

1 MICHAEL A. KAPLAN #48087
2 3232 Governor Drive, Suite A
3 San Diego, CA 92122
4 (858) 453-6122 ext 11
5 (858) 453-2155 fax
6 mkaplanesq@gmail.com

7 JOSEPH BARBARIE #250837
8 3232 Governor Drive, Suite A
9 San Diego, CA 92122
10 (858) 453-6122 ext 13
11 sandblaw@gmail.com

12 Attorneys for Plaintiff, SHERI RICHTER

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **IN AND FOR SAN DIEGO COUNTY**
15 **CENTRAL JUDICIAL DISTRICT**

16 SHERI RICHTER, an individual)	CASE NO.:	37-2022-00015657-CU-MM-CTL
)		
17 Plaintiff,)		
)	COMPLAINT FOR DAMAGES	
18 v.)		
)	1. MEDICAL MALPRACTICE	
19 PLANNED PARENTHOOD PACIFIC)		
20 SOUTHWEST,)		
21 And DOES 1 – 20, inclusive,)		
)		
22 Defendants.)		
)		

23 **PARTIES AND JURISDICTION**

24 1. Plaintiff SHERI RICHTER is an individual over the age of eighteen and a resident of San
25 Diego County, California.

26 2. Plaintiff is informed and believes and based thereon alleges that Defendant PLANNED
27 PARENTHOOD PACIFIC SOUTHWEST (hereinafter "PPSW"), and DOES 1 through 20,

1 inclusive, were or are professionals licensed by the State of California to practice medicine in
2 and were practice medicine in said State and held themselves out to posses the degree of skill,
3 learning, ability and expertise possessed by physicians, surgeons, and medical professionals of
4 like specialties in the County of San Diego.
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6 3. Plaintiff is informed and believes that PPSW and DOES 1 through 20, inclusive, are and
7 at all relevant times herein mentioned were, professionals entities duly organized and existing
8 under and by virtue of the laws of the State of California and authorized to do business and doing
9 business in the County of San Diego, State of California, and were providing medical services to
10 the public including Plaintiff.
11

12 4. At all times mentioned herein, Defendants and each of them, were health care providers,
13 including but not limited to, physicians, surgeons, physician's assistants, registered nurses,
14 medical assistants, nurse's assistants, pharmacists, laboratory workers and other patient care
15 providers, and were at all times agents, servants or employees of all other Defendants and were
16 acting within the course and scope of said employment, agency and authority for each other, with
17 the knowledge and consent of their co-Defendants.
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19 5. The true and correct names and/or capacities of Defendants DOES 1 through 20,
20 inclusive, and each of them, are unknown to Plaintiff and they are being sued as fictitious names.
21 Plaintiff is informed and believes and based thereon, alleges that each of the Defendants
22 designated herein as a DOE is legally responsible in some manner for the events and occurrences
23 herein referred to and thereby proximately, legally, and directly caused injury and damage to
24 Plaintiff as herein alleged. Plaintiff will ask leave of the Court to amend this complaint to set
25 forth their true names and/or capacities once they are ascertained. In the alternative, although the
26 names of certain persons or entities are known to Plaintiff whether or not those persons or
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1 entities are culpable is not yet known to Plaintiff and, therefore, Plaintiff requests leave of Court
2 to amend this Complaint when discovery has been completed so as to include same as party-
3 Defendants who may be properly joined herein.
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5 6. The aforementioned fictitious Defendants, together with the named Defendants, are
6 responsible for the hereinafter alleged negligence, which is the legal cause or substantial factor in
7 causing the Plaintiff's injuries.

8 7. Plaintiff is informed and believes and based thereon, alleges that each of the Defendants
9 was the agent and employee of the remaining Defendants, and in doing the things herein alleged,
10 was acting within the course and scope of such agency and/or employment.
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12 8. On or about March 28, 2022, the Plaintiff sent Defendant PPSW, a Notice of Intent to
13 Commence Action Against Health Care Provider pursuant to California Code of Civil Procedure
14 §364.
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17 **CAUSE OF ACTION**

18 **MEDICAL MALPRACTICE**

19 **(As Against All Defendants)**

20 9. Plaintiff hereby incorporates by reference paragraphs 1 through 8 hereinabove, as though
21 said paragraphs were set forth fully at this point.
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23 10. On or about May 14, 2021, Plaintiff SHERI RICHTER was under the care and treatment
24 of Defendant PPSW, and DOES 1 through 20, inclusive, and each of them, specifically for the
25 purpose of receiving a termination of pregnancy procedure.

26 11. On or about May 14, 2021, Defendant PPSW and DOES 1 through 20, inclusive, and
27 each of them, negligently treated SHERI RICHTER in the course of terminating her pregnancy,
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1 causing injury which led to severe complications including hospitalization and subsequent (and
2 ongoing) medical care.

3 12. As a result of Defendants' professional negligence, Plaintiff was required to undergo
4 emergency surgery at the Scripps Mary Birch Women's Hospital on or about August 11, 2021.

5 13. Defendant PPSW, and DOES 1 through 20, inclusive, represented to SHERI RICHTER
6 that they would, at all times, exercise and use skill, prudence, learning, knowledge, and expertise
7 in the care and treatment of her, in accord with the standard of care of competent, prudent and
8 reputable physicians, surgeons, and physician's assistants, including but not limited to
9 emergency care practitioners and healthcare practitioners in the same or similar locality and
10 emergency care practitioners and healthcare practitioners in the same or similar locality and
11 under the same or similar circumstances as herein alleged.

12 14. As a direct, legal, and proximate result of the professional negligence of PPSW and
13 DOES 1 through 20, inclusive, and each of them, Plaintiff was injured in here health, strength,
14 and activity, and sustained serious injury to her person. As a result of such injuries, Plaintiff has
15 suffered general damages within the jurisdictional limits of this Court all in an amount to be
16 proven at trial.

17 15. By virtue of the foregoing, Plaintiff has been required to employ the services of hospitals,
18 physicians, surgeons, nurses, and other professional medical services, and Plaintiff has been
19 compelled to incur expenses for medicines, diagnostic images and other medical services.
20 Plaintiff is informed and believes and thereon alleges that future services of said nature will be
21 required by Plaintiff all to her damage, in a presently unascertained amount within the
22 jurisdictional limits of this Court.
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1 16. Before May 14, 2021, Plaintiff neither knew nor could have reasonably discovered the
2 professional negligence of Defendant PPSW and DOES 1 through 20, inclusive, and each of
3 them, or that the care they provided to Plaintiff was below the standard of care.
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6 **PRAYER FOR RELIEF**

7 WHEREFORE PLAINTIFF prays for judgment against Defendants, and each of them, on all
8 causes of action as follows:

- 9 1. For general damages according to proof;
10 2. Sums incurred and to be incurred for services of hospitals, physicians, surgeons, nurses
11 and other professional service, and other professional medical supplies and services;
12 3. For pre-judgment and post-judgment interest as allowed by law;
13 4. For costs of suit incurred herein; and
14 5. For such other and further relief as this Court may deem just and proper.
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17
18 Dated: April 27, 2022

19 
20 _____
21 Joseph Barbarie
22 Attorney for Plaintiff
23 SHERI RICHTER

24
25 **JURY DEMAND**

26 Plaintiff hereby demands a trial by jury on all issues so triable.

27 Dated: April 27, 2022

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Joseph Barbarie
Attorney for Plaintiff
SHERI RICHTER

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