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Court of Common Pleas

New Case Electronically Filed: COMPLAINT
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By: RICHARD D. MCCLURE 0030798

Confirmation Nbr. 2041239

JENNIFER GRANT

CV 20 935388

vs.

Judge: ASHLEY KILBANE

PRETERM FOUNDATION, ET AL.

Pages Filed: 8

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

JENNIFER GRANT)
27011 Butternut Ridge Road)
North Olmsted, OH 44070)

Plaintiff,)

-vs-)

PRETERM FOUNDATION)
By and through its Statutory Agent,)
Chrisse France)
12000 Shaker Boulevard)
Cleveland, OH 44120)

and)

PRETERM FOUNDATION)
12000 Shaker Boulevard)
Cleveland, OH 44120)

and)

MITCHELL REIDER, M.D.)
c/o PreTerm Foundation)
12000 Shaker Boulevard)
Cleveland, OH 44120)

and)

MONIQUE KATSUKI, M.D.)
c/o PreTerm Foundation)
12000 Shaker Boulevard)
Cleveland, OH 44120)

and)

JUSTIN LAPPEN, M.D.)
c/o PreTerm Foundation)
12000 Shaker Boulevard)
Cleveland, OH 44120)

and)

CASE NO.

JUDGE

COMPLAINT

Jury Demand Endorsed Hereon

ELLIE RAGSDALE, M.D.
 c/o PreTerm Foundation)
 12000 Shaker Boulevard)
 Cleveland, OH 44120)
)
 and)
)
 NATALIE HINCHCLIFFE, D.O.)
 c/o PreTerm Foundation)
 12000 Shaker Boulevard)
 Cleveland, OH 44120)
)

Defendants.

Now comes Plaintiff, Jennifer Grant, (hereinafter referred to as “Plaintiff”), by and through her undersigned counsel, and hereby sets forth her Complaint as follows:

COUNT ONE

1. On or about April 16, 2019, Plaintiff underwent a surgical procedure, i.e., termination of pregnancy, at PreTerm Foundation by and through it’s statutory agent Chrissy France (individually and collectively hereinafter referred to as “Defendant Preterm”).

2. On or about April 16, 2019, and for a long time prior and subsequent thereto, Defendant Preterm was a corporation for non-profit and duly licensed, organized and existing under and by virtue of the laws of the State of Ohio, and located at 12000 Shaker Blvd., in the City of Cleveland, State of Ohio.

3. At all times mentioned herein, Defendant Preterm operated, managed, controlled and did business as a women’s healthcare/abortion clinic and it held itself out to the public as furnishing such medical services.

4. At all times mentioned herein, Defendant Preterm provided personnel, including doctors, nurses, medical assistants and others who offered medical care and treatment to their patients, including Plaintiff.

5. On or about April 16, 2019, Plaintiff was present at Defendant Preterm's clinic and underwent an abortion procedure.

6. At all relevant times mentioned herein, there was a duty on the part of Defendant Preterm to provide competent skilled persons to administer proper and adequate standards of care to their patients who came to Defendant Preterm's facility for medical care and treatment.

7. At all times mentioned herein, there was a duty on the part of Defendant Preterm, their employees and/or agents to exercise that degree of standard of care commonly exercised by other physicians, nurses and/or health care providers in the community.

8. At all times mentioned herein, Defendant Preterm, by and through its agents and/or employees in their professional capacity, did provide health care services to Plaintiff, including, but not limited to, certain pre-operative, surgical, anesthesia and post-surgical care, contrary to standard accepted medical practices.

9. Defendant Preterm, its agents and/or employees, were then and there guilty of one or more of the following wrongful acts or omissions:

- (a) Failed to see that proper standards of medical care and attention was given to said Plaintiff;
- (b) Failed to take proper and due cognizance of Plaintiff's condition of ill-being;
- (c) Entrusted the care of Plaintiff to incompetent physicians, nurses and/or other health care personnel who failed to treat Plaintiff's condition of ill-being pre-surgically, during surgery and post-surgically;
- (d) Failed to treat and attend to the needs of the Plaintiff to the degree required in their professions;
- (e) Failed to adequately examine Plaintiff so as to determine the extent of Plaintiff condition of ill-being; and
- (f) Negligently, improperly and unskillfully performed Plaintiff's procedure.

10. As a direct and proximate result of one or more of the foregoing wrongful acts and omissions by and through Defendant Preterm's agents and/or employees, Plaintiff was negligently and improperly treated, and as a direct result was subjected to immediately being transferred to University Hospital, and having to undergo numerous medical and surgical procedures to remedy the injuries she sustained while at Defendant Preterm's facility, including but not limited to; exploratory laparotomy, ligation of right internal iliac artery, ligation branches of internally iliac vein, repair small bowel mesentery defects/perforation, total abdominal hysterectomy, right salpingo-oophorectomy, evacuation of hematoma, placement of Abthera wound vac, proctoscopy, retrograde filing of bladder, hemodialysis, blood transfusion of 17 units, suffered hemorrhagic shock and respiratory and renal failure.

11. As a further direct and proximate result of one or more of the foregoing wrongful acts and omissions of the aforementioned Defendant Preterm and/or its agents and/or employees, Plaintiff's pain and suffering continues to this day, including but not limited to, acute kidney failure and permanent injury i.e., having to be on dialysis for a minimum of 9 months post abortion procedure and, her kidneys are still not functioning up to par. She suffered acute tubular necrosis, acute hypershosphatemia, lung embolism, in and out of hospitals, and home nursing care for open wound treatment for over nine months.

12. As a further direct and proximate result of one or more of the foregoing wrongful acts and omissions of Defendant Preterm by and through their agents and/or employees, Plaintiff was forced to expend certain sums of money for medical expenses and will continue to expend certain sums into the foreseeable future.

13. As a further direct and proximate result of one or more of the foregoing wrongful acts and omissions of Defendant Preterm, Plaintiff was caused to lose her job, suffered a loss of wages and will continue to lose wages into the foreseeable future.

COUNT TWO

14. Plaintiff restates and realleges each and every material allegation contained in paragraphs 1 through 13 of her Complaint as if fully rewritten herein.

15. On or about April 16, 2019, Defendant Preterm, employed Mitchell Reider, MD, Monique Katsuki, MD, Natalie Hinchcliffe, D.O, Justin Lappen, MD, Ellie Ragsdale, MD and others, as medical doctors and/or healthcare providers (individually and collectively hereinafter referred to as “Defendant Doctors”).

16. On or about April 16, 2019, Defendant Doctors were in the practice of their profession as medical doctors and/or other healthcare providers pursuant to their employment of Defendant Preterm.

17. At all relevant times mentioned herein, there was a duty on the part of Defendant Doctors to provide competent, adequate and skilled care to the patients who came to Defendant Preterm for care and treatment.

18. At all times mentioned herein, Defendant Doctors, in their professional capacity, did provide health care services to Plaintiff, including, but not limited to, certain pre-operative, surgical, anesthesia and post-surgical care, contrary to standard accepted medical practices exercised by other medical doctors in the community.

19. Defendant Doctors, by and through their employer Defendant Preterm, were then and there guilty of one or more of the following wrongful acts or omissions:

- (a) Failed to see that proper medical care and attention was given to said Plaintiff;
- (b) Failed to take proper and due cognizance of Plaintiff’s condition of ill-being;
- (c) Entrusted the care of Plaintiff to incompetent physicians, nurses and/or other health care personnel who failed to treat Plaintiff’s condition of ill-being pre-surgically and post-surgically;

- (d) Failed to treat and attend to the needs of the Plaintiff to the degree required in their professions;
- (e) Failed to adequately examine Plaintiff so as to determine the extent of Plaintiff condition of ill-being; and
- (f) Negligently, improperly and unskillfully performed Plaintiff's procedure.

20. As a direct and proximate result of one or more of the foregoing wrongful acts and omissions by and through Defendant Doctors, Plaintiff was negligently and improperly treated, and as a direct result was subjected to immediately (post procedure), being transferred to University Hospital, and having to undergo numerous medical and surgical procedures to remedy the injuries she sustained at the hand of Defendant Doctors, including but not limited to; exploratory laparotomy, ligation of right internal iliac artery, ligation branches of internally iliac vein, repair small bowel mesentery defects/ perforation, total abdominal hysterectomy, right salpingo-oophorectomy, evacuation of hematoma, placement of Abthera wound vac, proctoscopy, retrograde filing of bladder, hemodialysis, blood transfusion of 17 units, suffered hemorrhagic shock and respiratory and renal failure.

21. As a further direct and proximate result of one or more of the foregoing wrongful acts and omissions of the aforementioned Defendant Doctors, Plaintiff's pain and suffering continues to this day, including but not limited to, acute kidney failure and permanent injury i.e., having to be on dialysis for a minimum of 9 months post abortion procedure and, her kidneys are still not functioning up to par. She suffered acute tubular necrosis, acute hypershosphatemia, lung embolism, in and out of hospitals, and home nursing care for open wound treatment for over nine months.

22. As a further direct and proximate result of one or more of the foregoing wrongful acts and omissions of Defendant Doctors, individually and by and through their employer

Defendant Preterm, Plaintiff was forced to expend certain sums of money for medical expenses

and will continue to expend certain sums into the foreseeable future.

23. As a further direct and proximate result of one or more of the foregoing wrongful acts and omissions of Defendant Doctors, Plaintiff was caused to lose her job, suffered a loss of wages and will continue to lose wages into the foreseeable future.

WHEREFORE, on Count One of Plaintiff's complaint, Plaintiff Jennifer Grant prays for damages against Defendant Preterm Foundation and the Preterm Foundation by and through their statutory agent Chrise France, in an amount in excess of \$25,000.00 jointly and severally to be determined at trial; and on Count Two of Plaintiff's complaint, Plaintiff prays for damages against Defendant Doctors Mitchell Reider, MD, Monique Katsuki, MD, Natalie Hinchcliffe, D.O, Justin Lappen, MD, Ellie Ragsdale, MD, individually and collectively, in an amount in excess of \$25,000.00 jointly and severally to be determined at trial; and Plaintiff further demands interest, her costs incurred herein and such other and further relief as this honorable Court deems just and equitable.

Respectfully submitted,



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JURY DEMAND

Plaintiff does hereby demand a trial by a jury of eight pursuant to the Ohio Rules of Civil Procedure.



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Attorney for Plaintiff Jennifer Grant