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LACHELLE RAMSEY, Administratrix of the
Estate of KALYNDA COLLINS, deceased
1286 Harding Road
Vineland, NJ 08361

Plaintiff

v.

HUMEDCO CORPORATION d/b/a THE
WOMEN’S CENTERS
500 Kings Highway North, Suite 300
Cherry Hill, NJ 08034

and

CHERRY HILL WOMEN’S CENTER, INC.
502 Kings Highway North
Cherry Hill, NJ 08034

and

RICHARD M. LIEBLICH, M.D.
502 Kings Highway North
Cherry Hill, NJ 08034

and

MID-NJ GYNECOLOGY GROUP
500 Kings Highway North, Suite 100
Cherry Hill, NJ 08034

and

KENNETH SMITH JR., D.O.
123 Willow Oaks Lane
Mullica Hill, NJ 08062

and

CHERRY HILL ANESTHESIOLOGY, P.C.
502 Kings Highway North
Cherry Hill, NJ 08034

and

SOUTH JERSEY ANESTHESIA & PAIN
d/b/a SOUTH JERSEY ANESTHESIA
509 North Broad Street
Woodbury, NJ 08096

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – CAMDEN COUNTY

DOCKET NO.

CIVIL ACTION COMPLAINT

JURY DEMAND

COMPLAINT

and
NICOLE LAKE, R.N.
502 Kings Highway North
Cherry Hill, NJ 08034
and
LAUREN PALMA, R.N.
502 Kings Highway North
Cherry Hill, NJ 08034
and
KARLY RODGERS, R.N.
502 Kings Highway North
Cherry Hill, NJ 08034
and
ANDREW KEANE, R.N.
502 Kings Highway North
Cherry Hill, NJ 08034
and
JOSHLIN CRUZ, R.N.
502 Kings Highway North
Cherry Hill, NJ 08034
and
YOHANNA NUNEZ
502 Kings Highway North
Cherry Hill, NJ 08034
and
MARLENY COTTO
502 King Highway North
Cherry Hill, NJ 08034
and
TINA ORTIZ
502 Kings Highway North
Cherry Hill, NJ 08034
and
ERICA BATCHELOR
502 Kings Highway North
Cherry Hill, NJ 08034
and
JOHN/JANE DOE, 1 through 6
(being fictitious names)
and
ABC Corporation, 1 through 6

Defendants

I. INTRODUCTION

1. This case stems from the tragic and preventable death of Kalynda Collins, a 32 year-old mother of two. Ms. Collins died as a direct result of the negligent, reckless and outrageous conduct of Defendants at the Cherry Hill Women's Center.

2. Despite being aware that she was allergic to iodine and that she had previous allergic reactions to the iodine in Laminaria sticks, on September 2, 2017, Defendants administered a large quantity of iodine in the form of six Laminaria sticks to Ms. Collins. Ms. Collins quickly developed a severe allergic reaction to the Laminaria sticks.

3. Unfortunately, Defendants were not capable or competent to properly and timely respond to Ms. Collins' allergic reaction. Defendants administration of a medication they knew or should have known the Plaintiff was allergic to and their failure to properly respond to the code blue and failure to properly administer advanced cardiovascular life support to Ms. Collins resulted in her death.

II. PARTIES

4. Plaintiff Lachelle Ramsey is next of kin and appointed Administratrix of the Estate of her late daughter, Kalynda Collins (herein "Decedent"). Plaintiff Ms. Ramsey is an adult resident of the State of New Jersey residing at 1286 Harding Road, Vineland, New Jersey 08361.

5. Defendant HUMEDCO Corporation d/b/a The Women's Centers (herein "HUMEDCO") is a corporation organized and operating under the laws of New Jersey with its principal place of business at 500 North Kings Highway, #300, Cherry Hill, New Jersey 08034.

6. Defendant HUMEDCO owns and operates surgical centers in New Jersey, Georgia, Pennsylvania, and Connecticut.

7. Defendant Cherry Hill Women's Center Inc., (herein "CHWC") is a corporation or other legal entity operating as an ambulatory surgery center - gynecological surgery under the laws of New Jersey, which is located at 502 North Kings Highway, Cherry Hill, New Jersey 08034.

8. Defendant HUMEDCO at all relevant times owned, controlled, and managed the policies, procedures, personnel of Defendant CHWC. It should be noted that CHWC is located in the building immediately next to Defendant HUMEDCO.

9. Defendant CHWC advertises itself as the only Ambulatory Surgical Center (ASC) in New Jersey offering surgical services exclusively to women. CHWC advertises itself as being fully accredited by the Federated Ambulatory Surgery Association and the American Association for Accreditation of Ambulatory Surgery Facilities. According to CHWC the "accreditation as an ASC requires a rigorous inspection that commits us to having excellent patient care, commendable safety records, continually educated staff, hospital grade medical equipment and high standard policies and procedures."

10. At all relevant times, Defendants HUMEDCO and CHWC hired, credentialed, employed and controlled which physicians, nurses and staff could work and/or perform procedures at its surgical center.

11. At all relevant times, Defendants HUMEDCO and CHWC held itself out as being capable of properly screening patients to ensure that a complete medical history, including allergies, is obtained prior to being treated.

12. At all relevant times, Defendants HUMEDCO and CHWC held itself out as being capable of ensuring that patient information is maintained and updated for the purposes of

continuity of care and properly communicating important information, including allergies, prior to being treated.

13. At all relevant times, Defendants HUMEDCO and CHWC held itself out as being capable to administer anesthesia services.

14. At all relevant times, Defendants HUMEDCO and CHWC held itself out as being capable to handle emergencies, as they might occur in the normal course of medical procedures being performed.

15. At all relevant times, Defendants HUMEDCO and CHWC procured, selected, ordered, and maintained the equipment and inventory used at CHWC, including life-saving equipment, crash carts, and medications.

16. Defendants HUMEDCO and CHWC failed to live up to the above commitments. Defendants' personnel proved to be untrained and ill-equipped to deal with a foreseeable complication and Ms. Collins lost her life as a result.

17. In addition, Defendants HUMEDCO and CHWC failed to implement and maintain a program to ensure that all necessary equipment and inventory was procured, maintained and operated in accordance with state and federal regulations and guidelines.

18. Defendants HUMEDCO and CHWC failed to promulgate proper emergency procedures.

19. Defendants HUMEDCO and CHWC failed to ensure its employees were properly trained to respond to a code blue and to properly administer advanced cardiovascular life support in accordance with state and federal regulations and guidelines.

20. Defendant Richard M. Lieblich, M.D., is a gynecologist who, at all relevant times, maintained professional offices and saw patients at Defendant CHWC's facility at 502 North Kings Highway, Cherry Hill, New Jersey 08034.

21. Defendant Mid-NJ Gynecology Group is a corporation or other legal entity organized and operating under the laws of the state of New Jersey that, at all relevant time, owned and operated a medical practice located at 500 North Kings Highway, #100 in Cherry Hill, New Jersey 08034.

22. At all relevant times, Defendant Dr. Lieblich was an employee, agent and/or ostensible agent of Defendants CHWC and/or Mid-NJ Gynecology Group.

23. Defendant Kenneth Smith Jr., D.O., is an anesthesiologist who, at all relevant times, maintained professional offices and saw patients at Defendant CHWC's facility at 502 North Kings Highway, Cherry Hill, New Jersey 08034.

24. Defendant Cherry Hill Anesthesiology, P.C. is a corporation or other legal entity organized and operating under the laws of the state of New Jersey that, at all relevant times, owned and operated a medical practice at Defendant CHWC's facility at 502 North Kings Highway in Cherry Hill, New Jersey 08034.

25. Defendant South Jersey Anesthesia & Pain d/b/a South Jersey Anesthesiology is a corporation or other legal entity organized and operating under the laws of the state of New Jersey located at 509 North Broad Street, Woodbury, New Jersey 08096.

26. At all relevant times, Defendant Dr. Smith was an employee, agent and/or ostensible agent of Defendants CHWC and/or Cherry Hill Anesthesiology, P.C., and/or South Jersey Anesthesia & Pain d/b/a South Jersey Anesthesiology.

27. Defendants Nicole Lake, R.N., Lauren Palma, R.N., Karly Rodgers, R.N., Andrew Keane, R.N., and Joshlin Cruz, R.N. are licensed nurses who treated the Decedent and who, at all relevant times, were employed by Defendants HUMEDCO and/or CHWC facility at 502 North Kings Highway, Cherry Hill, New Jersey 08034.

28. Defendants Yohanna Nunez, Marleny Cotto, Tina Ortiz and Erica Batchelor are healthcare staff who treated the Decedent and who, at all relevant times, were employed by Defendants HUMEDCO and/or CHWC at 502 North Kings Highway, Cherry Hill, New Jersey 08034.

29. Defendants, John/Jane Does, 1 through 6, are individuals who participated in the care and treatment of the Decedent on September 2, 2017.

30. Defendants, ABC Corporation, 1 through 6, are corporations or other legal entities that employed or were otherwise responsible for John/Jane Does 1 through 6.

31. Accordingly, Defendants HUMEDCO, CHWC, Mid-NJ Gynecology Group, and Cherry Hill Anesthesiology, P.C., and South Jersey Anesthesia & Pain d/b/a South Jersey Anesthesiology are vicariously liable for the negligence and reckless behavior of their staff, nurses and doctors, including but not limited to Dr. Lieblich and Dr. Smith, in connection with the treatment of Ms. Collins that led to her death.

III. FACTS

32. On September 2, 2017, at approximately 6:30 a.m., Ms. Collins arrived at CHWC to have a scheduled outpatient procedure performed by Defendant Dr. Lieblich.

33. It should be noted that Ms. Collins's medical history, including her allergy to iodine and Laminaria sticks, was well known to the staff and doctors at CHWC. In fact, from

2008 to 2017, Ms. Collins had undergone similar outpatient procedures on four separate occasions.

34. At 6:50 a.m., Ms. Collins was ushered from the waiting area and into one of CHWC's examination room to start the pre-procedure screening procedure.

35. Ms. Collins's vital signs were recorded, at 6:53 a.m., by Defendant Ms. Batchelor as follows:

Height:	62 inches
Weight:	149 lbs
BMI:	27.35
Temp:	98.6
Respirations:	16/min
Heart/Lung:	RRR/CTA B/L
HR:	72 p.b.m.
BP:	111/72

36. At 7:30 a.m., Defendant Ms. Nunez reviewed the discharge instructions and various consent forms with Ms. Collins.

37. One of the consent forms reviewed by Ms. Nunez included a section titled: Consent for Insertion of Dilators. The Consent for Insertion of Dilators section states that “[i]n rare instances, allergic reactions to certain dilators can occur.”

38. Importantly, the Consent for Insertion of Dilators section fails to specify what type of dilator would be used; fails to identify which substances may trigger the allergic reactions; and fails to indicate that a dilator with iodine could be used.

39. Considering that she had a known allergy to iodine it would have been important to disclose in the consent forms that Defendant Dr. Lieblich planned on using Laminaria sticks to dilate Ms. Collins.

40. A Laminaria stick or tent is a thin rod of dried Laminaria, a kelp species. Laminaria sticks are inserted into the cervix and over the course of several hours, they slowly

absorb water and expand, which dilates the cervix. Laminaria sticks contain large amounts of iodine.

41. Considering she had a known allergy to iodine it would have been important to disclose in the consent forms that by inserting Laminaria sticks Defendant Dr. Lieblich virtually guaranteed that Ms. Collins would have an allergic or anaphylactic reaction.

42. It should be noted that adverse reactions to Laminaria sticks are well documented in the medical literature and the physicians and staff of CHWC should have been well aware of the potential consequences of using this dilator in someone who is allergic to iodine.

43. Between 7:46 and 7:55 a.m., Ms. Collins was examined by Defendant Nurse Lake. Nurse Lake reviewed the Ms. Collins's gynecologic history, social history, medical history, medications for the last six months, allergies and performed an examination of her lungs and heart.

44. Ms. Collins informed Defendant Nurse Lake that she was allergic to Penicillin, iodine, adhesive tape, and latex. This information was recorded by Nurse Lake in the electronic chart under the Current Allergies section of the Ms. Collins's chart.

45. Defendant Ms. Cotto, at approximately 9:00 a.m., brought Ms. Collins into Exam Room 2 to be examined by Defendant Dr. Lieblich in order to determine if she would be able to have the one-day procedure or if she required the two-day procedure.

46. After bringing Ms. Collins into Exam Room 2, Defendant Ms. Cotto "verified her allergies." Ms. Collins informed Ms. Cotto that "she is allergic to latex and iodine." Ms. Cotto informed Ms. Collins to undress from the waist down and that she would return with Dr. Lieblich.

47. At 9:05 a.m., Defendant Dr. Lieblich met with Ms. Collins and reviewed her medical history and allergies. Dr. Lieblich also conducted a physical examination of Ms. Collins, which revealed that she was in good health and could proceed with the one-day procedure.

48. Prior to the starting the one-day procedure, the Procedure Team, which included Dr. Lieblich, reviewed the Ms. Collins's allergies again and noted that the she had a known allergy to iodine.

49. Obviously, with a known allergy to iodine, Defendant Dr. Lieblich's use of Laminaria sticks on the Decedent was not only negligent, it was reckless. It should be noted that Dr. Lieblich did not have to use Laminaria sticks, there are alternative dilators that do not contain iodine.

50. At 9:09 a.m., Defendant Dr. Lieblich inserted 6 (6 mm) Laminaria sticks and 2 sterile gauze sponges into Ms. Collins. It should be noted that because Dr. Lieblich was performing the one-day procedure, he used more Laminaria than he would have for the two-day procedure.

51. At 9:10 a.m., Defendant Dr. Lieblich administered misoprostol (200 mcg X2) to Ms. Collins. After Ms. Collins was given the misoprostol, she was instructed to get dressed and was taken to the "dress out" area where patients wait until surgery.

52. Fifteen minutes later, at 9:25 a.m., Defendant Nurse Cruz was asked by Defendant Ms. Ortiz to examine Ms. Collins in the "dress out" area for complaints of a rapid heart rate.

53. Shortly thereafter, Defendant Nurse Cruz examined Ms. Collins and noted that "pt was seated and stated she felt her heart racing." Nurse Cruz recorded Ms. Collins's heart rate as 134 b.p.m.

54. Ms. Collins informed Defendant Nurse Cruz that she was allergic to latex, PCN and iodine and all of which was also readily available in Ms. Collins's chart.

55. At this point Ms. Collins had informed various members of the CHWC's staff that she was allergic to iodine on at least three separate occasions and was also readily available in Ms. Collins's chart.

56. Defendant Nurse Cruz informed Defendant Dr. Lieblich of Ms. Collins complaints and symptoms. Dr. Lieblich ordered that Ms. Collins be brought to the post-anesthesia care unit ("PACU"), and that Benadryl via IV be administered to help combat what was obviously a severe allergic reaction to the iodine in the Laminaria.

57. Once in the PACU, but before the Benadryl could be administered, Ms. Collis began vomiting and was noted to be diaphoretic or heavily sweating.

58. Defendant Dr. Smith was called to the PACU to see Ms. Collins. Dr. Smith found Ms. Collins awake and responsive but confused and disoriented at times. Dr. Smith also noted that Ms. Collins's upper extremity was violently spasmodic and contracting. Dr. Smith's note states that the "pt . . . at times very dystonic upper extremity".

59. At this point it was clear that Ms. Collin was in the midst of an emergent, violent and severe anaphylaxis episode.

60. Despite all of the above red flags, CHWC's staff did not initiate its emergency transfer protocol, pursuant to its Patient Transfer Agreement with Kennedy University Hospital.

61. At 9:30 a.m., Defendant Dr. Lieblich was called to the PACU to see Ms. Collins for hypotension and tachycardia. According to Dr. Lieblich, when he arrived at the PACU "Dr. Smith was already in attendance evaluating and treating the patient."

62. Ms. Collins was administered Benadryl 50 mg and Zofran 4 mg via IV by Defendant Nurse Rodgers. One minute later, at 9:31 a.m., Ms. Collins's vital signs were recorded by Defendant Nurse Rodgers as follows:

HR:	74 p.b.m.
BP:	109/52
Temp:	97.7
Nausea:	5

Notes: Pt. complaining for nausea, itchy palms, upset stomach.

63. At the same time, Defendant Nurse Rodgers started IV fluids (1000 cc's), nasal cannula and placed Ms. Collins into the Trendelenburg position.

64. It is assumed that Defendant Nurse Rodgers was concerned that Ms. Collins was hypotensive (low blood pressure) and used the Trendelenburg position in the hopes of increasing blood flow to the brain. It appears that Nurse Rodgers was unaware of the widely circulated 2008 meta-study that found adverse consequences to the use of the Trendelenburg position and the recommendation that it be avoided.

65. Defendant Dr. Smith ordered the administration of epinephrine 500 mcg via IV push at 9:34 a.m.

66. At 9:36 a.m., Defendant Nurse Lake entered the PACU and found both Dr. Smith and Dr. Lieblich at Ms. Collins's bedside. According to Defendant Nurse Lake, Ms. Collins's blood pressure continued to decrease; she was tachycardic; had decreased oxygen; and was experiencing a dystonic reaction.

67. At this time the Decedent's vital signs were recorded by Defendant Nurse Rodgers as follows:

HR:	122 p.b.m.
BP:	98/48
Temp:	97.7

Nausea: 1

Notes: Dilators removed by MD in the PACU with pelvic exam. Both physicians at bedside.

68. According to Defendant Nurse Palma, at 9:40 a.m., Defendant Dr. Lieblich performed a vaginal exam and removed the Laminaria sticks from Ms. Collins.

69. It is simply shocking that it took Defendant Dr. Lieblich and the staff at CHWC fifteen (15) minutes to remove the source of Decedent's allergic reaction.

70. A minute later at 9:41 a.m., the Decedent's vital signs were recorded by Defendant Nurse Rodgers as follows:

HR: 128 p.b.m.
BP: 96/50
Temp: ?
Nausea: 0

Notes: Pulse ox 95%

71. At 9:42 a.m., Defendant Dr. Smith administered Solu Cortef 100 mg in an attempt to reverse the anaphylaxis.

72. At 9:43 a.m., Defendant Dr. Smith administered an additional 500 mcg dose of epinephrine.

73. Finally, at 9:44 a.m., nineteen (19) minutes after Ms. Collins first started showing symptoms of anaphylaxis and ten (10) minutes after the first administration of epinephrine, Defendant Nurse Keane called 911 pursuant to the Patient Transfer Agreement.

74. Defendant Nurse Keane informed the 911 operator "that there was a patient at the facility that had an IV in the PACU so they should come in the back door and pt was having an allergic reaction."

75. At 9:46 a.m., the Decedent's vital signs were recorded by Defendant Nurse Rodgers as follows:

HR:	120 p.b.m.
BP:	91/49
Temp:	?
Nausea:	0

Notes: Pulse ox 96%

76. At approximately 9:47 a.m., Defendant Dr. Smith requested intubation supplies and ordered that Ms. Collins be given 200 mg of Propofol. Defendant Nurse Lake assisted with the intubation.

77. Defendant Dr. Smith's decision to administer 200 mg of Propofol, which is the dose that would be used on a healthy patient, sealed Ms. Collins's fate and made her death a certainty. Propofol is a vasodilator, accordingly it is not appropriate to use in patients who are hypotensive, i.e. have low blood pressure. Other medications, such as etomidate or ketamine would have been more appropriate in this setting. As noted above, Ms. Collins's blood pressure at the time she was give the Propofol was 91/49, which is extremely hypotensive or extremely low.

78. In essence, Defendant Dr. Smith administered an overdose of Propofol to Ms. Collins.

79. Three minutes later, Ms. Collins was administered 200 mg of succinylcholine. Succinylcholine is a skeletal muscle relaxant for IV administration to help facilitate tracheal intubation and to provide skeletal muscle relaxation during mechanical ventilation.

80. The Decedent was finally intubated, at 9:51 a.m., by Defendant Dr. Smith.

81. At that time, the Decedent's vital signs were recorded by Defendant Nurse Rodgers as follows:

HR: 122 p.b.m.
 BP: 88/48
 Temp: ?
 Nausea: 0

Notes: Pulse ox 95%

82. At 9:51 a.m. Cherry Hill Fire Department ("CHFD") BLS responded to a reported respiratory emergency at CHWC. When CHFD arrived at CHWC, Ms. Collins was already unconscious, unresponsive, and breathing via intubation.

83. According to the CHFD's BLS's Patient Record:

Upon administering a drug to help with sedation, the Pt's doctor stated that the pt began to demonstrate signs of an allergic reaction to the medication. Shortly after this happened the pt went unconscious and unresponsive. Pt care physician decided to intubate the Pt. This is when the facility decided to call 911. Upon BLS arrival, the Pt was currently breathing via assistance of the Care physician via bag ventilation via intubation tube. The care physician requested that the Pt be taken to the hospital for further treatment.

84. At 9:53 a.m., Ms. Collins's vital signs were recorded by EMS as follows:

HR: 162 p.b.m.
 BP: 50/28
 Ox: 85
 RR: 12

Notes: Skin is cool clammy, and no appropriate color with no visual wounds or bleeding.

85. At 9:56 a.m., Ms. Collins's vital signs were recorded by Defendant Nurse Rodgers as follows:

HR: 170 p.b.m.
 BP: 50/30
 Temp: ?
 Nausea: 0

Notes: Pulse ox 90% EMS arrived at the center at 9:52 am and EKG placed for monitoring purposes upon EMS request. No EKG strip printed.

86. CHFD ALS arrived at 10:00 a.m. and determined that Ms. Collins was in cardiac arrest and started CPR. At 10:02 a.m., Ms. Collins's vitals were recorded as follows:

HR:	0 p.b.m
BP	0/0
O2	85
RR	12

87. At 10:05 a.m., Defendant Ms. Nunez called Ms. Collins's mother and advised that her daughter was being transferred to Kennedy Memorial Hospital in Cherry Hill, New Jersey.

88. Ms. Collins was transported via ambulance to Kennedy Memorial Hospital and arrived at the emergency room at 10:23 a.m. In the emergency room the cardiac monitor showed Ms. Collins with pulseless electrical activity. It was noted that Ms. Collins had no pulse and that her pupils were fixed upon examination. A cardiac ultrasound showed no movement of Ms. Collins's heart muscle.

89. Ms. Collins was pronounced dead by the doctors of Kennedy Memorial Hospital at 10:53 a.m.

90. At 10:45 a.m., the Kennedy ER called CHWC and spoke to Defendant Dr. Smith. When asked about the cause of the anaphylaxis, Defendant Dr. Smith blamed Ms. Collins's reaction on the misoprostrol that she had been administered. This claim was also repeated in the NJ Universal Transfer Form by Defendant Nurse Rodgers.

91. What Defendants did not share with the staff at Kennedy was that Ms. Collins was allergic to iodine and that she had been given a heavy dose of iodine in the form of six Laminaria sticks. Defendants did not share with the staff at Kennedy that the Ms. Collins had previous allergic reactions at CHWC to the Laminaria sticks.

92. Defendants did not share with the staff at Kennedy that in 2013 the staff CHWC wrote in the CHWC chart that Ms. Collins was allergic to Laminaria and that she should receive a non-iodine dilator called Dilapans.

93. Specifically, CHWC's records from Ms. Collins's April 5, 2013 procedure states "see notes from previous insertion had 2-day 6/13/12 (allergic reaction to lams) use Dilapans".

94. The above note was referring to Ms. Collins's previous allergic reactions to Defendant Dr. Lieblich's previous use of Laiminaria sticks. Those past reactions were as follows:

a) Four (4) Laminaria sticks were inserted during her June 13, 2012 procedure. Ms. Collins had an allergic reaction including, but not limited to itching.

b) Five (5) Laminaria sticks were inserted during her October 17, 2014 procedure. Ms. Collins had an allergic reaction including, but not limited to shortness of breath, dizziness, and nausea.

95. The documentation of patient allergies is an essential part of medical care in all healthcare settings. When an allergy is discovered, it must be charted in a prominent and permanent way, and patients must be educated about the allergy.

96. Sadly, this never occurred at CHWC. For example, the 2012 and 2014 episodes are absent from Ms. Collins's September 2, 2018 chart.

97. The failure of Defendants to have appropriate policies and procedures to document allergies was an important contributing factor in the death of Ms. Collins.

98. The medical staff at CHWC should have been aware of the prior allergic reactions in 2012 and 2014 and should have chosen a non-iodine containing dilator on September 2, 2018. If they had done so, Ms. Collins would be alive today.

99. In light of her medical history, it is clear that he Ms. Collins's cause of death was anaphylactic shock due to hypersensitivity to Laminaria sticks.

100. The severe allergic reaction to Laminaria sticks that caused Ms. Collin's death on September 2, 2017 was preceded by reactions on June 13, 2013 and October 17, 2014. As described in the literature, each of Decedent's allergic reactions escalated with each additional exposure.

101. As a direct result of Defendants' failure to train, supervise, maintain complete and updated medical records, use appropriate medical procedures, contact emergency services, maintain proper life-saving equipment for their employees and agents to use, and deliver proper life-saving care Ms. Collins died on September 2, 2017 leaving behind two children ages 10 and 3.

102. The injuries described above were caused solely and exclusively by the negligence of Defendants and/or their agents, servants, employees, and/or volunteers and were in no manner whatsoever caused or contributed to by any act or omission on the part of Kalynda Collins.

IV. CAUSES OF ACTION

FIRST CAUSE OF ACTION: WRONGFUL DEATH ACT

**Lachelle Ramsey, individually and as Administratrix of
the Estate of Kalynda Collins v. All Defendants**

103. The preceding paragraphs are incorporated in full here as though set forth in their entirety.

104. Plaintiff Lachelle Ramsey, individually and as Administratrix of the Estate of Kalynda Collins brings this action on behalf of the beneficiaries under and by virtue of the Wrongful Death Act, N.J.S.A. 2A:31-1, and the applicable Rules of Civil Procedure and decisional law.

105. Under the Wrongful Death Act, Kalynda Collins, deceased, left surviving her the following persons, who may be entitled to recover for damages and on their behalf this action is brought: Lachelle Ramsey (mother), Raine Siderio (daughter – minor), and Aston Martin (son – minor).

106. As a result of the negligent acts and omissions of Defendants, Kalynda Collins was caused grave injuries and death resulting in the entitlement to damages to the Estate of Kalynda Collins, deceased.

107. Lachelle Ramsey, individually and as Administratrix of the Estate of Kalynda Collins, claims all administrator's expenses recoverable under the Wrongful Death Act, including, but not limited to, damages for hospital, medical, funeral and burial expenses and all expenses of administration made necessary because of Kalynda Collins's death.

108. On behalf of the Wrongful Death beneficiaries, the administrator claims damages for monetary support that Ms. Collins would have provided to the beneficiaries during their

lifetime, including, but not limited to, the household services provided or which could have been expected to have been provided to the beneficiaries.

109. On behalf of the Wrongful Death Act beneficiaries, the administrator claims damages for loss of companionship, comfort, society, guidance, solace, and protection by the decedent.

110. On behalf of the Wrongful Death beneficiaries, the administrator claims damages for the full damages allowed under the Wrongful Death Act of New Jersey and decisional law interpreting that Act.

WHEREFORE, Plaintiff demands compensatory and punitive damages against Defendants, jointly and severally, in an amount in excess of the prevailing arbitration limits under the Wrongful Death Act, exclusive of prejudgment interest, post-judgment interest and costs.

SECOND CAUSE OF ACTION: SURVIVAL ACT
Lachelle Ramsey, individually and as Administratrix of
the Estate of Kalynda Collins v. All Defendants

111. The preceding paragraphs are incorporated in full here as though set forth in their entirety.

112. Plaintiff Lachelle Ramsey, individually and as Administratrix of the Estate of Kalynda Collins, brings this Survival Action on behalf of Kalynda Collins, under and by virtue of N.J.S.A. 2A:15-3 and the applicable Rules of Civil Procedure and decisional law.

113. As a result of the acts and omissions of Defendants, the negligence and carelessness of Defendants, Plaintiff's daughter Kalynda Collins was caused grave injuries and death resulting in the entitlement to damages by said beneficiaries under the Survival Act.

114. On behalf of the Survival Act beneficiaries, the Administratrix claims loss of earnings and economic loss of Kalynda Collins's estate, including Ms. Collins's total estimated future earnings less the cost of her personal maintenance.

115. On behalf of the Survival Act beneficiaries, the Administratrix claims all loss of income, retirement, and Social Security income as a result of Kalynda Collins's death.

116. On behalf of the Survival Act beneficiaries, the Administratrix claims damages for the pain, suffering, and inconvenience endured by Kalynda Collins prior to her death, including, but not limited to his physical pain and suffering, mental pain and suffering.

117. Plaintiff claims the full measure of damages under the Survival Act and decisional law interpreting the Act.

WHEREFORE, Plaintiff demands compensatory and punitive damages against defendants, jointly and severally, in an amount in excess of the prevailing arbitration limits under the Survival Act, exclusive of prejudgment interest, post-judgment interest and costs.

THIRD CAUSE OF ACTION: NEGLIGENCE

Lachelle Ramsey, individually and as Administratrix of the Estate of Kalynda Collins v.
Defendants Richard M. Lieblich, M.D., and Mid-NJ Gynecology Group

118. The preceding paragraphs are incorporated in full here as though set forth in their entirety.

119. Defendants Dr. Lieblich and Mid-NJ Gynecology Group acted through the conduct of its agents, servants, employees, and ostensible agents. Defendants are liable for their own negligence and the negligence of their agents, servants, employees, and ostensible agents.

120. The negligence of Defendant Dr. Lieblich includes, but is not limited to, the following:

- A. Failure to preoperatively review Ms. Collins's medical records and history;
- B. Failure to use the appropriate dilator during Ms. Collins's procedure;
- C. Electing to perform a one day procedure rather than a two day procedure;
- D. Failure to appreciate Ms. Collins's allergy to iodine;
- E. Failure to recognize that the Laminaria sticks used during Ms. Collins's procedure contained iodine;
- F. Failure to obtain informed consent and informing Ms. Collins that the Laminaria sticks to be utilized during her procedure contained iodine;
- G. Failure to select the correct amount of Laminaria sticks to be used during Ms. Collins's procedure;
- H. Failure to appreciate the amount of pregnancies Ms. Collins had before administering misoprostol;
- I. Failure to properly monitor Ms. Collins post-insertion;
- J. Failure to recognize the signs and symptoms of anaphylaxis;
- K. Failure to timely and properly administer epinephrine;
- L. Failure to timely remove the Laminaria sticks;
- M. Failure to timely initiate the Emergency Patient Transfer protocol;
- N. Failure to timely and properly call a code blue;
- O. Failure to inform Ms. Collins that she was allergic to Laminaria sticks after her reactions in 2012 and 2014; and
- P. Failure to refer Ms. Collins to see an allergist or proper specialist to address her allergy to iodine.

121. The negligence of Defendant Dr. Lieblich directly resulted in the catastrophic anaphylactic demise of Ms. Collins.

122. The negligence of Defendant Dr. Lieblich increased the risk of harm to Ms. Collins.

123. Defendant Mid-NJ Gynecology Group is indirectly liable for the negligence of its owner, agent and/or employee Dr. Lieblich.

WHEREFORE, Plaintiffs demand judgment for compensatory and punitive damages upon this Count of the Complaint against Defendants, individually, jointly and/or severally, together with costs of suit, interest and attorney's fees.

FOURTH CAUSE OF ACTION: NEGLIGENCE

Lachelle Ramsey, individually and as Administratrix of the Estate of Kalynda Collins v. Defendants Kenneth Smith Jr., D.O., Cherry Hill Anesthesiology, P.C., and South Jersey Anesthesia and Pain d/b/a South Jersey Anesthesiology

124. The preceding paragraphs are incorporated in full here as though set forth in their entirety.

125. Defendants Dr. Smith, Cherry Hill Anesthesiology, P.C., and South Jersey Anesthesia and Pain d/b/a South Jersey Anesthesiology acted through the conduct of its agents, servants, employees, and ostensible agents. Defendants Dr. Smith, Cherry Hill Anesthesiology, P.C., and South Jersey Anesthesia and Pain d/b/a South Jersey Anesthesiology are liable for their own negligence and the negligence of their agents, servants, employees, and ostensible agents.

126. The negligence of Defendant Dr. Smith includes, but is not limited to, the following:

- A. Failure to recognize the signs and symptoms of anaphylaxis;
- B. Failure to timely and properly administer epinephrine;
- C. Failure to timely initiate the Emergency Patient Transfer protocol;
- D. Failure to timely and properly call a code blue;
- F. Failure to properly conduct a code blue;
- G. Failure to administer the proper medication during the code blue; and
- H. Failure to protect Ms. Collins airway;

- I. Failure to select the correct anesthetic medication to use on Ms. Collins;
- J. Failure to administer the correct dose of anesthetic medication to Ms. Collins;
- K. Failure to administer medication to reverse the excess amount of Propofol in Ms. Collins system; and
- L. Failure to timely intubate Ms. Collins.

127. The negligence of Defendant Dr. Smith directly resulted in the catastrophic anaphylactic demise of Ms. Collins.

128. The negligence of Defendant Dr. Smith increased the risk of harm to Ms. Collins.

129. Defendants Cherry Hill Anesthesiology, P.C., and South Jersey Anesthesia and Pain d/b/a South Jersey Anesthesiology are indirectly liable for the negligence of Dr. Smith.

WHEREFORE, Plaintiffs demand judgment for compensatory and punitive damages upon this Count of the Complaint against Defendants, individually, jointly and/or severally, together with costs of suit, interest and attorney's fees.

FIFTH CAUSE OF ACTION: NEGLIGENCE

Lachelle Ramsey, individually and as Administratrix of the Estate of Kalynda Collins v. Defendants HUMEDCO Corporation d/b/a The Women's Center, and Cherry Hill Women's Center, Inc., Nicole Lake R.N., Lauren Palma, R.N, Karly Rodgers, R.N., Andrew Keane, R.N., Joshlin Cruz, R.N.

130. The preceding paragraphs are incorporated in full here as though set forth in their entirety.

131. Defendants HUMEDCO and CHWC acted through the conduct of its agents, servants, employees, and ostensible agents. Defendants HUMEDCO and CHWC are liable for their own negligence and the negligence of their nursing staff including but not limited to Defendants Nicole Lake R.N., Lauren Palma, R.N, Karly Rodgers, R.N., Andrew Keane, R.N., and Joshlin Cruz, R.N.

132. The negligence of above Defendant Nurses included, but is not limited to, the following:

- A. Failure to properly chart Ms. Collins's previous allergic reactions;
- B. Failure to properly preoperatively screen Ms. Collins for allergies;
- C. Failure to preoperatively review Ms. Collins's medical records and entire medical history;
- D. Failure to communicate Ms. Collins's allergies to iodine to the doctors;
- E. Failure to recognize the Laminaria sticks used during Ms. Collins's procedure contained iodine;
- F. Failure to obtain informed consent and informing Ms. Collins that the Laminaria sticks to be utilized during her procedure contained iodine;
- G. Failure to select the correct amount of Laminaria sticks to be used during Ms. Collins's procedure;
- H. Failure to properly monitor Ms. Collins post-insertion;
- I. Failure to recognize the signs and symptoms of anaphylaxis;
- J. Failure to timely initiate the Emergency Patient Transfer protocol;
- K. Failure to timely and properly call a code blue; and
- L. Failure to inform Ms. Collins that she was allergic to Laminaria after her reactions in 2012 and 2014.

133. The negligence of above Defendant Nurses directly resulted in the catastrophic anaphylactic demise of Ms. Collins.

134. The negligence of above Defendant Nurses increased the risk of harm to Ms. Collins.

135. Defendants HUMEDCO and CHWC are indirectly liable for the negligence of Defendants Nicole Lake R.N., Lauren Palma, R.N, Karly Rodgers, R.N., Andrew Keane, R.N., Joshlin Cruz, R.N.

WHEREFORE, Plaintiffs demand judgment for compensatory and punitive damages upon this Count of the Complaint against Defendants, individually, jointly and/or severally, together with costs of suit, interest and attorney's fees.

SIXTH CAUSE OF ACTION: NEGLIGENCE

Lachelle Ramsey, individually and as Administratrix of the Estate of Kalynda Collins v. Defendants HUMEDCO Corporation d/b/a The Women's Center, and Cherry Hill Women's Center, Inc., Yohanna Nunez, Marleny Cotto, Tina Ortiz, Erica Batchelor

136. The preceding paragraphs are incorporated in full here as though set forth in their entirety.

137. Defendants HUMEDCO and CHWC acted through the conduct of its agents, servants, employees, and ostensible agents. Defendants HUMEDCO and CHWC are liable for their own negligence and the negligence of their medical staff including Yohanna Nunez, Marleny Cotto, Tina Ortiz, Erica Batchelor.

138. The negligence of Defendant medical staff included, but is not limited to, the following:

- A. Failure to properly chart Ms. Collins's previous allergic reactions;
- B. Failure to properly preoperatively screen Ms. Collins for allergies;
- C. Failure to preoperatively review Ms. Collins's medical records and entire medical history;
- D. Failure to communicate Ms. Collins's allergies to iodine to the doctors;
- E. Failure to recognize the Laminaria sticks used during Ms. Collins's procedure contained iodine;
- F. Failure to obtain informed consent and informing Ms. Collins that the Laminaria sticks to be utilized during her procedure contained iodine;
- G. Failure to select the correct amount of Laminaria sticks to be used during Ms. Collins's procedure;
- H. Failure to properly monitor Ms. Collins post-insertion;

- I. Failure to recognize the signs and symptoms of anaphylaxis;
- J. Failure to timely initiate the Emergency Patient Transfer protocol;
- K. Failure to timely and properly call a code blue; and
- L. Failure to inform Ms. Collins that she was allergic to Laminaria after her reactions in 2012 and 2014.

139. The negligence of Defendant medical staff directly resulted in the catastrophic anaphylactic demise of Ms. Collins.

140. The negligence of Defendant medical staff increased the risk of harm to Ms. Collins.

141. Defendants HUMEDCO and CHWC are indirectly liable for the negligence of Defendants Yohanna Nunez, Marleny Cotto, Tina Ortiz, Erica Batchelor.

WHEREFORE, Plaintiffs demand judgment for compensatory and punitive damages upon this Count of the Complaint against Defendants, individually, jointly and/or severally, together with costs of suit, interest and attorney's fees.

SEVENTH CAUSE OF ACTION: CORPORATE NEGLIGENCE

Lachelle Ramsey, individually and as Administratrix of
the Estate of Kalynda Collins v. Defendants HUMEDCO Corporation d/b/a The Women's
Center, Inc. and Cherry Hill Women's Center

142. The preceding paragraphs are incorporated in full here as though set forth in their entirety.

143. Defendants HUMEDCO and CHWC acted through the conduct of its agents, servants, employees, and ostensible agents. Defendants HUMEDCO and CHWC are liable for their own negligence and the negligence of their agents, servants, employees, and ostensible agents.

144. The negligence of Defendants HUMEDCO and CHWC included, but is not limited to, the following:

- A. Failure to hire, retain, and train competent medical staff as required by all relevant and supervisory organizations;
- B. Failure to supervise all doctors and medical staff;
- C. Failure to have proper policies and procedures to ensure that Ms. Collins's entire medical record is available and accessible to the medical staff;
- D. Failure to have proper policies and procedures to track and communicate patient allergies to the medical staff;
- E. Failure to transfer patient paper records into the new electronic medical record system;
- F. Failure to enforce proper policies and procedures to ensure that the medical staff reviewed Ms. Collins's the patient's entire medical history;
- G. Failure to have proper policies and procedures to ensure that Ms. Collins gave full informed consent to the procedure;
- H. Failure to have proper policies and procedures to ensure for the monitoring of patients post-insertion;
- I. Failure to have proper policies and procedures for the calling a code blue and initiation of the Emergency Patient Transfer protocol; and
- J. Failure to have the proper equipment to conduct a code blue and an overdose of Propofol.

145. The negligence of Defendants HUMEDCO and CHWC was a substantial factor in causing Ms. Collins's death.

146. The negligence of Defendants HUMEDCO and CHWC increased the risk of harm to Ms. Collins.

WHEREFORE, Plaintiffs demand judgment for compensatory and punitive damages upon this Count of the Complaint against Defendants, individually, jointly and/or severally, together with costs of suit, interest and attorney's fees.

FREIWALD LAW, P.C.

A Pennsylvania Professional Corporation

BY:



JOSEPH MARANO, ESQUIRE
Attorney for Plaintiff

Dated: February 25, 2019

DEMAND FOR TRIAL BY JURY

Plaintiff hereby demand a trial by jury as to all issues.

FREIWALD LAW, P.C.

A Pennsylvania Professional Corporation

BY:



JOSEPH MARANO, ESQUIRE
Attorney for Plaintiff

Dated: February 25, 2019

DESIGNATION OF TRIAL COUNSEL

Pursuant to R.4:25-4, Joseph Marano, Esquire is hereby designated as trial counsel on behalf of Plaintiffs.

FREIWALD LAW, P.C.
A Pennsylvania Professional Corporation

BY:

JOSEPH MARANO, ESQUIRE
Attorney for Plaintiff

Dated: February 25, 2019

NOTICE PURSUANT TO RULES 4:17-1, -2 and -4

TAKE NOTICE that upon service of this Complaint on any and all Defendant, it is deemed to have been simultaneously served with the appropriate Uniform Interrogatories and answers to these Uniform Interrogatories shall be served to the propounding party within 60 days after the Answer to the Complaint have been filed. Plaintiff hereby demands responsive answers to Form C and Form C(2) Interrogatories within the time prescribed by the above-referenced New Jersey Court Rules from all Defendants.

FREIWALD LAW, P.C.
A Pennsylvania Professional Corporation

BY:

JOSEPH MARANO, ESQUIRE
Attorney for Plaintiff

Dated: February 25, 2019