

**Danielle Beard
20 McCulloch Drive
Glenrock, PA 17327**

Plaintiff,

v.

**Femi-Care Surgery Center
1212 York Rd. Suite A-101
Lutherville, MD 21093**

and

**Stephanie Purnell, MD
600 Wyndhurst Ave, #160
Baltimore, MD 21210**

Defendants.

**IN THE CIRCUIT COURT FOR
BALTIMORE COUNTY**

CASE No.: C-03-CV-24-003346

COMPLAINT

Plaintiff, Danielle Beard, by their attorneys, Thomas W. Keilty, III, Nicholas C. Bonadio, and Keilty Bonadio, LLC, sue Defendants, Femi-Care Surgery Center and Stephanie Purnell, M.D. and state:

PARTIES

1. Danielle Beard is a citizen of Pennsylvania and resident of York County, Pennsylvania.
2. At all relevant times, Femi-Care Surgery Center was a corporation organized under the laws of Maryland, with its principal place of business in Baltimore County, Maryland.
3. At all relevant times, Femi-Care Surgery Center was a medical facility providing health care to members of the general public, and held itself, its agents, and its employees out to

the general public, including Danielle Beard, as providing care commensurate with the standard of care for medical facilities providing care in similar circumstances as those described herein.

4. At all relevant times, Femi-Care Surgery Center held itself out as employing or retaining medical professionals possessing the degree of skill, knowledge, and ability ordinarily possessed by reasonably prudent and competent medical professionals practicing under similar circumstances as those described herein.

5. At all relevant times, Stephanie Purnell, M.D. was a physician licensed in Maryland to provide health care to members of the general public, including Danielle Beard. Stephanie Purnell, MD held themselves out as possessing the degree of skill, knowledge, and ability ordinarily possessed by reasonably prudent and competent medical professionals practicing under similar circumstances as those described herein.

6. At all relevant times, Stephanie Purnell, MD and all other individuals that provided care to Plaintiff at Femi-Care Surgery Center, were the employees, or actual or apparent agents, of Femi-Care Surgery Center.

JURISDICTION AND VENUE

7. Plaintiff originally filed this action in Maryland Health Care Alternative Dispute Office, pursuant to Md. Cts. & Jud. Pro. § 3-2A-01, et seq. and has satisfied all conditions precedent to filing this Complaint.

8. Baltimore County, Maryland is the appropriate venue in this action based upon the Defendants' places of business and the place where the alleged acts and omissions occurred.

9. Jurisdiction is proper in the Circuit Court because the amount in controversy exceeds the concurrent jurisdiction of the District Court.

FACTS COMMON TO ALL COUNTS

10. The CQE and Expert Report of Harvey Kasner, M.D. is attached as Exhibit 1 and incorporated herein.

11. Beginning in late February 2023, Ms. Beard learned of an unexpected twin pregnancy.

12. Ms. Beard and her husband had one prior child and after thoughtful consideration and evaluation, determined their family was unable to support the unexpected twins.

13. On March 10, 2023, Ms. Beard was to undergo a surgical abortion at 9 weeks 1 day. The surgical abortion was performed by Stephanie Purnell, M.D. at Femi-Care Surgery Center in Lutherville, MD.

14. Ms. Beard subsequently re-started her birth control medication and subsequently developed a UTI for which she was prescribed an antibiotic, Macrobid.

15. On March 21, 2023, Ms. Beard had a follow-up appointment with Femi-Care Surgery Center.

16. Several weeks after the surgical abortion, Ms. Beard was complaining of nausea and no menses since termination of the pregnancy.

17. On April 19, Ms. Beard presented to WellSpan Health and it was determined that she had a viable single pregnancy at 14 weeks 6 days.

18. Ms. Beard and her husband again had to re-evaluate their ability to support a single pregnancy, but learned that the health and development of the fetus may have been impacted by the medications she had taken while unknowingly still pregnant.

19. WellSpan would not perform second trimester abortions, so Ms. Beard presented to Planned Parenthood – York, where she underwent surgical termination of the remaining pregnancy on April 25, 2023.

20. Ms. Beard unnecessarily had to undergo a second trimester abortion which carries greater risk of injury and prolonged recovery. Ms. Beard has and continues to deal with the emotional injury related to the botched abortion procedure with Dr. Sharma at the Femi-Care Surgery Center.

COUNT I - NEGLIGENCE

21. All preceding paragraphs are incorporated herein.

22. At all times, Defendants Stephanie Purnell, M.D. and Femi-Care Surgery Center owed Danielle Beard a duty to provide care commensurate with the standard of care for health providers practicing under the same or similar circumstances to those described, *supra*.

23. Stephanie Purnell, M.D. and Femi-Care Surgery Center breached that duty by, among other things:

- a. Inappropriately performing the surgical abortion with the skill required to evacuate the known twin pregnancy;
- b. Inappropriately examining the tissue obtained from the surgical procedure;
- c. Inappropriately performing a pelvic ultrasound to ensure complete evacuation of the uterine cavity following the surgical abortion; and
- d. Otherwise failing to provide care commensurate with the standard of care.

24. At the time of the aforementioned breaches in the standard of care, Dr. Purnell was the employee or actual or apparent agent of Femi-Care Surgery Center and acting within the scope of their employment or agency.

25. Danielle Beard relied on said employment/agency when consenting to the care that caused their injuries, and any reasonable person in his position would have believed that Dr. Purnell was the employee or agent of Femi-Care Surgery Center.

26. Femi-Care Surgery Center is vicariously liable for the acts and omissions of its employees and agents, including Dr. Purnell.

27. As a direct and proximate result of the aforementioned breaches in the standard of care, Danielle Beard suffered severe and permanent physical and emotional injuries resulting in past, present, and future economic and non-economic damages.

Wherefore, Danielle Beard seeks damages in excess of thirty thousand dollars as compensation for their injuries, along with any other relief deemed appropriate.

ELECTION OF JURY TRIAL

Plaintiff hereby requests that the above-captioned case be tried before a jury.

Dated: September 6, 2024

Respectfully Submitted,

/s/ Thomas W. Keilty

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