

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS
DANNIELLA E. COX,

Index No.

Plaintiff designates

KINGS

Plaintiff,

County as the place of trial

against

The basis of the venue is
Residence of Plaintiff

SUMMONS

PLANNED PARENTHOOD OF NEW YORK CITY, INC.,
JOHN DOE, M.D.,

Plaintiff resides at
400 St. Marks Place
Brooklyn, New York

Defendants.

To the above named Defendant(s)

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff' Attorney(s) within twenty days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Brooklyn, New York
September 11, 2014

Yours etc.,
STEFANO A. FILIPPAZZO, P.C.

/s/

STEFANO A. FILIPPAZZO, ESQ.
Attorneys for Plaintiff
16 Court Street, 28th Floor
Brooklyn, New York 11241
P: 718.855.1350

Service List:

- **PLANNED PARENTHOOD OF NEW YORK CITY, INC. - Secretary of State.**

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X Index No.:
DANNIELLA E. COX,

Plaintiff,

COMPLAINT

- against -

PLANNED PARENTHOOD OF NEW YORK CITY, INC.,
JOHN DOE, M.D.,

Defendants.

-----X

Plaintiff, by her attorneys, STEFANO A. FILIPPAZZO, P.C.,
complaining of the Defendants, alleges:

BACKGROUND

1. Plaintiff, DANNIELLA E. COX, is an individual residing
in the County of Kings, State of New York.

2. On information and belief, from on or about March 26,
2014 through on or about April 24, 2014, the Defendant, PLANNED
PARENTHOOD OF NEW YORK CITY, INC., was a Not-For-Profit
Corporation authorized to conduct business in the State of New
York.

3. That from on or about March 26, 2014 through on or about
April 24, 2014, the Defendant PLANNED PARENTHOOD OF NEW YORK
CITY, INC. had an office for the conducting of its business in
the County of Kings, State of New York.

4. That from on or about March 26, 2014 through on or about
April 24, 2014, the Defendant PLANNED PARENTHOOD OF NEW YORK
CITY, INC. had an office for the conducting of its business in

the County of New York, State of New York.

5. On information and belief, the defendant, JOHN DOE, M.D., is an individual residing in the State of New York and is a doctor licensed to practice medicine in the State of New York.

6. On information and belief, from on or about March 26, 2014 through on or about April 24, 2014, defendant JOHN DOE, M.D. was an employee of defendant PLANNED PARENTHOOD OF NEW YORK CITY, INC.

7. On information and belief, from on or about March 26, 2014 through on or about April 24, 2014, defendant JOHN DOE, M.D. was an independent contractor working for defendant PLANNED PARENTHOOD OF NEW YORK CITY, INC.

8. From on or about March 26, 2014 through on or about April 24, 2014, the Defendant PLANNED PARENTHOOD OF NEW YORK CITY, INC. entered into a physician-patient relationship with DANNIELLA E. COX.

9. From on or about March 26, 2014 through on or about April 24, 2014, the Defendant JOHN DOE, M.D. entered into a physician-patient relationship with DANNIELLA E. COX.

10. From on or about March 26, 2014 through on or about April 24, 2014, the defendants PLANNED PARENTHOOD OF NEW YORK CITY, INC. and JOHN DOE, M.D. provided medical care and treatment to DANNIELLA E. COX at its Kings County office, located at Boro Hall Center, 44 Court Street, Brooklyn, New York.

11. From on or about March 26, 2014 through on or about April 24, 2014, the defendants PLANNED PARENTHOOD OF NEW YORK CITY, INC. and JOHN DOE, M.D. provided medical care and treatment to DANNIELLA E. COX at its New York County office, located at Margaret Sanger Center, 26 Bleecker Street, New York, New York.

AS AND FOR A SECOND CAUSE OF ACTION

12. Plaintiff repeats and realleges each and every allegation contained hereinabove as though fully set forth herein.

13. The Defendants were negligent, careless and guilty of medical malpractice in the care and treatment of DANNIELLA E. COX.

14. The Defendants failed to properly and timely assess, diagnose and treat an ectopic pregnancy.

15. The Defendants failed to perform, review and interpret proper and timely diagnostic testing, including, but not limited to sonography and laboratory tests.

16. The Defendants failed to properly and timely treat the ectopic pregnancy medically.

17. The Defendants failed to timely and properly prescribe and/or administer appropriate medications to terminate the ectopic pregnancy.

18. The Defendants failed to properly and timely monitor for ectopic pregnancy and termination of pregnancy.

19. The Defendants misdiagnosed the patient.

20. As a result of the Defendants' negligence and malpractice, the diagnosis and treatment of an ectopic pregnancy was delayed.

21. As a result of the Defendants' negligence and malpractice, DANNIELLA E. COX suffered, inter alia, serious, severe and permanent personal injuries, had and will continue to have severe conscious pain and suffering, had to undergo surgery that in the absence of negligence would have and should have been unnecessary, lost a fallopian tube, damage to reproductive system, suffers a decreased chance of conceiving, carrying and delivering a baby, suffers scar tissue/adhesion formation, abdominal scarring and related injuries, the risk of further scar tissue formation and related injuries, emotional injuries and sustained general and special damages.

22. By reason of the foregoing, Plaintiff sustained damages in a sum which exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

AS AND FOR A SECOND CAUSE OF ACTION

23. Plaintiff repeats and realleges each and every allegation contained hereinabove as though fully set forth herein.

24. None of the Defendants disclosed to DANNIELLA E. COX the reasonable foreseeable risks and benefits involved in the proposed treatment and in the alternatives to the proposed treatment.

25. A reasonable medical practitioner under similar circumstances would have disclosed such information in a manner permitting DANNIELLA E. COX to make a knowledgeable evaluation.

26. A reasonable prudent person in DANNIELLA E. COX's position would not have undergone the treatment regimen as proposed by the Defendants and would have undergone the alternatives to the proposed treatment regimen had she been fully informed.

27. The lack of informed consent is a substantial factor in causing DANNIELLA E. COX's injuries.

28. By reason of the foregoing, Plaintiff sustained general and special damages in a sum which exceed the jurisdictional limit of all lower Courts which would otherwise have jurisdiction.

WHEREFORE, Plaintiff demand judgment on each cause of action against each Defendant in amounts which exceed the jurisdictional limits of all lower Courts which would otherwise have jurisdiction, as well as interest, costs and disbursements, and such other, further and different relief as to the Court seems just and proper.

Dated: Brooklyn, New York
September 11, 2014

Yours etc.,
STEFANO A. FILIPPAZZO, P.C.

/s/
STEFANO A. FILIPPAZZO, ESQ.
Attorney for Plaintiff
16 Court Street, 28th Floor
Brooklyn, New York 11241
P: 718.855.1350

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X Index No.:
DANNIELLA E. COX,

Plaintiff,

**CERTIFICATE OF MERIT
MEDICAL OR DENTAL
MALPRACTICE ACTION**

- against -

PLANNED PARENTHOOD OF NEW YORK CITY, INC.,
JOHN DOE, M.D.,

Defendants.

-----X

The undersigned, attorney for Plaintiff, declares that,

I have reviewed the facts of the case and have consulted with at least one physician who is licensed to practice in this state or any other state and who I reasonably believe is knowledgeable in the relevant issues involved in this action, and I have concluded on the basis of such review and consultation that there is a reasonable basis for the commencement of this action.

Dated: Brooklyn, New York
September 11, 2014

Yours etc.,
STEFANO A. FILIPPAZZO, P.C.

/s/

STEFANO A. FILIPPAZZO, ESQ.
Attorneys for Plaintiff
16 Court Street, 28th Floor
Brooklyn, New York 11241
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