

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

MORGAN CASTRO,  
Plaintiff,  
v.  
PLANNED PARENTHOOD OF ILLINOIS and  
PLANNED PARENTHOOD FEDERATION OF  
AMERICA, INC.,  
Defendants, and  
AMY WHITAKER, M.D.; SARAH CORIA, RHA;  
and CARLY LAMANTIA, APN,  
Respondents in Discovery.

No.

FILED  
5/2/2019 1:34 PM  
DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL  
2019L004720

**CIVIL ACTION COVER SHEET**

A Civil Action Cover Sheet shall be filed with the complaint in all civil actions. The information contained herein is for administrative purposes only and cannot be introduced into evidence. Please check the box in front of the appropriate general category and then check the sub-category thereunder, if applicable, which best characterizes your action.

Jury Demand  Yes  No

**PERSONAL INJURY/WRONGFUL DEATH**

- 027 Motor Vehicle
- 040 Medical Malpractice
- 047 Asbestos
- 048 Dram Shop
- 049 Product Liability
- 051 Construction Injuries (including Structural Work Act, Road Construction Injuries Act and negligence)
- 052 Railroad/FELA
- 053 Pediatric Lead Exposure
- 061 Other Personal Injury/Wrongful Death
- 063 Intentional Tort
- 064 Miscellaneous Statutory Action  
(Please Specify Below\*\*)
- 065 Premises Liability
- 078 Fen-phen/Redux Litigation
- 199 Silicone Implant

**COMMERCIAL LITIGATION**

- 002 Breach of Contract
- 070 Professional Malpractice (other than legal or medical)
- 071 Fraud
- 072 Consumer Fraud
- 073 Breach of Warranty
- 074 Statutory Action  
(Please Specify Below\*\*)
- 075 Other Commercial Litigation  
(Please Specify Below\*\*)
- 076 Retaliatory Discharge

**062 PROPERTY DAMAGE**

**077 LIBEL/SLANDER**

**066 LEGAL MALPRACTICE**

**OTHER ACTIONS**

**TAX & MISCELLANEOUS REMEDIES**

- 007 Confession of Judgment
- 008 Replevin
- 009 Tax
- 015 Condemnation
- 017 Detinue
- 029 Unemployment Compensation
- 036 Administrative Review Action
- 085 Petition to Register Foreign Judgment
- 099 All Other Extraordinary Remedies

- 079 Petition for Qualified Orders
- 084 Petition to Issue Subpoena
- 100 Petition for Discovery

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By: Michael D. Ditore

Michael D. Ditore

Attorney No. 02329  Pro Se 99500

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

#02329 MDD\kjs 2018N-0150

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**Health Care Professional's  
Report Attached  
Attorney Affidavit Attached  
PLAINTIFF DEMANDS TRIAL BY JURY**

**COMPLAINT AT LAW**

Plaintiff, MORGAN CASTRO, by and through her attorneys, CORBOY & DEMETRIO, P.C., complaining of defendants, PLANNED PARENTHOOD OF ILLINOIS ("PLANNED PARENTHOOD"), and PLANNED PARENTHOOD FEDERATION OF AMERICA, INC. ("FEDERATION") states:

**COUNT I**

**Medical Professional Negligence - Service Corporation - Planned Parenthood**

1. On May 24, 2018, and at all times stated herein, defendant, PLANNED PARENTHOOD, was a professional service corporation providing physician and other obstetrical services to patients.

2. On May 24, 2018, and at all times stated herein, defendant, FEDERATION, was a professional service corporation providing physician and other obstetrical services to patients.

3. On and before May 24, 2018, and at all times stated herein, defendant, PLANNED PARENTHOOD, was a corporation duly organized under the laws of Illinois with its principal place of business located in Cook County, Illinois, and was actively doing business in Cook County, Illinois.

4. On May 24, 2018, MORGAN CASTRO was present at PLANNED PARENTHOOD, 1200 North LaSalle, Chicago, Illinois, for the implantation of intrauterine contraception (“IUC”).

5. On and after MORGAN CASTRO’s arrival at PLANNED PARENTHOOD on May 24, 2018, agents, apparent or actual, of PLANNED PARENTHOOD, managed her care.

6. In the alternative, on and after MORGAN CASTRO’s arrival at PLANNED PARENTHOOD on May 24, 2018, agents, apparent or actual, of FEDERATION, managed her care

7. On May 24, 2018, when MORGAN CASTRO was present at PLANNED PARENTHOOD, Carly LaMantia, APN, was one of her healthcare providers.

8. On May 24, 2018, when MORGAN CASTRO was present at PLANNED PARENTHOOD, Amy Whitaker, MD, was her supervising healthcare provider.

9. On May 24, 2018, before the IUC procedure, a PLANNED PARENTHOOD healthcare professional told MORGAN CASTRO that she may experience side-effects from the procedure, including, but not limited to, dizziness and cramping.

10. On May 24, 2018, shortly after the insertion of the IUC, MORGAN CASTRO experienced dizziness and informed the PLANNED PARENTHOOD healthcare professional present at that time of that dizziness.

11. On May 24, 2018, following her complaints of dizziness, MORGAN CASTRO was left alone and unmonitored.

12. On May 24, 2018, while unmonitored,, MORGAN CASTRO lost consciousness and fell off the table to the ground, striking her head and neck area, resulting in a broken neck.

13. On and after May 24, 2018, defendants, PLANNED PARENTHOOD and FEDERATION, by and through their agents and employees, apparent and/or actual, were negligent in one or more of the following respects:

- a. Failed to monitor MORGAN CASTRO following the implantation of the IUC;
- b. Failed to recognize and treat MORGAN CASTRO's dizziness;
- c. Failed to prevent MORGAN CASTRO from falling to the ground; and
- d. Were otherwise negligent.

14. As a proximate result of one or more of the aforesaid negligent acts and/or omissions, plaintiff, MORGAN CASTRO, suffered and will continue to suffer injuries of a personal and pecuniary nature.

15. Plaintiff attaches hereto the affidavit of plaintiff's attorney and the report of the reviewing healthcare professional.

WHEREFORE, Plaintiff, MORGAN CASTRO, demands judgment against defendants, PLANNED PARENTHOOD OF ILLINOIS, and PLANNED PARENTHOOD FEDERATION OF AMERICA, INC., in an amount in excess of the minimum amount required for jurisdiction in the Law Division of the Circuit Court of Cook County, Illinois.

**COUNT II**

**Respondents In Discovery**

1. It is believed AMY WHITAKER, M.D., SARAH CORIA, RHA, and CARLY LAMANTIA, APN, may have information as to whom, if anyone, should be named as an additional defendant in this matter.



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Michael D. Ditore

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**Report Prepared Pursuant to Illinois Revised Statute 735 ILCS 5/2-622**

I am a physician licensed to practice medicine in all of its branches. I am board certified in Obstetrics and Gynecology and am currently engaged in active practice. I have reviewed medical records and other relevant data pertaining to Morgan Castro including:

- Planned Parenthood records
- Presence Resurrection records
- City of Chicago Fire Department records
- Superior Air Ground Ambulance Service records
- Presence St. Joseph Hospital records

It is my professional opinion that there exists a reasonable and meritorious cause for the filing of a professional negligence lawsuit against Planned Parenthood of Illinois acting through their agents apparent and/or actual. Further, it is believed that Amy Whitaker, MD, Sarah Coria, RHA, and Carla LaMantia, APN may have information as to who, if anyone, should be named as an additional defendant. The reasons for my determination are as follows:

On May 24, 2018, Morgan Castro was admitted to Planned Parenthood, located at 1200 N. LaSalle Drive in Chicago, Illinois for the implantation of Intrauterine Contraception, or IUD. Morgan underwent the procedure while on an examination table. Following the insertion of the IUD, Morgan felt dizzy. Morgan informed the healthcare provider of those symptoms. After being informed of Morgan's dizziness, the healthcare provider left the room, leaving Morgan alone and unmonitored.

Morgan lost consciousness and fell from the table to the ground. The healthcare provider eventually reentered the room and observed Morgan on the ground. Morgan felt pain in her head radiating to her neck and tingling in her extremities. The healthcare providers called 911.

Morgan was taken via ambulance to Presence St. Joseph's Hospital. While there, she underwent a CT scan that revealed a Type II odontoid fracture, a fracture involving the left superior articular facet of her C2 vertebra, as well as anterior and posterior left C1 arch fractures with extensions into the anterior left lateral mass. Morgan was then transferred via ambulance to Presence Resurrection Hospital due to the severity of her injuries. While at Presence, the decision was made to apply a Halo to Morgan due to the unstable nature of her cervical spine fractures and Morgan's young age.

The records reflect that Amy Whitaker, MD, Carla LaMantia, APN, and/or the staff of Planned Parenthood failed to monitor Morgan Castro following her complaints of dizziness and failed to prevent Morgan Castro from falling off of the examination table, constituting a deviation from the standard of care.

One of more of the aforementioned acts or omissions was a proximate cause of Morgan Castro's injuries. To the extent that any of the physicians or staff caring for Morgan Castro were apparent or actual agents of Planned Parenthood, the acts of negligence of those physicians and staff would likewise be attributable to those entities.

My opinions are subject to modification and subject to review of additional material.

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No.

**AFFIDAVIT**

I, **MICHAEL D. DITORE**, state under oath:

1. I am one of the attorneys for the Plaintiff.
2. I have consulted and reviewed the facts of this case with a health professional who, I reasonably believe, is knowledgeable in the relevant issues in this particular action, has practiced within the last five years or teaches or has taught within the last five years in the same area of health care or medicine that is at issue in this particular action, and is qualified by experience or demonstrated a competence in the subject of this case.
3. The reviewing health professional has determined in a written report, after review of the medical records and other relevant materials involved in this particular action, that there is a reasonable and meritorious cause for the filing of this action.
4. The Affiant has concluded, on the basis of reviewing the health professional's review and consultation, that there is a reasonable and meritorious cause for filing this action.

5. The Plaintiff has not previously voluntarily dismissed this action based upon the same or substantially the same facts, omissions or occurrences.

FURTHER AFFIANT SAYETH NOT.



CORBOY & DEMETRIO, P.C.

By: Michael D. Ditore

SUBSCRIBED and SWORN to before me  
this 1st day of May, 2019.



NOTARY PUBLIC



David R. Barry, Jr.  
Michael D. Ditore  
CORBOY & DEMETRIO, P.C.  
Attorneys for Plaintiff  
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**AFFIDAVIT**

I, **MICHAEL D. DITORE**, state under oath:

1. I am an attorney associated with Corboy & Demetrio, P.C. and am responsible for filing of the Complaint at Law in this matter.
2. The total of money damages sought by plaintiff does exceed \$50,000.00, exclusive of interest and costs.

CORBOY & DEMETRIO, P.C.  
By: Michael D. Ditore

SUBSCRIBED and SWORN to before me  
this 1st day of May, 2019.

NOTARY PUBLIC



David R. Barry, Jr.  
Michael D. Ditore  
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Attorneys for Plaintiff  
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**JURY DEMAND**

The undersigned hereby demands trial by jury.



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