

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
SHARA DEJESUS,

Plaintiff,

- against -

PLANNED PARENTHOOD HUDSON PECONIC,  
INC., "JOHN DOE", M.D., QUEENS LONG ISLAND  
MEDICAL GROUP, P.C., MICHAEL ALAN LEE, M.D.,  
BHANUMATHY VINAYAGASUNDARAM, M.D.,  
JOHN T. MATHER MEMORIAL HOSPITAL, THE  
MOUNT SINAI HOSPITAL and MIRIAM CREMER,  
M.D.,

Defendants.  
-----X

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 Plaintiffs' Attorney (s) within 20 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: Westbury, New York  
September 8, 2011



LAW OFFICE OF ROBERT F. DANZI  
Attorneys for Plaintiffs  
900 Merchants Concourse, Suite 314  
Westbury, New York 11590  
(516) 228-4226

Filed: \_\_\_\_\_  
Index No.: \_\_\_\_\_

**SUMMONS**

Plaintiffs designate NEW YORK County as the place of trial.

Basis of venue is Defendant's place of business.

TO: PLANNED PARENTHOOD HUDSON PECONIC, INC.  
4 Skyline Drive  
Hawthorne, New York 10532

“JOHN DOE”, M.D.  
(Unknown at present)

QUEENS LONG ISLAND MEDICAL GROUP, P.C.  
640 Hawkins Avenue  
Ronkonkoma, New York 11779

MICHAEL ALAN LEE, M.D.  
c/o Queens Long Island Medical Group, P.C.  
640 Hawkins Avenue  
Ronkonkoma, New York 11779

BHANUMATHY VINAYAGASUNDARAM, M.D.  
c/o Queens Long Island Medical Group, P.C.  
640 Hawkins Avenue  
Ronkonkoma, New York 11779

JOHN T. MATHER MEMORIAL HOSPITAL  
Attn.: President  
75 North Country Road  
Port Jefferson, New York 11777

THE MOUNT SINAI HOSPITAL  
Attn.: General Counsel  
1 Gustave L Levy Place  
New York, New York 10029

MIRIAM CREMER, M.D.  
c/o The Mount Sinai Hospital, Dept. of Ob/Gyn  
1 Gustave L Levy Place  
New York, New York 10029

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
SHARA DEJESUS,

Plaintiff,

**VERIFIED COMPLAINT**

- against -

PLANNED PARENTHOOD HUDSON PECONIC,  
INC., "JOHN DOE", M.D., QUEENS LONG ISLAND  
MEDICAL GROUP, P.C., MICHAEL ALAN LEE, M.D.,  
BHANUMATHY VINAYAGASUNDARAM, M.D.,  
JOHN T. MATHER MEMORIAL HOSPITAL, THE  
MOUNT SINAI HOSPITAL and MIRIAM CREMER,  
M.D.,

Defendants.  
-----X

Plaintiff, SHARA DEJESUS, by her attorney, the LAW OFFICE OF ROBERT F.  
DANZI, for her Verified Complaint, respectfully alleges upon information and belief:

1. At all times herein, plaintiff, SHARA DEJESUS was and still is a resident of the County of Suffolk, State of New York.
2. Upon information and belief, at all times herein, defendant, PLANNED PARENTHOOD HUDSON PECONIC, INC., was and still is a domestic, not-for-profit corporation duly organized and existing under the laws of the State of New York.
3. Upon information and belief, at all times herein, defendant, "JOHN DOE", M.D. is an individual whose identity, role and function cannot be readily ascertained but whose signature appears on the page from the PLANNED PARENTHOOD HUDSON PECONIC, INC. chart attached hereto and made part hereof as Exhibit "A".
4. Upon information and belief and at all times herein, defendant, "JOHN DOE", M.D. was and still is a physician and surgeon duly licensed to practice medicine in the State of New York.

5. Upon information and belief, at all times herein, defendant, QUEENS LONG ISLAND MEDICAL GROUP, P.C., was and is a domestic corporation duly organized and existing under the laws of the State of New York with its principal place of business located at 640 Hawkins Avenue, Lake Ronkonkoma, New York 11779.

6. Upon information and belief, at all times herein, defendant, QUEENS LONG ISLAND MEDICAL GROUP, P.C., was and is a partnership organized and existing under the laws of the State of New York.

7. Upon information and belief, at all times herein, defendant, QUEENS LONG ISLAND MEDICAL GROUP, P.C., was and is a business entity organized and existing under the laws of the State of New York.

8. Upon information and belief, at all times herein, defendant, MICHAEL ALAN LEE, M.D., was and still is a physician duly licensed to practice medicine in the State of New York.

9. Upon information and belief, at all times herein, defendant, BHANUMATHY VINAYAGASUNDARAM, M.D., was and still is a physician duly licensed to practice medicine in the State of New York.

10. Upon information and belief, at all times herein, defendant, JOHN T. MATHER MEMORIAL HOSPITAL, was and still is a domestic, not-for-profit corporation duly organized and existing under the laws of the State of New York.

11. Upon information and belief, at all times herein, defendant, THE MOUNT SINAI HOSPITAL, was and still is a domestic, not-for-profit corporation duly organized and existing under the laws of the State of New York.

12. Upon information and belief, at all times herein, defendant, MIRIAM CREMER, M.D. was and still is a physician and surgeon duly licensed to practice medicine in the State of New York.

13. Upon information and belief, at all times herein, defendant, "JOHN DOE, M.D.", was a member of and/or agent of and/or employed by defendant, PLANNED PARENTHOOD HUDSON PECONIC, INC., and was acting within the scope of his/her employment and/or agency.

14. Upon information and belief, at all times herein, defendant, MICHAEL ALAN LEE, M.D. was a member of and/or agent of and/or employed by defendant, QUEENS LONG ISLAND MEDICAL GROUP, P.C., and was acting within the scope of his employment and/or agency.

15. Upon information and belief, at all times herein, defendant, BHANUMATHY VINAYAGASUNDARAM, M.D. was a member of and/or agent of and/or employed by defendant, QUEENS LONG ISLAND MEDICAL GROUP, P.C., and was acting within the scope of his employment and/or agency.

16. Upon information and belief, at all times herein, defendant, MIRIAM CREMER, M.D. was a member of and/or agent of and/or employed by defendant, THE MOUNT SINAI HOSPITAL, and was acting within the scope of her employment and/or agency.

17. Upon information and belief, on February 27, 2010 up to and including May 15, 2010, defendant, PLANNED PARENTHOOD HUDSON PECONIC, INC., rendered medical care and treatment to plaintiff, SHARA DEJESUS including but not limited to the performance of an abortion.

18. Upon information and belief, on February 27, 2010 up to and including May 15, 2010, defendant, "JOHN DOE, M.D.", rendered medical care and treatment to plaintiff, SHARA DEJESUS including but not limited to the performance of an abortion.

19. Upon information and belief, from March, 2010 up to and including June, 2010, defendant, QUEENS LONG ISLAND MEDICAL GROUP, P.C., rendered medical care and treatment to plaintiff, SHARA DEJESUS including but not limited to evaluation and treatment of back and groin pain, among others.

20. Upon information and belief, from April, 2010 up to and including June, 2010, defendant, MICHAEL ALAN LEE, M.D. rendered medical care and treatment to plaintiff, SHARA DEJESUS including but not limited to evaluation and treatment of back and groin pain, among others.

21. Upon information and belief, from April, 2010 up to and including June, 2010, defendant, BHANUMATHY VINAYAGASUNDARAM, M.D. rendered medical care and treatment to plaintiff, SHARA DEJESUS including but not limited to evaluation and treatment of back and groin pain, among others.

22. Upon information and belief, on April 13, 2010 and June 8, 2010 up to and including June 25, 2010, defendant, JOHN T. MATHER MEMORIAL HOSPITAL, rendered medical care and treatment to plaintiff, SHARA DEJESUS including but not limited to evaluation and treatment of chest palpitations, among others.

23. Upon information and belief, from June 1, 2010 up to and including June 5, 2010, defendant, THE MOUNT SINAI HOSPITAL, rendered medical care and treatment to plaintiff, SHARA DEJESUS including but not limited to including but not limited to dilation and evacuation.

24. Upon information and belief, from June 1, 2010 up to and including June 5, 2010, defendant, MIRIAM CREMER, M.D., rendered medical care and treatment to plaintiff, SHARA DEJESUS including but not limited to dilation and evacuation.

25. Defendant, PLANNED PARENTHOOD HUDSON PECONIC, INC., is vicariously liable for the acts of negligence of its employees, agents, and/or servants that rendered care and treatment to the plaintiff herein.

26. Defendant, QUEEN LONG ISLAND MEDICAL GROUP, P.C., is vicariously liable for the acts of negligence of its employees, agents, and/or servants that rendered care and treatment to the plaintiff herein.

27. Defendant, JOHN T. MATHER MEMORIAL HOSPITAL is vicariously liable for the acts of negligence of its employees, agents, and/or servants that rendered care and treatment to the plaintiff herein.

28. Defendant, THE MOUNT SINAI HOSPITAL, is vicariously liable for the acts of negligence of its employees, agents, and/or servants that rendered care and treatment to the plaintiff herein.

**FIRST CAUSE OF ACTION**

29. At all times herein, defendants rendered medical and surgical care to plaintiff, SHARA DEJESUS.

30. At all times herein, plaintiff received medical care and treatment from the defendants, PLANNED PARENTHOOD HUDSON PECONIC, INC., "JOHN DOE, M.D.", QUEENS LONG ISLAND MEDICAL GROUP, P.C., MICHAEL ALAN LEE, M.D., BHANUMATHY VINAYAGASUNDARAM, M.D., JOHN T. MATHER MEMORIAL HOSPITAL, THE MOUNT SINAI HOSPITAL and MIRIAM CREMER, M.D.

31. The defendants undertook to care for the plaintiff.

32. At all times herein mentioned, defendants owed their patients and in particular, the plaintiff herein, the duty and standard of care which is normally exercised by such physicians and their employees, servants and agents that they are competent, skillful and careful, and acting in accordance with accepted standards, procedures and practices in the State of New York. Specifically, but not by way of limitation and among other things, the defendants failed to properly and completely perform an abortion and failed to properly care for and treat plaintiff thereafter.

33. Defendants breached their obligation to render appropriate medical care and treatment to plaintiff herein.

34. Defendants, their agents, servants and/or employees were careless, negligent and committed malpractice in the medical care and treatment rendered to plaintiff.

35. All of the above occurred through no fault or lack of care on the part of the plaintiff.

36. Solely and wholly as a result of the carelessness, negligence and malpractice of defendants, their agents, servants and/or employees, plaintiff sustained and suffered serious, severe and permanent personal injuries accompanied by conscious pain and anguish.

37. By reason of the foregoing, plaintiff sustained damages in a sum which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

### **SECOND CAUSE OF ACTION**

38. Defendants failed to inform plaintiff of the risks, benefits, hazards and alternatives associated with the treatment rendered and procedures performed in connection with

the medical care, diagnosis and treatment rendered to plaintiff, so that an informed consent could be given.

39. A reasonably prudent person in the plaintiff's position would not have undergone the treatment rendered and procedures performed in connection with the medical care, diagnosis and treatment of the plaintiff if she had been fully informed of the risks, benefits, hazards and alternatives connected with said treatment.

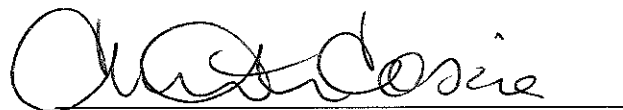
40. The failure to adequately and fully inform plaintiff of the risks, benefits, hazards and alternatives of the treatment rendered and procedures performed are a proximate cause of the injuries plaintiff sustained.

41. As a consequence of the foregoing there was no informed consent to the care rendered and procedures utilized to plaintiff in connection with the medical care, diagnosis and treatment rendered to plaintiff.

42. By reason of the foregoing, plaintiff sustained damages in a sum which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

WHEREFORE, plaintiff demands judgment against the defendants on all causes of action in sums which exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction and for such other relief as this court may deem just and proper.

Dated: Westbury, New York  
September 8, 2011

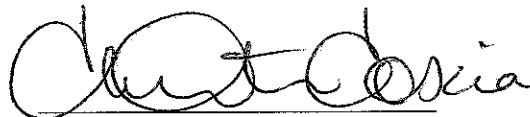


LAW OFFICE OF ROBERT F. DANZI  
Attorneys for Plaintiff  
900 Merchants Concourse, Suite 314  
Westbury, New York 11590  
(516) 228-4226

## CERTIFICATE OF MERIT

I, Christine Coscia, an associate of the Law Office of Robert F. Danzi, attorney for the above named plaintiff, affirm that I have reviewed the facts of the case as presented by the claimant and have consulted with a physician licensed to practice medicine in the State of New York and who practices in the medical specialties involved herein and who I reasonably believe is knowledgeable in the relevant issues involved herein and I, as attorney for the plaintiff, have concluded on the basis of such review and consultation that there is a reasonable basis for the commencement of the within action.

Dated: Westbury, New York  
September 8, 2011

  
Christine Coscia

**ATTORNEY'S VERIFICATION**

CHRISTINE COSCIA, an attorney duly admitted to practice in the county of New York affirms under penalties of perjury:

I am an associate with the LAW OFFICE OF ROBERT F. DANZI, attorney for plaintiff.

I have read the attached SUMMONS and COMPLAINT and know the contents thereof; it is true to my own knowledge, except as to the matters therein alleged to be on information and belief, and as to those matters I believe them to be true. This verification is made by me because plaintiff does not reside within the county where we maintain our office.

Dated: Westbury, New York  
September 8, 2011

  
CHRISTINE COSCIA

INDEX NO.:  
SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

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SHARA DEJESUS,

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**SUMMONS and VERIFIED COMPLAINT**

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