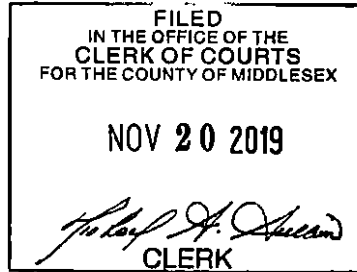


COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS

SUPERIOR COURT  
NO: 1981CV03156

AMY NEWCOMB, MOTHER AND, )  
NEXT FRIEND OF WALLACE )  
NEWCOMB ROWE, a minor )  
Plaintiff )  
VS. )  
CARI BROWN, M.D. )  
Defendant )



**ANSWER OF THE DEFENDANT, CARI BROWN, M.D., TO THE PLAINTIFF'S COMPLAINT**

**FIRST DEFENSE**

1. The said defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1 of the plaintiff's Complaint.
2. The said defendant admits the facts contained in Paragraph 2 of the plaintiff's Complaint.
3. The said defendant admits the facts contained in Paragraph 3 of the plaintiff's Complaint.
4. The said defendant admits the facts contained in Paragraph 4 of the plaintiff's Complaint.
5. The said defendant admits that a complication occurred during the minor plaintiff's circumcision. The complication and treatment for it are documented in the minor plaintiff's medical records. The defendant denies that she was negligent.
6. The said defendant admits the facts contained in Paragraph 6 of the plaintiff's Complaint.
7. The said defendant admits that Dr. Estrada's treatment of the minor plaintiff is documented in his records.
8. The said defendant denies the allegations contained in Paragraph 8 of the plaintiff's Complaint.

## **COUNT I**

9. The said defendant repeats and reaffirms her answers to Paragraphs 1 through 8 of the plaintiff's Complaint.

10. The said defendant admits the facts contained in Paragraph 10 of the plaintiff's Complaint.

11. The said defendant denies the allegations contained in Paragraph 11 of the plaintiff's Complaint.

12. The said defendant denies the allegations contained in Paragraph 12 of the plaintiff's Complaint.

13. The said defendant denies the allegations contained in Paragraph 13 of the plaintiff's Complaint.

14. The said defendant denies that the plaintiff is entitled to judgment against her.

## **SECOND DEFENSE**

And further answering, the said defendant says that the Complaint, and each and every count thereof, fails to state a cause of action.

## **THIRD DEFENSE**

And further answering, the said defendant says that plaintiff's recovery, if any, is limited to a maximum of \$500,000 pursuant to M.G.L.A. c. 231, Section 60H.

## **FOURTH DEFENSE**

And further answering, the said defendant says that the plaintiff has failed to mitigate the minor plaintiff's alleged damages.

## **FIFTH DEFENSE**

And further answering, the said defendant says that she is entitled to a medical malpractice tribunal in accordance with M.G.L.A. c. 231, Section 60B.

**THE DEFENDANT, CARI BROWN, M.D. CLAIMS TRIAL BY JURY.**

By her attorneys,

**CAPPLIS, CONNORS & CARROLL, PC**



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**MATTHEW R. CONNORS**

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**CERTIFICATE OF SERVICE**

I, Matthew R. Connors, attorney for the Defendant, hereby certify that I have this day served copies of the attached:


**ANSWER OF THE DEFENDANT, CARI BROWN, M.D., TO THE PLAINTIFF'S COMPLAINT**

upon all parties by mailing copies therefore, postage prepaid, directed to:

Susan M. Bourque, Esq.  
Parker Scheer, LLP  
One Constitution Center  
Boston, MA 02129

Signed under the pains and penalties of perjury.

DATED: November 13, 2019

  
Matthew R. Connors, Esq.  
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18 Tremont Street – Suite 330  
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Hon. Frances A. McIntyre (Ret.)

[mconnors@ccclaw.org](mailto:mconnors@ccclaw.org)

November 13, 2019

Civil Clerks Office  
Middlesex Superior Court  
200 Tradecenter Drive  
Woburn, MA 01801

Re: Amy Newcomb, Mother and Next Friend of  
Wallace Newcomb Rowe  
Vs: Cari Brown, M.D.  
Docket No.: 1981CV03156  
Our File: CRICO1150

Dear Sir or Madam:

Enclosed for filing, please find:

**ANSWER OF THE DEFENDANT, CARI BROWN, M.D., TO THE PLAINTIFF'S COMPLAINT.**

Thank you.

Very truly yours,



MATTHEW R. CONNORS

MRC/ld  
Enclosure

cc: Susan M. Bourque, Esq.

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*Please direct all correspondence to our Boston office*

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