

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

SHANICE THOMPSON,)	Index No.
)	
Plaintiffs,)	
vs.)	
)	
MONICA DRAGOMAN, M.D. AND PLANNED)	
PARENTHOOD OF GREATER NEW YORK, INC.,)	
D/B/A PLANNED PARENTHOOD OF NYC-MS,)	
)	
Defendants.)	

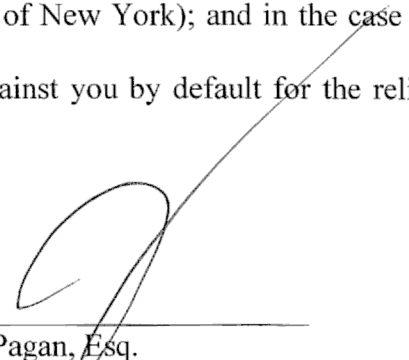
SUMMONS

Plaintiffs designate KINGS COUNTY as the place of trial. The basis of venue is plaintiffs' residence.

TO THE ABOVE NAMED DEFENDANTS:

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's attorneys within twenty [20] days after the service of this Summons, exclusive of the day of service (or within thirty [30] days after the service is complete if this summons is not personally delivered to you within the State of New York); and in the case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
January 26, 2021



William Pagan, Esq.
THE PAGAN LAW FIRM, P.C.
Attorneys for Plaintiffs
Office & P.O. Box Address:
805 Third Avenue, Suite 1205
New York, New York 10022
(212) 967-8202

Defendants' addresses:

MONICA DRAGOMAN, M.D.
26 Bleeker Street
New York, New York, 10012

PLANNED PARENTHOOD OF
GREATER NEW YORK, INC.
26 Bleeker Street
New York, New York, 10012

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

SHANICE THOMPSON,)	Index No.
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Plaintiffs,)	
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MONICA DRAGOMAN, M.D. AND PLANNED)	VERIFIED COMPLAINT
PARENTHOOD OF GREATER NEW YORK, INC.,)	
D/B/A PLANNED PARENTHOOD OF NYC-MSC,)	
)	
Defendants.)	

Plaintiff, by her attorneys, THE PAGAN LAW FIRM, P.C. complaining of the defendants, respectfully alleges upon information and belief as follows:

AS AND FOR A FIRST CAUSE OF ACTION

1. That at all times hereinafter mentioned plaintiff, was and still is a resident of the County of Kings, City and State of New York.

2. That at all times mentioned herein, upon information and belief, defendant MONICA DRAGOMAN, M.D. was and is a physician licensed to practice medicine in the State of New York, represented herself to be so licensed, and engaged in the practice of her profession in the State of New York.

3. That at all times mentioned herein, upon information and belief, defendant PLANNED PARENTHOOD OF GREATER NEW YORK, INC., D/B/A PLANNED PARENTHOOD OF NYC-MSC, was and is a Domestic Not-For-Profit Corporation organized and existing under the laws of the State of New York, and did, and does own, operate, manage and control PLANNED PARENTHOOD OF NYC-MSC, located at 26 Bleeker Street New York, New York, 10012.

4. That at all times mentioned, herein, upon information and belief, defendant MONICA DRAGOMAN, M.D. was an agent, servant, and/or employee of defendant PLANNED PARENTHOOD OF NYC-MSC.

5. That at all times mentioned, herein, upon information and belief, defendant MONICA DRAGOMAN, M.D. was an attending physician, and/or independent contractor of defendant PLANNED PARENTHOOD OF NYC-MSD.

6. That at all times mentioned herein defendants, their attending physicians, residents, medical students, agents, servants, employees and/or independent contractors represented themselves to be competent to perform and render all professional work, services, treatments, surgeries and tests that were to be rendered to plaintiff.

7. That at all times mentioned herein defendants, their agents, residents, medical students, nurses, midwives, servants, employees and/or independent contractors for a consideration, offered to render competent and adequate care by physicians, medical services, surgical services, diagnostic services, hospital services, diagnostic radiology services and in general, all necessary services to give and perform proper, adequate and competent medical care, treatment and attention to members of the general public, and more particularly, plaintiff herein and further held themselves out to such individuals as having necessary personnel, equipment, supplies and facilities to perform the same.

8. That at all times mentioned herein, plaintiff provided a medical history, various complaints, signs, symptoms, pains, sensations, and other physical and/or complaints to defendants, their attending physicians, residents, medical students, agents, servants, associates, partners, employees and/or independent contractors.

9. That plaintiff was examined, treated, prescribed medication, diagnosed, monitored, and received medical and surgical care by defendants on all dates of treatment including on or about September 5, 2018.

10. That plaintiff was not properly examined, treated, diagnosed and/or monitored nor surgery properly performed upon her during the medical and surgical care by defendants, their

attending physicians, residents, medical students, agents, servants, employees and/or independent contractors in accordance with good and accepted medical practices.

11. That at all times mentioned herein defendants, their attending physicians, residents, medical students, agents, servants, employees, assistants and/or independent contractors were negligent in failing to follow good and accepted medical and surgical practices and procedures: in hiring, retaining and contracting employees/personnel that failed to follow accepted and standard medical practices and procedures; in failing to obtain a proper medical history; in failing to properly chart and/or maintain the plaintiff's medical records; in failing to properly consult the plaintiff's chart and/or medical records; in failing to properly diagnose plaintiff's condition; in failing to timely and properly perform surgeries, in particular an abortion on plaintiff; in negligently perforating plaintiff's uterine; in failing to use the proper surgical tools; in failing to properly examine plaintiff, especially plaintiff's uterus before attempting to perform an abortion; in failing to obtain a second opinion; and plaintiff having been injured by the acts of the defendants, their agents, servants, employees and/or independent contractors while under the defendants' care and treatment without any negligence on the part of the plaintiff in any way contributing thereto, the occurrence of the negligence and malpractice of the defendants, their agents, servants, employees, and/or independent contractors, plaintiff will rely upon the Doctrine of *Res Ipsa Loquitur*.

12. That as a result of the negligence, carelessness and/or medical malpractice of defendants, collectively, their attending physicians, residents, medical students, agents, servants, employees and/or independent contractors, as aforesaid hereinabove and without any negligence on the part of plaintiff contributing thereto, plaintiff was caused to sustain severe and permanent personal injuries including uterine injuries, bowel injuries, nerve injuries, pain and suffering, medical expenses, loss of enjoyment of life, pain and suffering and other damages.

13. That by reason of the foregoing departures from accepted medical practices, plaintiff has sustained damages in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction over the defendants herein.

14. The limitations on liability set forth in CPLR § 1601 do not apply by reason of one or more of the exceptions thereto set forth in CPLR § 1602.

WHEREFORE, plaintiff, demands judgment against the defendants, on all causes of action, in a monetary award and damages which exceed the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the defendants herein, together with the costs and disbursements of this action.

Dated: New York, New York
January 26, 2021

William Pagan, Esq.
THE PAGAN LAW FIRM, P.C.
Attorneys for Plaintiffs
805 Third Avenue, Suite 1205
New York, New York 10022
(212) 967-8202

ATTORNEY'S VERIFICATION

STATE OF NEW YORK)

COUNTY OF NEW YORK)ss.:

I, the undersigned, an attorney admitted to practice in the Courts of New York State, state that I am a member of THE PAGAN LAW FIRM, P.C. the attorneys of record for the plaintiff(s) in the within action; I have read the foregoing

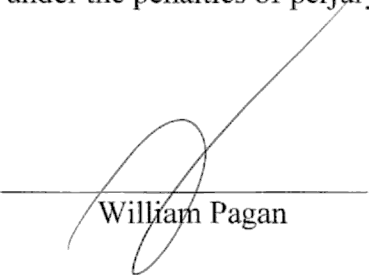
VERIFIED COMPLAINT

and know the contents thereof; the same is true to my knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters, I believe it to be true. The reason this verification is made by me and not by plaintiffs is that deponent maintains offices outside the County in which plaintiffs reside.

The grounds of my belief as to all matters not stated upon my own knowledge, are as follows: entire file maintained in your affirmant's offices; investigations, etc.

I affirm that the foregoing statements are true, under the penalties of perjury.

Dated: New York, New York
January 26, 2021



William Pagan

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Plaintiffs,

vs.

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PARENTHOOD OF GREATER NEW YORK, INC.,
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Defendants.

) Index No.

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) **CERTIFICATE OF MERIT**
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WILLIAM PAGAN, Esq., an attorney duly admitted to practice law in the Courts of the State of New York, am an partner of THE PAGAN LAW FIRM, P.C., attorneys for the plaintiff in this action, affirms, under the penalties of perjury, that the following statement, pursuant to CPLR §2106 is true:

Your affirmant has reviewed the facts in this action, and has consulted with a physician licensed to practice medicine in the State of New York, whom your affirmant reasonable believes is knowledgeable in the relevant issues involved in this action. Based on said review and consultation, your affirmant has concluded that there is a reasonable basis for the commencement of this action.

Dated: New York, New York
January 26, 2021

William Pagan, Esq.

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THE PAGAN LAW FIRM, P.C.

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212-967-8202
Fax (212) 967-8794

To: