result of said negligence, the Plaintiff, Jessica I. Scofield, has sustained physical trauma, mental anguish, and emotional distress due to said abortion, and has been permanently deprived of her child, which would have been born, but for the negligence of the defendant, Paul Sibley.

WHEREFORE, the Plaintiff, Jessica I. Scofield, demands judgment for compensatory damages against the Defendant, Paul Sibley, M.D., together with court costs, and demands a trial by jury on all issues triable by jury.

COUNT TWO

The Plaintiff, Jessica I. Scofield, individually, sues the Defendant, Paul Sibley, M.D., and says:

16. This is an action for damages that exceed the sum of \$25,000.00.

17. At the time of the acts and omissions of the Defendant alleged herein, the Plaintiff, Jessica I. Scofield, was a minor child, who lacked the legal capacity to enter into a contract or to waive her rights of action against the Defendant, Paul Sibley, M.D.

18. The Plaintiff, Jessica I. Scofield, has now reached the age of majority and has elected to rescind her signature on any and all **written** authorizations, consent forms, and written waivers of claims or actions, which pertain to the alleged acts and omissions of the Defendant, Paul Sibley, M.D.

19. The Plaintiff, Jessica I. Scofield, has now reached the age of majority and has elected to rescind any and all **oral** authorizations, consent, and waivers of claims or

actions, which pertain to the alleged acts and omissions of the Defendant, Paul Sibley, M.D.

20. At all times material hereto, the Defendant, Paul Sibley, M.D., was acting individually, and performed all acts alleged herein, in Gainesville, Alachua County, Florida.

21. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., knew or should have known that Jessica I. Scofield was a minor child, and that she did not have legal capacity and standing to enter into a contract, or to grant legal authority to the Defendant, Paul Sibley, M.D., to perform an abortion procedure on her and/or her unborn child, or to waive her rights or the parental rights of her father and natural guardian.

22. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., knew or should have known, with the exercise of due care, that Jessica I. Scofield was a minor child, and that she did not have the mental maturity or capacity to exercise good judgment in stressful, life altering matters, such as whether or not to obtain an abortion, or to place for adoption the child she carried.

23. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., willfully, wantonly, and intentionally performed an unauthorized abortion procedure on the said Jessica I. Scofield, a minor child, without the knowledge and consent of her father and natural guardian, Steve Scofield.

24. Said abortion procedure was performed on the premises of All Women's Health Center of Gainesville, Inc., and with the assistance of its employees or authorized agents.

25. Prior to performing the said abortion procedure, the Defendant, Paul Sibley, M.D., was under a duty to contact Plaintiff's father and natural guardian, Steve Scofield, and to obtain his consent or disapproval to perform an abortion on Jessica I. Scofield and/or her unborn child, since Jessica Scofield did not have the legal capacity, or mental maturity to make such a life altering decision.

26. Prior to performing the said abortion procedure on Jessica I. Scofield, the Defendant, Paul Sibley, M.D., willfully, wantonly, and intentionally failed to contact, or failed to even attempt to contact Plaintiff's father, Steve Scofield, and to obtain his consent to perform an abortion on Jessica I. Scofield and/or her unborn child, since Jessica Scofield did not have the legal capacity, or mental maturity to make such a life altering decision.

27. Prior to performing the said abortion procedure on Jessica I. Scofield, the Defendant, Paul Sibley, M.D., willfully, wantonly, and intentionally failed to counsel with and to fully disclose to Jessica I. Scofield all of the options available to Plaintiff concern her pregnancy, other than abortion.

28. As a direct result of said negligence, the Defendant, Paul Sibley, M.D., breached said duty, and caused damage to Plaintiff by interfering with, and effectively preventing her from obtaining proper psychological and spiritual guidance, counseling and protection from her father and natural guardian, Steve Scofield.

29. As a direct result of said willful, wanton, and intentional acts and omissions, the Defendant, Paul Sibley, M.D., caused damage to Plaintiff by withholding vital information concerning alternative methods of proceeding in regard to her pregnancy,

rather than abortion, thereby depriving Plaintiff of a factual basis for making a reasonable, rational, and fully informed decision concerning a life altering situation.

30. As a direct result of said willful, wanton, and intentional acts and omissions, the Plaintiff, Jessica I. Scofield, has sustained physical trauma, mental anguish, and emotional distress due to said abortion, and has been permanently deprived of her child, which would have been born, but for the said acts and omissions of the defendant, Paul Sibley.

WHEREFORE, the Plaintiff, Jessica I. Scofield, demands judgment for compensatory damages against the Defendant, Paul Sibley, M.D., together with court costs, and demands a trial by jury on all issues triable by jury.

COUNT THREE

The Plaintiff, Jessica I. Scofield, individually, sues the Defendant, Paul Sibley, M.D., and says:

31. This is an action for damages that exceed the sum of \$25,000.00.

32. At the time of the acts and omissions of the Defendant alleged herein, the Plaintiff, Jessica I. Scofield, was a minor child, who lacked the legal capacity to enter into a contract or to waive her rights of action against the Defendant, Paul Sibley, M.D.

33. The Plaintiff, Jessica I. Scofield, has now reached the age of majority and has elected to rescind her signature on any and all written authorizations, consent forms, and written waivers of claims or actions, which pertain to the alleged acts and omissions of the Defendant, Paul Sibley, M.D.

34. The Plaintiff, Jessica I. Scofield, has now reached the age of majority and has elected to rescind any and all oral authorizations, consent, and waivers of claims or

actions, which pertain to the alleged acts and omissions of the Defendant, Paul Sibley, M.D.

35. At all times material hereto, the Defendant, Paul Sibley, M.D., was acting individually, and performed all acts alleged herein, in Gainesville, Alachua County, Florida.

36. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., knew or should have known that Jessica I. Scofield was a minor child, and that she did not have legal capacity and standing to enter into a contract, or to grant legal authority to the Defendant, Paul Sibley, M.D., to perform an abortion procedure on her and/or her unborn child, or to waive her rights or the parental rights of her father and natural guardian.

37. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., knew or should have known, with the exercise of due care, that Jessica I. Scofield was a minor child, and that she did not have the mental maturity or capacity to exercise good judgment in stressful, life altering matters, such as whether, or not, to obtain an abortion, raise the child, or to place for adoption, the child she carried.

38. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., willfully, wantonly, and intentionally performed an unauthorized abortion procedure on the said Jessica I. Scofield, a minor child, without the knowledge and consent of her father and natural guardian, Steve Scofield.

39. Said abortion procedure was performed on the premises of All Women's Health Center of Gainesville, Inc., and with the assistance of its employees or authorized agents.

40. Prior to performing the said abortion procedure, the Defendant, Paul Sibley, M.D., was under a duty to contact Plaintiff's father and natural guardian, Steve Scofield, and to obtain his consent or disapproval to perform an abortion on Jessica I. Scofield and/or her unborn child, since Jessica Scofield did not have the legal capacity, or mental maturity to make such a life altering decision.

41. Prior to performing the said abortion procedure on Jessica I. Scofield, the Defendant, Paul Sibley, M.D., willfully, wantonly, and intentionally failed to contact, or failed to even attempt to contact Plaintiff's father, Steve Scofield, and to obtain his consent or disapproval to perform an abortion on Jessica I. Scofield and/or her unborn child, since Jessica Scofield did not have the legal capacity, or mental maturity to make such a life altering decision.

42. Prior to performing the said abortion procedure on Jessica I. Scofield, the Defendant, Paul Sibley, M.D., willfully, wantonly, and intentionally failed to counsel with and to fully disclose to Jessica I. Scofield all of the options available to Plaintiff concern her pregnancy, other than abortion.

43. As a direct result of said willful, wanton, and intentional acts and omissions, the Defendant, Paul Sibley, M.D., breached said duty, and caused damage to Plaintiff by interfering with, and effectively preventing her from obtaining proper psychological and spiritual guidance, counseling and protection from her father and natural guardian, Steve Scofield.

44. As a direct result of said willful, wanton, and intentional acts and omissions, the Defendant, Paul Sibley, M.D., caused damage to Plaintiff by withholding vital

information concerning alternative methods of proceeding in regard to her pregnancy, rather than abortion, thereby depriving Plaintiff of a factual basis for making a reasonable, rational and fully informed decision concerning a life altering situation.

45. As a direct result of said willful, wanton, and intentional acts and omissions, the Plaintiff, Jessica I. Scofield, has sustained physical trauma, mental anguish, and emotional distress due to said abortion, and has been permanently deprived of her child, which would have been born, but for the said acts and omissions of the defendant, Paul Sibley.

WHEREFORE, the Plaintiff, Jessica I. Scofield, demands judgment for punitive damages against the Defendant, Paul Sibley, M.D., together with court costs, and demands a trial by jury on all issues triable by jury.

COUNT FOUR

The Plaintiff, Jessica I. Scofield, individually, sues the Defendant, All Women's Health Center of Gainesville, Inc., and says:

46. This is an action for damages that exceed the sum of \$25,000.00.

47. At all times material hereto, the Plaintiff, Jessica I. Scofield, was and is the natural child of Steve Scofield.

48. At all times material hereto, Plaintiff, Jessica I. Scofield, was a minor child, who lacked the legal capacity to enter into a contract.

49. At all times material hereto, the Defendant, All Women's Health Center of Gainesville, Inc., was acting as an employer, or principal of its authorized agent, Paul Sibley, M.D., and performed all acts alleged herein, at the facilities of All Women's

Health Center of Gainesville, Inc., located at 1135 N.W. 23rd Avenue, in Gainesville, Alachua County, Florida.

50. On or about September 30, 1997, the Defendants, Paul Sibley, M.D. and All Women's Health Center of Gainesville, Inc., knew or should have known that the Plaintiff, Jessica I. Scofield, was a minor child, and that she did not have legal capacity to enter into a contract, or to waive the parental rights of her father and natural guardian.

51. On or about September 30, 1997, the Defendants, Paul Sibley, M.D. and All Women's Health Center of Gainesville, Inc., knew or should have known, through the use of due care, that the Plaintiff, Steve Scofield was the father and natural guardian of the Plaintiff, Jessica I. Scofield, and that Plaintiff's father was entitled to exercise the parental rights and duties to raise, protect, counsel, and provide guidance to Jessica I. Scofield, during her years of minority.

52. On or about September 30, 1997, the Defendant, All Women's Health Center of Gainesville, Inc., by and through its employee or authorized agent Paul Sibley, M.D., negligently approved and performed an unauthorized abortion procedure on Plaintiff, Jessica I. Scofield, who was a minor child at the time, without the knowledge or consent of her father and natural guardian, Steve Scofield.

53. Said abortion procedure was performed on the premises of All Women's Health Center of Gainesville, Inc., and with the assistance of its employees or authorized agents.

54. Prior to performing the said abortion procedure, the Defendant, All Women's Health Center of Gainesville, Inc., was under a duty to contact and advise Plaintiff's

Father, Steve Scofield, that Jessica I. Scofield was consulting with Paul Sibley, M.D., concerning the possibility of having an abortion performed by, at the facilities of All Women's Health Center, Inc.

55. Prior to performing the said abortion procedure on Jessica I. Scofield, the Defendant, All Women's Health Center of Gainesville, Inc., negligently failed to contact, or failed to attempt to contact Plaintiff's father, Steve Scofield, and to advise him that Plaintiff was consulting with him concerning the possibility of having an abortion performed by Paul Sibley, M.D., at the facilities of All Women's Health Center, Inc.

56. As a direct result of said negligence, the Defendant, All Women's Health Center of Gainesville, Inc., breached said duty, and caused damage to Plaintiff by interfering with, and preventing the Plaintiff from receiving the parental and spiritual guidance Father, Steve Scofield, during her minority.

57. As a direct result of said negligence, the Defendant, All Women's Health Center of Gainesville, Inc., deprived Plaintiff, Jessica I. Scofield, of any and all opportunity she may have had to receive the love, protection, counseling, and guidance of her Father, Steve Scofield, during her minority.

58. As a direct result of said negligence, the Defendant, All Women's Health Center of Gainesville, Inc., deprived the Plaintiff, Jessica I. Scofield, of any and all opportunity she may have had to experience the family relationship with and companionship of her child, who would have been born, but for the negligence of the Defendant, All Women's Health Center of Gainesville, Inc..

WHEREFORE, the Plaintiff, Jessica I. Scofield, demands judgment for compensatory damages against the Defendant, All Women's Health Center of Gainesville,

Inc., together with court costs, and demands a trial by jury on all issues triable by jury.

COUNT FIVE

The Plaintiff, Jessica I. Scofield, individually, sues the Defendant, All Women's Health Center of Gainesville, Inc., and says:

59. This is an action for damages that exceed the sum of \$25,000.00.

60. At all times material hereto, the Plaintiff, Jessica I. Scofield, was and is the natural child of Steve Scofield.

61. At all times material hereto, Plaintiff, Jessica I. Scofield, was a minor child, who lacked the legal capacity to enter into a contract.

62. At all times material hereto, the Defendant, All Women's Health Center of Gainesville, Inc., was acting as an employer, or principal of its authorized agent, Paul Sibley, M.D., and performed all acts alleged herein, at the facilities of All Women's Health Center of Gainesville, Inc., located at 1135 N.W. 23rd Avenue, in Gainesville, Alachua County, Florida.

63. On or about September 30, 1997, the Defendants, Paul Sibley, M.D. and All Women's Health Center of Gainesville, Inc., knew or should have known that the Plaintiff, Jessica I. Scofield, was a minor child, and that she did not have legal capacity to enter into a contract, or to waive the parental rights of her father and natural guardian.

64. On or about September 30, 1997, the Defendants, Paul Sibley, M.D. and All Women's Health Center of Gainesville, Inc., knew or should have known, through the use of due care, that the Plaintiff, Steve Scofield was the father and natural guardian of the Plaintiff, Jessica I. Scofield, and that Plaintiff's father was entitled to exercise the parental rights and duties to raise, protect, counsel, and provide guidance to Jessica I. Scofield,

during her years of minority.

65. On or about September 30, 1997, the Defendant, All Women's Health Center of Gainesville, Inc., by and through its employee or authorized agent Paul Sibley, M.D., willfully, wantonly and intentionally approved and performed an unauthorized abortion procedure on Plaintiff, Jessica I. Scofield, who was a minor child at the time, without the knowledge or consent of her father and natural guardian, Steve Scofield.

66. Said abortion procedure was performed on the premises of All Women's Health Center of Gainesville, Inc., and with the assistance of its employees or authorized agents.

67. Prior to performing the said abortion procedure, the Defendant, All Women's Health Center of Gainesville, Inc., was under a legal and common law duty to contact and advise Plaintiff's Father, Steve Scofield, that Jessica I. Scofield was consulting with Paul Sibley, M.D., concerning the possibility of having an abortion performed by, at the facilities of All Women's Health Center, Inc.

68. Prior to performing the said abortion procedure on Jessica I. Scofield, the Defendant, All Women's Health Center of Gainesville, Inc., willfully, wantonly and intentionally failed to contact, or failed to attempt to contact Plaintiff's father, Steve Scofield, and to advise him that Plaintiff was consulting with him concerning the possibility of having an abortion performed by Paul Sibley, M.D., at the facilities of All Women's Health Center, Inc.

69. As a direct result of said willful, wanton and intentional acts and omissions, the Defendant, All Women's Health Center of Gainesville, Inc., breached said duty, and

caused damage to Plaintiff by interfering with, and preventing the Plaintiff from receiving the parental and spiritual guidance of her father, Steve Scofield, during her minority.

70. As a direct result of said willful, wanton and intentional acts and omissions, the Defendant, All Women's Health Center of Gainesville, Inc., deprived Plaintiff, Jessica I. Scofield, of any and all opportunity she may have had to receive the love, protection, counseling, and guidance of her father, Steve Scofield, during her minority.

71. As a direct result of said willful, wanton and intentional acts and omissions, the Defendant, All Women's Health Center of Gainesville, Inc., deprived the Plaintiff, Jessica I. Scofield, of any and all opportunity she may have had to experience the family relationship with and companionship of her child, who would have been born, but for the willful, wanton and intentional acts and omissions of the Defendant, All Women's Health Center of Gainesville, Inc.

WHEREFORE, the Plaintiff, Jessica I. Scofield, demands judgment for compensatory damages against the Defendant, All Women's Health Center of Gainesville, Inc., together with court costs, and demands a trial by jury on all issues triable by jury.

COUNT SIX

The Plaintiff, Jessica I. Scofield, individually, sues the Defendant, All Women's Health Center of Gainesville, Inc., and says:

72. This is an action for damages that exceed the sum of \$25,000.00.

73. At all times material hereto, the Plaintiff, Jessica I. Scofield, was and is the natural child of Steve Scofield.

74. At all times material hereto, Plaintiff, Jessica I. Scofield, was a minor child,

who lacked the legal capacity to enter into a contract.

75. At all times material hereto, the Defendant, All Women's Health Center of Gainesville, Inc., was acting as an employer, or principal of its authorized agent, Paul Sibley, M.D., and performed all acts alleged herein, at the facilities of All Women's Health Center of Gainesville, Inc., located at 1135 N.W. 23rd Avenue, in Gainesville, Alachua County, Florida.

76. On or about September 30, 1997, the Defendants, Paul Sibley, M.D. and All Women's Health Center of Gainesville, Inc., knew or should have known that the Plaintiff, Jessica I. Scofield, was a minor child, and that she did not have legal capacity to enter into a contract, or to waive the parental rights of her father and natural guardian.

77. On or about September 30, 1997, the Defendants, Paul Sibley, M.D. and All Women's Health Center of Gainesville, Inc., knew or should have known, through the use of due care, that the Plaintiff, Steve Scofield was the father and natural guardian of the Plaintiff, Jessica I. Scofield, and that Plaintiff's father was entitled to exercise the parental rights and duties to raise, protect, counsel, and provide guidance to Jessica I. Scofield, during her years of minority.

78. On or about September 30, 1997, the Defendant, All Women's Health Center of Gainesville, Inc., by and through its employee or authorized agent Paul Sibley, M.D., willfully, wantonly and intentionally approved and performed an unauthorized abortion procedure on Plaintiff, Jessica I. Scofield, who was a minor child at the time, without the knowledge or consent of her father and natural guardian, Steve Scofield.

79. Said abortion procedure was performed on the premises of All Women's

Health Center of Gainesville, Inc., and with the assistance of its employees or authorized agents.

80. Prior to performing the said abortion procedure, the Defendant, All Women's Health Center of Gainesville, Inc., was under a duty to contact and advise Plaintiff's Father, Steve Scofield, that Jessica I. Scofield was consulting with Paul Sibley, M.D., concerning the possibility of having an abortion performed, at the facilities of All Women's Health Center, Inc.

81. Prior to performing the said abortion procedure on Jessica I. Scofield, the Defendant, All Women's Health Center of Gainesville, Inc., willfully, wantonly and intentionally failed to contact, or failed to attempt to contact Plaintiff's father, Steve Scofield, and to advise him that Plaintiff was consulting with him concerning the possibility of having an abortion performed by Paul Sibley, M.D., at the facilities of All Women's Health Center, Inc.

82. As a direct result of said willful, wanton and intentional acts and omissions, the Defendant, All Women's Health Center of Gainesville, Inc., breached said duty, and caused damage to Plaintiff by interfering with, and preventing the Plaintiff from receiving the parental and spiritual guidance father, Steve Scofield, during her minority.

83. As a direct result of said willful, wanton and intentional acts and omissions, the Defendant, All Women's Health Center of Gainesville, Inc., deprived Plaintiff, Jessica I. Scofield, of any and all opportunity she may have had to receive the love, protection, counseling, and guidance of her Father, Steve Scofield, during her minority.

84. As a direct result of said willful, wanton and intentional acts and omissions, the Defendant, All Women's Health Center of Gainesville, Inc., deprived the Plaintiff,

Jessica I. Scofield, of any and all opportunity she may have had to experience the family relationship with and companionship of her child, who would have been born, but for the willful, wanton and intentional acts and omissions of the Defendant, All Women's Health Center of Gainesville, Inc.

WHEREFORE, the Plaintiff, Jessica I. Scofield, demands judgment for punitive damages against the Defendant, All Women's Health Center of Gainesville, Inc., together with court costs, and demands a trial by jury on all issues triable by jury.

COUNT SEVEN

The Plaintiff, Steve Scofield, individually, sues the Defendant, Paul Sibley, M.D., and says:

85. This is an action for damages that exceed the sum of \$25,000.00.

86. At all times material hereto, the Plaintiff, Steve Scofield, was and is the father and natural guardian of Jessica I. Scofield, a minor, and was under a legal and common law duty and responsibility to raise, protect, care for, provide parental and spiritual guidance and counseling for said minor child.

87. At all times material hereto, Plaintiff's daughter, Jessica I. Scofield, was a minor child, who lacked the legal capacity to enter into a contract.

88. At all times material hereto, the Defendant, Paul Sibley, M.D., was acting individually, and performed all acts alleged herein, in Gainesville, Alachua County, Florida.

89. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., knew or should have known that Jessica I. Scofield was a minor child, and that she did not have

legal capacity to enter into a contract, or to waive the parental rights of her father and natural guardian.

90. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., knew or should have known, through the use of due care, that the Plaintiff, Steve Scofield was the father and natural guardian of the said, Jessica I. Scofield, and that Plaintiff was entitled to exercise the parental rights and duties to raise, protect, advise, and to provide parental and spiritual guidance and counseling to Jessica I. Scofield, during her years of minority.

91. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., performed an unauthorized abortion procedure on the said Jessica I. Scofield, a minor child, and/or her unborn child, without the knowledge and consent of her father and natural guardian, Steve Scofield.

92. Said unlawful abortion procedure was performed on the premises of All Women's Health Center of Gainesville, Inc., and with the assistance of its employees or authorized agents.

93. Prior to performing said abortion procedure, the Defendant, Paul Sibley, M.D., was under a legal and common law duty to contact and advise Plaintiff, Steve Scofield, that Jessica I. Scofield was consulting with him concerning the possibility of having an abortion performed by Paul Sibley, M.D., at the facilities of All Women's Health Center, Inc., and to either obtain Steve Scofield's authorization to perform said abortion, or to refrain from performing said abortion.

94. Prior to performing said abortion procedure on Jessica I. Scofield, the Defendant, Paul Sibley, M.D., breached said duty by negligently failing to contact the

father, Steve Scofield, and to advise him that Jessica I. Scofield was consulting with him concerning the possibility of having an abortion performed by Paul Sibley, M.D., at the facilities of All Women's Health Center, Inc., and to either obtain Steve Scofield's authorization to perform said abortion, or to refrain from performing said abortion.

95. As a direct result of said negligence, the Defendant, Paul Sibley, M.D., caused damage to Plaintiff by interfering with, and preventing the Plaintiff, Steve Scofield, from exercising his parental rights and duties to raise, protect, advise, counsel with, and provide parental and spiritual guidance to his minor child, Jessica I. Scofield, during her minority.

96. As a direct result of said negligence, Defendant Sibley deprived the Plaintiff, Steve Scofield, of any and all opportunity he may have had to provide love, protect, advise, counsel, and parental and spiritual guidance to his minor child, and to experience the family relationship and companionship with his grand child, who would have been born, but for the negligence of the defendant Sibley.

WHEREFORE, the Plaintiff, Steve Scofield, demands judgment for compensatory damages against the Defendant, Paul Sibley, M.D., together with court costs, and demands a trial by jury on all issues triable by jury.

COUNT EIGHT

The Plaintiff, Steve Scofield, individually, sues the Defendant, Paul Sibley, M.D., and says:

97. This is an action for damages that exceed the sum of \$25,000.00.

98. At all times material hereto, the Plaintiff, Steve Scofield, was and is the father and natural guardian of Jessica I. Scofield, a minor, and was under a legal and common

law duty and responsibility to raise, protect, care for, provide parental and spiritual guidance and counseling for said minor child.

99. At all times material hereto, Plaintiff's daughter, Jessica I. Scofield, was a minor child, who lacked the legal capacity to enter into a contract.

100. At all times material hereto, the Defendant, Paul Sibley, M.D., was acting individually, and performed all acts alleged herein, in Gainesville, Alachua County, Florida.

101. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., knew or should have known that Jessica I. Scofield was a minor child, and that she did not have legal capacity to enter into a contract, or to waive the parental rights of her father and natural guardian.

102. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., knew or should have known, through the use of due care, that the Plaintiff, Steve Scofield was the father and natural guardian of the said, Jessica I. Scofield, and that Plaintiff was entitled to exercise the parental rights and duties to raise, protect, advise, and to provide parental and spiritual guidance and counseling to Jessica I. Scofield, during her years of minority.

103. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., performed an unauthorized abortion procedure on the said Jessica I. Scofield, a minor child, and/or her unborn child, without the knowledge and consent of her father and natural guardian, Steve Scofield.

104. Said unlawful abortion procedure was performed on the premises of All Women's Health Center of Gainesville, Inc., and with the assistance of its employees or authorized agents.

105. Prior to performing said abortion procedure, the Defendant, Paul Sibley, M.D., was under a legal and common law duty to contact and advise Plaintiff, Steve Scofield, that Jessica I. Scofield was consulting with him concerning the possibility of having an abortion performed by Paul Sibley, M.D., at the facilities of All Women's Health Center, Inc., and to either obtain Steve Scofield's authorization to perform said abortion, or to refrain from performing said abortion.

106. Prior to performing said abortion procedure on Jessica I. Scofield, the Defendant, Paul Sibley, M.D., breached said duty by willfully, wantonly, and intentionally failing to contact the father, Steve Scofield, and to advise him that Jessica I. Scofield was consulting with him concerning the possibility of having an abortion performed by Paul Sibley, M.D., at the facilities of All Women's Health Center, Inc., and to either obtain Steve Scofield's authorization to perform said abortion, or to refrain from performing said abortion.

107. As a direct result of said willful, wanton, and intentional acts and omissions, the Defendant, Paul Sibley, M.D., caused past and future damages to Plaintiff by intentionally interfering with, and preventing the Plaintiff, Steve Scofield, from exercising his parental rights and duties to raise, protect, advise, counsel, and provide parental and spiritual guidance to his minor child, Jessica I. Scofield, during her minority.

108. As a direct result of said willful, wanton, and intentional acts and omissions, Defendant Sibley deprived the Plaintiff, Steve Scofield, of any and all opportunity he may have had to provide love, protect, advise, counsel, and parental and spiritual guidance

to his minor child, and to experience the family relationship and companionship with his grand child, who would have been born, but for said acts and of the defendant Sibley.

WHEREFORE, the Plaintiff, Steve Scofield, demands judgment for compensatory damages against the Defendant, Paul Sibley, M.D., together with court costs, and demands a trial by jury on all issues triable by jury.

COUNT NINE

The Plaintiff, Steve Scofield, individually, sues the Defendant, Paul Sibley, M.D., and says:

109. This is an action for damages that exceed the sum of \$25,000.00.

110. At all times material hereto, the Plaintiff, Steve Scofield, was and is the father and natural guardian of Jessica I. Scofield, a minor, and was under a legal and common law duty and responsibility to raise, protect, care for, provide parental and spiritual guidance and counseling for said minor child.

111. At all times material hereto, Plaintiff's daughter, Jessica I. Scofield, was a minor child, who lacked the legal capacity to enter into a contract.

112. At all times material hereto, the Defendant, Paul Sibley, M.D., was acting individually, and performed all acts alleged herein, in Gainesville, Alachua County, Florida.

113. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., knew or should have known that Jessica I. Scofield was a minor child, and that she did not have legal capacity to enter into a contract, or to waive the parental rights of her father and natural guardian.

114. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., knew or should have known, through the use of due care, that the Plaintiff, Steve Scofield was the father and natural guardian of the said, Jessica I. Scofield, and that Plaintiff was entitled to exercise the parental rights and duties to raise, protect, advise, and to provide parental and spiritual guidance and counseling to Jessica I. Scofield, during her years of minority.

115. On or about September 30, 1997, the Defendant, Paul Sibley, M.D., performed an unauthorized abortion procedure on the said Jessica I. Scofield, a minor child, and/or her unborn child, without the knowledge and consent of her father and natural guardian, Steve Scofield.

116. Said unlawful abortion procedure was performed on the premises of All Women's Health Center of Gainesville, Inc., and with the assistance of its employees or authorized agents.

117. Prior to performing said abortion procedure, the Defendant, Paul Sibley, M.D., was under a legal and common law duty to contact and advise Plaintiff, Steve Scofield, that Jessica I. Scofield was consulting with him concerning the possibility of having an abortion performed by Paul Sibley, M.D., at the facilities of All Women's Health Center, Inc., and to either obtain Steve Scofield's authorization to perform said abortion, or to refrain from performing said abortion.

118. Prior to performing said abortion procedure on Jessica I. Scofield, the Defendant, Paul Sibley, M.D., breached said duty by willfully, wantonly, and intentionally failing to contact the father, Steve Scofield, and to advise him that Jessica I. Scofield was consulting with him concerning the possibility of having an abortion

performed by Paul Sibley, M.D., at the facilities of All Women's Health Center, Inc., and to either obtain Steve Scofield's authorization to perform said abortion, or to refrain from performing said abortion.

119. As a direct result of said willful, wanton, and intentional acts and omissions, the Defendant, Paul Sibley, M.D., caused past and future damages to Plaintiff by intentionally interfering with, and preventing the Plaintiff, Steve Scofield, from exercising his parental rights and duties to raise, protect, advise, counsel, and provide parental and spiritual guidance to his minor child, Jessica I. Scofield, during her minority.

120. As a direct result of said willful, wanton, and intentional acts and omissions, Defendant Sibley deprived the Plaintiff, Steve Scofield, of any and all opportunity he may have had to provide love, protect, advise, counsel, and parental and spiritual guidance to his minor child, and to experience the family relationship and companionship with his grand child, who would have been born, but for said acts and of the defendant Sibley.

WHEREFORE, the Plaintiff, Steve Scofield, demands judgment for punitive damages against the Defendant, Paul Sibley, M.D., together with court costs, and demands a trial by jury on all issues triable by jury.

COUNT TEN

Plaintiff, Steve Scofield, individually, sues the Defendant, All Women's Health Center of Gainesville, Inc., and says:

121. This is an action for damages that exceed the sum of \$25,000.00.

122. At all times material hereto, the Plaintiff, Steve Scofield, was and is the

father and natural guardian of Jessica I. Scofield, a minor, and who was under a legal and common law duty and responsibility to raise, advise, protect, care for, provide parental and spiritual guidance and counseling for said minor child.

123. At all times material hereto, Plaintiff's daughter, Jessica I. Scofield, was a minor child, who lacked the legal capacity to enter into a contract.

124. At all times material hereto, the Defendant, Paul Sibley, M.D., was acting as an employee or authorized agent for All Women's Health Center of Gainesville, Inc., and performed all acts alleged herein, at the facilities of All Women's Health Center of Gainesville, Inc., located at 1135 N.W. 23rd Avenue, in Gainesville, Alachua County, Florida.

125. On or about September 30, 1997, the Defendants, Paul Sibley, M.D. and All Women's Health Center of Gainesville, Inc., knew or should have known that Jessica I. Scofield was a minor child, and that she did not have legal capacity to enter into a contract, authorize defendant to perform an abortion on her and/or her unborn child, or to waive the parental rights of her father and natural guardian.

126. On or about September 30, 1997, the Defendants, Paul Sibley, M.D. and All Women's Health Center of Gainesville, Inc., knew or should have known, through the use of due care, that the Plaintiff, Steve Scofield was the father and natural guardian of the said Jessica I. Scofield, and that Plaintiff was entitled to exercise the parental rights and duties to raise, advise, protect, counsel, and provide parental and spiritual guidance to Jessica I. Scofield, during her years of minority.

127. On or about September 30, 1997, the Defendant, All Women's Health Center of Gainesville, Inc., by and through its employee or authorized agent Paul Sibley, M.D.,

negligently performed an unauthorized abortion procedure on the said Jessica I. Scofield, a minor child, and/or her unborn child, without the knowledge or consent of her father and natural guardian, Steve Scofield.

128. Said abortion procedure was performed on the premises of All Women's Health Center of Gainesville, Inc., and with the assistance of its employees or authorized agents.

129. Prior to performing the said abortion procedure, the Defendant, All Women's Health Center of Gainesville, Inc., was under a duty to contact and advise Plaintiff, Steve Scofield, that Jessica I. Scofield was consulting with Paul Sibley, M.D., concerning the possibility of having an abortion performed, at the facilities of All Women's Health Center, Inc., and to either obtain Steve Scofield's authorization to perform said abortion, or to refrain from performing said abortion.

130. Prior to performing the said abortion procedure on Jessica I. Scofield, the Defendant, All Women's Health Center of Gainesville, Inc., negligently failed to contact the father, Steve Scofield, and to advise him that Jessica I. Scofield was consulting with him concerning the possibility of having an abortion performed by Paul Sibley, M.D., at the facilities of All Women's Health Center, Inc., and to either obtain Steve Scofield's authorization and consent to perform said abortion.

131. As a direct result of said negligence, the Defendant, All Women's Health Center of Gainesville, Inc., breached said duty, and caused damage to Plaintiff by interfering with, and preventing the Plaintiff, Steve Scofield, from exercising his parental rights and duties of raising, protecting, counseling with, and providing parental and spiritual guidance to his minor child, Jessica I. Scofield, during her minority.

132. As a direct result of said negligence, Defendant, All Women's Health Center of Gainesville, Inc., deprived the Plaintiff, Steve Scofield, of any and all opportunity he may have had to provide love, protect, advise, counsel, and parental and spiritual guidance to his minor child, and to experience the family relationship and companionship with his grand child, who would have been born, but for said acts and of the defendant All Women's Health Center of Gainesville, Inc..

WHEREFORE, the Plaintiff, Steve Scofield, demands judgment for compensatory damages against the Defendant, All Women's Health Center of Gainesville, Inc., together with court costs, and demands a trial by jury on all issues triable by jury.

COUNT ELEVEN

The Plaintiff, Steve Scofield, individually, sues the Defendant, All Women's Health Center of Gainesville, Inc., and says:

133. This is an action for damages that exceed the sum of \$25,000.00.

134. At all times material hereto, the Plaintiff, Steve Scofield, was and is the father and natural guardian of Jessica I. Scofield, a minor, and who was under a legal and common law duty and responsibility to raise, protect, care for, provide parental and spiritual guidance and counseling for said minor child.

135. At all times material hereto, Plaintiff's daughter, Jessica I. Scofield, was a minor child, who lacked the legal capacity to enter into a contract.

136. At all times material hereto, the Defendant, Paul Sibley, M.D., was acting as an employee or authorized agent for All Women's Health Center of Gainesville, Inc., and performed all acts alleged herein, at the facilities of All Women's Health Center of Gainesville, Inc., located at 1135 N.W. 23rd Avenue, in Gainesville, Alachua County,

Florida.

137. On or about September 30, 1997, the Defendants, Paul Sibley, M.D. and All Women's Health Center of Gainesville, Inc., knew or should have known that Jessica I. Scofield was a minor child, and that she did not have legal capacity to enter into a contract, authorize defendant to perform an abortion on her and/or her unborn child, or to waive the parental rights of her father and natural guardian.

138. On or about September 30, 1997, the Defendant, Paul Sibley, M.D. and All Women's Health Center of Gainesville, Inc., knew or should have known, through the use of due care, that the Plaintiff, Steve Scofield was the father and natural guardian of the said Jessica I. Scofield, and that Plaintiff was entitled to exercise the parental rights and duties to raise, protect, counsel, and provide guidance to Jessica I. Scofield, during her years of minority.

139. On or about September 30, 1997, the Defendant, All Women's Health Center of Gainesville, Inc., by and through its employee or authorized agent Paul Sibley, M.D., knowingly, willfully, and intentionally performed an unauthorized abortion procedure on the said Jessica I. Scofield, a minor child, without the knowledge or consent of her father and natural guardian, Steve Scofield.

140. Said abortion procedure was performed on the premises of All Women's Health Center of Gainesville, Inc., and with the assistance of its employees or authorized agents.

141. Prior to performing the said abortion procedure, the Defendant, All Women's Health Center of Gainesville, Inc., was under a duty to contact and advise Plaintiff, Steve Scofield, that Jessica I. Scofield was consulting with Paul Sibley, M.D., concerning the

possibility of having an abortion performed, at the facilities of All Women's Health Center, Inc., and to either obtain Steve Scofield's authorization to perform said abortion, or to refrain from performing said abortion.

142. Prior to performing the said abortion procedure on Jessica I. Scofield, the Defendant, All Women's Health Center of Gainesville, Inc., knowingly, willfully, and intentionally failed to contact the father, Steve Scofield, and to advise him that Jessica I. Scofield was consulting with him concerning the possibility of having an abortion performed by Paul Sibley, M.D., at the facilities of All Women's Health Center, Inc., and to obtain Steve Scofield's authorization and consent to perform said abortion.

143. As a direct result of said willful, wanton and intentional acts and omissions, the Defendant, All Women's Health Center of Gainesville, Inc., breached said duty, and caused damage to Plaintiff by interfering with, and preventing the Plaintiff, Steve Scofield, from exercising his parental rights and duties of raising, advise, protecting, counseling with, and providing parental and spiritual guidance to his minor child, Jessica I. Scofield, during her minority.

144. As a direct result of said negligence, Defendant, All Women's Health Center of Gainesville, Inc., deprived the Plaintiff, Steve Scofield, of any and all opportunity he may have had to provide love, protect, advise, counsel, and parental and spiritual guidance to his minor child, and to experience the family relationship and companionship with his grand child, who would have been born, but for said acts and of the defendant All Women's Health Center of Gainesville, Inc..

WHEREFORE, the Plaintiff, Steve Scofield, demands judgment for compensatory damages against the Defendant, All Women's Health Center of Gainesville, Inc., together

with court costs, and demands a trial by jury on all issues triable by jury.

COUNT TWELVE

The Plaintiff, Steve Scofield, individually, sues the Defendant, All Women's Health Center of Gainesville, Inc., and says:

145. This is an action for damages that exceed the sum of \$25,000.00.

146. At all times material hereto, the Plaintiff, Steve Scofield, was and is the father and natural guardian of Jessica I. Scofield, a minor, and who was under a legal and common law duty and responsibility to raise, protect, care for, provide parental and spiritual guidance and counseling for said minor child.

147. At all times material hereto, Plaintiff's daughter, Jessica I. Scofield, was a minor child, who lacked the legal capacity to enter into a contract.

148. At all times material hereto, the Defendant, Paul Sibley, M.D., was acting as an employee or authorized agent for All Women's Health Center of Gainesville, Inc., and performed all acts alleged herein, at the facilities of All Women's Health Center of Gainesville, Inc., located at 1135 N.W. 23rd Avenue, in Gainesville, Alachua County, Florida.

149. On or about September 30, 1997, the Defendants, Paul Sibley, M.D. and All Women's Health Center of Gainesville, Inc., knew or should have known that Jessica I. Scofield was a minor child, and that she did not have legal capacity to enter into a contract, authorize defendant to perform an abortion on her and/or her unborn child, or to waive the parental rights of her father and natural guardian.

150. On or about September 30, 1997, the Defendant, Paul Sibley, M.D. and All Women's Health Center of Gainesville, Inc., knew or should have known, through the use

of due care, that the Plaintiff, Steve Scofield was the father and natural guardian of the said Jessica I. Scofield, and that Plaintiff was entitled to exercise the parental rights and duties to raise, protect, counsel, and provide guidance to Jessica I. Scofield, during her years of minority.

151. On or about September 30, 1997, the Defendant, All Women's Health Center of Gainesville, Inc., by and through its employee or authorized agent Paul Sibley, M.D., knowingly, willfully, and intentionally performed an unauthorized abortion procedure on the said Jessica I. Scofield, a minor child, without the knowledge or consent of her father and natural guardian, Steve Scofield.

152. Said abortion procedure was performed on the premises of All Women's Health Center of Gainesville, Inc., and with the assistance of its employees or authorized agents.

153. Prior to performing the said abortion procedure, the Defendant, All Women's Health Center of Gainesville, Inc., was under a duty to contact and advise Plaintiff, Steve Scofield, that Jessica I. Scofield was consulting with Paul Sibley, M.D., concerning the possibility of having an abortion performed by, at the facilities of All Women's Health Center, Inc., and to either obtain Steve Scofield's authorization to perform said abortion, or to refrain from performing said abortion.


154. Prior to performing the said abortion procedure on Jessica I. Scofield, the Defendant, All Women's Health Center of Gainesville, Inc., knowingly, willfully, and intentionally failed to contact the father, Steve Scofield, and to advise him that Jessica I. Scofield was consulting with him concerning the possibility of having an abortion performed by Paul Sibley, M.D., at the facilities of All Women's Health Center, Inc., and

to obtain Steve Scofield's authorization and consent to perform said abortion.

155. As a direct result of said intentional omission, the Defendant, All Women's Health Center of Gainesville, Inc., breached said duty, and caused damage to Plaintiff by interfering with, and preventing the Plaintiff, Steve Scofield, from exercising his parental rights and duties of raising, protecting, counseling with, and providing parental and spiritual guidance to his minor child, Jessica I. Scofield, during her minority.


156. As a direct result of said negligence, Defendant, All Women's Health Center of Gainesville, Inc., deprived the Plaintiff, Steve Scofield, of any and all opportunity he may have had to provide love, protect, advise, counsel, and parental and spiritual guidance to his minor child, and to experience the family relationship and companionship with his grand child, who would have been born, but for said acts and of the defendant All Women's Health Center of Gainesville, Inc..

WHEREFORE, the Plaintiff, Steve Scofield, demands judgment for punitive damages against the Defendant, All Women's Health Center of Gainesville, Inc., together with court costs, and demands a trial by jury on all issues triable by jury.


Milton H. Baxley II
Attorney for Plaintiffs
1929 N.W. 12th Terrace
Gainesville, Florida 32609
(352) 375-1616
Florida Bar No. 154603

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to Mr. Samuel H. Lanier, Attorney for Defendants, Post Office Box 1860, Jacksonville, Florida 32201, by U.S. Mail, this 18th day of April, 2002.


Milton H. Baxley II
Attorney for Plaintiffs
1929 N.W. 12th Terrace
Gainesville, Florida 32609
(352) 375-1616
Florida Bar No. 154603