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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

JUN 16 2022

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NATALLIE QUINONES

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO**

CIV SB 22 12636

NATALLIE QUINONES, an individual,
Plaintiffs,
v.
PLANNED PARENTHOOD/ORANGE
AND SAN BERNARDINO COUNTIES,
INC. DBA PLANNED PARENTHOOD
OF ORANGE AND SAN BERNARDINO
COUNTIES, INC., a California
Corporation; MICHELLE O'VALLE, an
individual; CHONN GONZALEZ, an
individual; AMBER GALLY, an
individual, and DOES 1 to 100, inclusive,
Defendants,

CASE NO.:
UNLIMITED JURISDICTION
COMPLAINT FOR DAMAGES:
1. **MEDICAL MALPRACTICE/
NEGLIGENCE**
2. **NEGLIGENT HIRING, TRAINING
AND SUPERVISION**
DEMAND FOR JURY TRIAL

BY FAX

COMES NOW PLAINTIFF, NATALLIE QUINONES., and for her Complaint states the following:

1. Plaintiff, NATALLIE QUINONES, is, and at all times relevant to the matters herein was, a resident of the County of San Bernardino County, California.
2. Defendant, PLANNED PARENTHOOD/ORANGE AND SAN BERNARDINO COUNTIES, INC. dba PLANNED PARENTHOOD OF ORANGE AND SAN BERNARDINO COUNTIES, INC., hereinafter referred to as "PLANNED

- 1 PARENTHOOD” which does business in the County of San Bernardino, California, and
2 which is engaged, among other things, in the business of rendering medical and other health
3 care and services to the general public for compensation, and which held itself out to the
4 general public and to Plaintiff, NATALLIE QUINONES, to be competent in rendering
5 medical and other health care and services.
- 6 3. Defendant, MICHELLE O’VALLE an individual residing in, and doing business in the
7 County of San Bernardino, California. MICHELLE O’VALLE is an owner, director,
8 supervisor, employee, agent, director and shareholder in PLANNED PARENTHOOD, a
9 California Corporation, and is engaged, among other things, in the business of rendering
10 medical and other health care services to the general public for compensation, and who held
11 himself out to the general public and to Plaintiff, NATALLIE QUINONES, to be competent
12 in rendering medical and other health care and services.
- 13 4. Defendant, CHONN GONZALEZ an individual residing in, and doing business in the County
14 of San Bernardino, California. CHONN GONZALEZ is an owner, director, supervisor,
15 employee, agent, director and shareholder in PLANNED PARENTHOOD, a California
16 Corporation, and is engaged, among other things, in the business of rendering medical and
17 other health care services to the general public for compensation, and who held himself out to
18 the general public and to Plaintiff, NATALLIE QUINONES, to be competent in rendering
19 medical and other health care and services.
- 20 5. Defendant, AMBER GALLY an individual residing in, and doing business in the County of
21 San Bernardino, California. AMBER GALLY is an owner, director, supervisor, employee,
22 agent, director and shareholder in PLANNED PARENTHOOD, a California Corporation, and
23 is engaged, among other things, in the business of rendering medical and other health care
24 services to the general public for compensation, and who held himself out to the general public
25 and to Plaintiff, NATALLIE QUINONES, to be competent in rendering medical and other
26 health care and services.
- 27 6. Plaintiff, NATALLIE QUINONES, sought medical care and advice from DEFENDANTS
28 PLANNED PARENTHOOD, MICHELLE O’VALLE, CHONN GONZALEZ and AMBER

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GALLY at the Upland, California location of PLANNED PARENTHOOD at 918 W. Foothill Blvd, #A, Upland CA 91786.

- 7. Defendants DOES 1-100 are and at all times relevant to the matters herein are believed to be, residents of San Bernardino, and which are engaged, among other things, in the business of rendering medical and other health care and services to the general public for compensation, and which hold themselves out to the general public and to Plaintiff, NATALLIE QUINONES, to be competent in rendering medical and other health care and services.
- 8. The true names and capacities, whether individual, corporate, associate, or otherwise, of Defendants DOES 1 through 100, inclusive, are unknown to Plaintiff who therefore sue said DOE Defendants by fictitious names. Plaintiff is informed and believes and thereon alleges, that each of the Defendants sued herein as a DOE are legally responsible in some manner for the events and happenings referred to herein, and Plaintiff will ask leave of this Court to amend this complaint to insert their true names and capacities in place and instead of the fictitious names when the same becomes known to Plaintiff.
- 9. At all times mentioned herein, Defendants, and each of them, were the agents, principals, servants, or employees of each of the remaining Defendants, and were at all times acting within the purpose and/or scope of such agency, service and/or employment and/or of said Defendants. Each Defendant, including Does 1 through 100, consented, ratified, permitted, encouraged, directed, and/or approved the acts of each other Defendant.

I.
FIRST CAUSE OF ACTION FOR MEDICAL
MALPRACTICE / NEGLIGENCE
(AS TO ALL DEFENDANTS PLANNED PARENTHOOD, MICHELLE O'VALLE,
CHONN GONZALEZ and AMBER GALLY)

- 10. Plaintiff re-assert and re-allege paragraphs 1 through 9 as though fully set forth herein.
- 11. On or about March 6, 2020, Plaintiff, NATALLIE QUINONE, consulted with and employed Defendants, PLANNED PARENTHOOD and MICHELLE O'VALLE, and DOES 1 to 100, inclusive, hereinafter "DEFENDANTS" to examine, diagnose, treat, and perform medical care, namely the insertion of a Nexplanon birth control implant.

- 1 12. DEFENDANTS PLANNED PARENTHOOD and MICHELLE O'VALLE and each of them,
2 and DOES 1 to 100, owed a duty to Plaintiff to exercise the degree of knowledge, skill,
3 prudence and diligence as other members of their respective professions commonly possess
4 and exercise in the community.
- 5 13. DEFENDANTS PLANNED PARENTHOOD and MICHELLE O'VALLE and each of them,
6 and DOES 1 to 100, breached their respective duties to NATALLIE QUINONES in
7 improperly performing the insertion of a Nexplanon birth control implant within her left arm,
8 hereinafter referred to as the "NEXPLANON INSERTION" by improperly inserting the
9 device so that it injured NATALLIE QUIINONES' arm including but not limited to the nerve.
- 10 14. Specifically, DEFENDANTS, PLANNED PARENTHOOD and MICHELLE O'VALLE and
11 each of them, and DOES 1 to 100, performed the NEXPLANON INSERTION on March 6,
12 2020.
- 13 15. Plaintiff, NATALLIE QUINONES felt immediate numbness, pain and discomfort, and was
14 informed by DEFENDANT PLANNED PARENTHOOD'S hotline on multiple occasions
15 that the discomfort was normal and would subside. She was informed and believes and herein
16 alleges she was advised her discomfort was normal on April 5, 2020, and it would subside.
17 PLANNED PARENTHOOD and DOES 1 - 100 negligently failed to inform her the
18 symptoms and pain were not normal and that she should seek medical care.
- 19 16. Due to ongoing discomfort NATALLIE QUINONES decided to have the Nexplanon birth
20 control implant removed by DEFENDANTS PLANNED PARENTHOOD, and DOES 1 -
21 100, hereinafter the 'NEXPLANON REMOVAL" on August 19, 2020.
- 22 17. On or about August 19, 2020, Plaintiff, NATALLIE QUINONE, consulted with and
23 employed Defendants, PLANNED PARENTHOOD and CHONN GONZALEZ, and DOES
24 1 to 100, inclusive, to examine, diagnose, treat, and perform medical care, namely the
25 NEXPLANON REMOVAL.
- 26 18. DEFENDANTS, PLANNED PARENTHOOD and CHONN GONZALEZ and each of them,
27 and DOES 1 to 100, owed a duty to Plaintiff to exercise the degree of knowledge, skill,
28 prudence and diligence as other members of their respective professions commonly possess

- 1 and exercise in the community.
- 2 19. DEFENDANTS, PLANNED PARENTHOOD and CHONN GONZALEZ and each of them,
3 and DOES 1 to 100, breached their respective duties to NATALLIE QUINONES in
4 improperly performing the removal of a Nexplanon birth control implant from her left arm,
5 hereinafter referred to as the "NEXPLANON REMOVAL." The Plaintiff is informed and
6 believes, and upon such information and belief alleges an x-ray was not used to locate the
7 device prior to removal nor was she referred to a surgeon for the removal despite the continued
8 complaints of pain and numbness since the NEXPLANON INSERTION. The Plaintiff is
9 informed and believes, and upon such information and belief alleges she obtained additional
10 injury during the NEXPLANON REMOVAL which was performed by PLANNED
11 PARENTHOOD and DEFENDANT CHONN GONZALEZ.
- 12 20. Specifically, in conjunction with and/or immediately after the NEXPLANON REMOVAL,
13 NATALLIE QUINONES felt an immediate electric type shock through her left extremity.
14 DEFENDANT CHONN GONZALEZ advised NATALLIE QUINONNES this sensation
15 would diminish and heal on its own, and no referrals were made to a neurologist on her behalf.
- 16 21. On or about September 25, 2020, Plaintiff, NATALLIE QUINONE, consulted with and
17 employed Defendants, PLANNED PARENTHOOD and AMBER GALLY and DOES 1 to
18 100, inclusive, to examine, diagnose, treat, and perform medical care, namely the
19 NEXPLANON REMOVAL follow-up care due to continued symptoms.
- 20 22. DEFENDANTS, PLANNED PARENTHOOD and AMBER GALLY and each of them, and
21 DOES 1 to 100, owed a duty to Plaintiff to exercise the degree of knowledge, skill, prudence,
22 and diligence as other members of their respective professions commonly possess and
23 exercise in the community.
- 24 23. Specifically, on or about September 25, 2020, NATALLIE QUINONES returned to
25 PLANNED PARENTHOOD with continued complaints of left arm pain, numbness and
26 tingling in her forth and fifth fingers. She was examined by DEFENDANT AMBER GALLY,
27 was told nothing was wrong with her extremity and it would heal on its own. Again, no
28 referrals were made on her behalf to a neurologist.

- 1 24. NATALLIE QUINONES continued to have pain, numbness and weakness throughout her left
2 upper extremity and waited for it to heal like DEFENDANTS PLANNED PARENTHOOD,
3 MICHELLE O'VALLE, CHONN GONZALEZ and AMBER GALLY, and DOES 1 – 100
4 informed her it would until April 14, 2021, when she became concerned because the pain had
5 not yet subsided.
- 6 25. NATALLIE QUINONES sought medical treatment with different medical providers and on
7 April 14, 2021, they began to investigate the cause of her left arm pain.
- 8 26. On or about May 5, 2021, an NCC/EMG which was indicative of *bilateral* ulnar nerve
9 entrapment at the Guyon's tunnel and axonal sensory polyneuropathy of upper *extremities*;
10 differential diagnoses include vasculitis, toxicity and others, so there was no clear diagnosis
11 of an injury. At that time, no specific cause for the neuritis had been identified by any medical
12 provider.
- 13 27. Eventually, on July 7, 2021, she was diagnosed with left ulnar nerve neuritis, and at that time,
14 her doctor was stated "the onset of her ulnar neuritis *may* be a direct trauma of the ulnar nerve
15 during the insertion of the device or subsequent migration of device, or possible reaction to
16 the medication and the device." But further investigation into the cause of the neuritis was
17 still being evaluated with future MRIs, lab work for inflammatory diseases such as arthritis,
18 etcetera which took place in July 2021 and August 2021.
- 19 28. On or about August 16, 2021, Plaintiff NATALLIE QUINONES was seen by an orthopedic
20 surgeon who reviewed the nerve conduction study, examined the Plaintiff, and stated in his
21 finding that, "I recommend further [work-up] with some screening labs and ultimately referral
22 to rheumatologist to [rule out] vasculitic, toxic or autoimmune cause of her symptoms."
- 23 29. Despite the representations and assurances from DEFENDANTS that the condition was
24 normal and would heal on its own, sometime on or after August 11, 2021, Plaintiff
25 NATALLIE QUINONES realized the condition of her left arm is chronic, potentially
26 permanent when advised so by Dr. Sang V. Le when he recommended that she "may think
27 about doing types of jobs that do not aggravate her symptoms in the future."
- 28 30. The date of knowledge of the alleged Malpractice which forms the basis of this lawsuit was

1 on or after August 11, 2021, which makes the filing of this lawsuit timely.

2 31. By reason of the Defendants' conduct, Plaintiff suffered extreme and severe mental anguish,
 3 and physical pain. Plaintiff suffered and will continue to suffer pain, mental anguish, loss of
 4 normal life, and disability to his mind and body. As a further result of the conduct of
 5 Defendants' conduct, Plaintiff incurred medical bills and lost earnings, related health care
 6 costs in an amount to be determined according to proof at trial.

7 II.
 8 **SECOND CAUSE OF ACTION - NEGLIGENT HIRING,**
 9 **TRAINING AND SUPERVISION**
 10 **(AGAINST DEFENDANT PLANNED PARENTHOOD**
 11 **AND DOES 1 – 100)**

10 32. Plaintiff, NATALLIE QUINONES, re-alleges as though fully set forth at length and
 11 incorporates by reference herein all of the allegations and statements previously set forth in
 12 this Complaint.

13 33. Defendant PLANNED PARENTHOOD and Does 1-100, owed a duty of care to Plaintiff
 14 NATALLIE QUINONES to hire employees that could conform their conduct to the law and
 15 that would not inflict harm upon their former patients.

16 34. Defendant PLANNED PARENTHOOD and Does 1-100, were negligent in their hiring,
 17 training, and supervising of their employees including but not limited to Defendants
 18 MICHELLE O'VALLE, CHONN GONZALEZ, AMBER GALLY, and DOES 1 – 100 in that
 19 PLANNED PARENTHOOD knew or should have known that MICHELLE O'VALLE,
 20 CHONN GONZALEZ, AMBER GALLY, and DOES 1 – 100 were unfit to perform the work
 21 for which they was hired and but continued to employ them.

22 35. Furthermore, PLANNED PARENTHOOD and DOES 1 – 100 knew or should have known
 23 that DEFENDANTS MICHELLE O'VALLE, CHONN GONZALEZ, AMBER GALLY, and
 24 DOES 1-100 were unfit to perform the work for which they were hired and that their continued
 25 employment would result in the hiring, supervision, training and/or retention of an employee
 26 whose conduct did not conform to the law and whose conduct could create an unreasonable
 27 and foreseeable risk of harm to others

28 36. Furthermore, PLANNED PARENTHOOD and DOES 1 – 100 failed to ensure that

- 1 DEFENDANTS MICHELLE O'VALLE, CHONN GONZALEZ, AMBER GALLY, and
2 DOES 1 – 100, were adequately trained and certified before allowing them to work with the
3 Nexplanon implant including but not limiting to (a) inserting, (b) removing, (3) providing
4 medical advice and care between the NEXPLANON INSERTION and NEXPLANON
5 REMOVAL, and (d) providing medical advice and care after the NEXPLANON REMOVAL
- 6 37. DEFENDANTS PLANNED PARENTHOOD and DOES 1 – 100 further failed to properly
7 supervise DEFENDANTS MICHELLE O'VALLE, CHONN GONZALEZ, AMBER
8 GALLY, and DOES 1 – 100, in their performance of providing medical care to Plaintiff
9 NATALLIE QUINONES.
- 10 38. As an actual and proximate result of said conduct, DEFENDANTS PLANNED
11 PARENTHOOD and DOES 1 – 100 allowed DEFENDANTS MICHELLE O'VALLE,
12 CHONN GONZALEZ, AMBER GALLY, and DOES 1 – 100, to negligently perform the
13 NEXPLANON INSERTION, the NEXPLANON REMOVAL, and negligently provide
14 medical care and advice between the NEXPLANON INSERTION and NEXPLANON
15 REMOVAL, and after the NEXPLANON REMOVAL.
- 16 39. PLANNED PARENTHOOD and DOE 1-100's, negligence in hiring, supervising, training
17 and/or retaining DEFENDANTS MICHELLE O'VALLE, CHONN GONZALEZ, AMBER
18 GALLY, and DOES 1 – 100, was a substantial factor in causing Plaintiff's harm.
- 19 40. By reason of the Defendants' conduct, Plaintiff suffered extreme and severe mental anguish,
20 and physical pain. Plaintiff suffered and will continue to suffer pain, mental anguish, loss of
21 normal life, and disability to his mind and body. As a further result of the conduct of
22 Defendants' conduct, Plaintiff incurred medical bills and lost earnings, related health care
23 costs in an amount to be determined according to proof at trial.

24 **PRAYER FOR RELIEF**

25
26 WHEREFORE, Plaintiff prays judgment against all Defendants, and each of them, as
27 follows:

- 28 1. General damages in a sum within the jurisdiction of this Court to be determined

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according to proof;

2. Sums incurred and to be incurred for services of hospitals, physicians, surgeons, nurses and other professional services;

3. Sums incurred and to be incurred for medicines, surgeries, hospital services, radiology and other medical supplies and services;

4. Loss of income incurred and other economic compensatory damages according to proof;

5. For Prejudgment interest;

6. For costs of suit incurred, prejudgment interest and for such other and further relief as the Court deems proper.

7. Reasonable attorneys' fees pursuant to CCP § 2033 if request for admissions are not admitted and are later proven by Plaintiffs

8. For such other and further relief as to the court seems proper.

Dated: June 14, 2022

GREENMANLAW, P.C.

BY: 
JEFFREY GREENMAN, ESQ.
ATTORNEY FOR PLAINTIFF

DEMAND FOR TRIAL BY JURY

Plaintiff NATALLIE QUINONES hereby demands a trial of all causes by jury.

Dated: June 14, 2022

GREENMANLAW, P.C.

BY: 
JEFFREY GREENMAN, ESQ.
ATTORNEY FOR PLAINTIFF