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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

60073/08

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TIMISHA JONES and COREY R. THOMAS, :

Plaintiffs, :

- against - :

PLANNED PARENTHOOD HUDSON PECONIC, INC. :

and SHIEL MEDICAL LABORATORY, INC., :

Defendants. :

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Index No. :

Date filed: :

SUMMONS WITH NOTICE :

Plaintiffs designate :

Westchester County as the :

place of trial. :

The basis of venue is the :

county where plaintiffs reside :

[CPLR 503(a)]. :

Plaintiffs reside at 15 Pease :

Street, Mt. Vernon, New :

York 10402

FILED

MAR 21 2008

TIMOTHY B. LEON
COUNTY CLERK
COUNTY OF WESTCHESTER



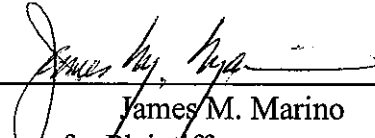
TO THE ABOVE NAMED DEFENDANTS:

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 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 herein.

Dated: White Plains, New York
March 21, 2008

MARINO & WEISS, P.C.

By: _____



James M. Marino

Attorneys for Plaintiffs
162 Grand Street
White Plains, NY 10601
(914) 761-0640

Defendant's address:

Planned Parenthood Hudson Peconic, Inc.
12 South Second Avenue
Mt. Vernon, NY 10550

Shiel Medical Laboratory
Brooklyn Navy Yard
Building 292
63 Flushing Avenue
Brooklyn, NY 11205

Notice: The nature of this action is negligence, medical malpractice, negligent infliction of emotional distress and lack of informed consent in violation of the common law of the State of New York and Public Health Law § 2805-d as follows: by the defendant, Planned Parenthood Hudson Peconic, Inc. (“Planned Parenthood”) arising from Planned Parenthood’s continuous care and treatment of plaintiff, Timisha Jones (“Mrs. Jones”), from September 21, 2005 through November 16, 2005, including, but not limited to office visits at Planned Parenthood’s offices at 12 South Second Avenue, Mt. Vernon, NY 10550, on or about September 21, 2005, October 21, 2005, November 1, 2005 and November 14, 2005, and by the defendant, Shiel Medical Laboratory, Inc., (“Shiel”), arising from Shiel’s continuous care and treatment of Ms. Jones from September 21, 2005

through November 16, 2005, including, but not limited to Shiel's testing of a blood sample that was drawn from Ms. Jones by Planned Parenthood on or about September 21, 2005 and erroneously reporting Ms. Jones's blood sample as positive for chlamydia and gonorrhea on or about September 30, 2005, and Shiel's testing of a sample of blood that was drawn from Ms. Jones by Planned Parenthood on or about November 14, 2005 and correctly reporting Ms. Jones's blood sample as negative for chlamydia and gonorrhea on or about November 16, 2005, in that Planned Parenthood and Shiel breached their duty to Ms. Jones to make and communicate correctly a correct diagnosis by negligently, recklessly and carelessly erroneously diagnosing Ms. Jones with chlamydia and gonorrhea, communicating that erroneous diagnosis of venereal disease to Ms. Jones, to the New York State Department of Health Bureau of Communicable Disease Control and others, placing Ms. Jones on an unnecessary and contraindicated antibiotic regimen that caused serious physical injury to Ms. Jones due to her reaction to the antibiotics that were unnecessarily prescribed to treat those misdiagnosed venereal diseases, and by negligently inflicting emotional distress upon Ms. Jones due to the erroneous diagnosis of venereal disease and the negative effect and negative emotional, psychological and psychiatric impact that the erroneous diagnosis of venereal disease had upon Ms. Jones herself so as to cause Ms. Jones severe emotional distress and injury and upon Ms. Jones's relationship with her husband, the plaintiff, Corey R. Thomas ("Mr. Thomas"), other family members and friends. This action includes a derivative cause of action by Mr. Thomas for the loss of services and consortium of his wife, Ms. Jones.

The relief sought is: money damages in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

Pursuant to CPLR 3017(c), the precise amount of damages is not stated.

Upon your failure to appear, judgment will be taken against you for an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction. Pursuant to CPLR 3017(c), the precise amount of damages is not stated.

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Defendants.

SUMMONS WITH NOTICE

M A R I N O & W E I S S , P . C .

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