

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
ROCHELLE WEST

Index No.:

Plaintiffs,

SUMMONS

-against-

KEITH EDWARDS, M.D., PLANNED PARENTHOOD
HUDSON PECONIC, INC., PLANNED PARENTHOOD
MOUNT VERNON, TANYA LUCAS, NP

Trial is desired in the
County of Bronx

The basis of Venue:
Plaintiff resides in the
Bronx

Defendants.
-----X

To the above named defendants:

YOU ARE HEREBY SUMMONED and required to serve upon plaintiffs' attorneys a verified answer to the verified complaint in this action within twenty days after the service of this summons, exclusive of the day of service, or within thirty days after service is complete if this summons is not personally delivered to you within the State of New York. In case of your failure to answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: October 9, 2019



W. RUSSELL CORKER, ESQ.
Law Office of W. Russell Corker, P.C.
82 Main Street, Suite 300
Huntington, New York 11743
(631) 923-3700

Plaintiff's Address:

ROCHELLE WEST
2432 Webb Avenue
Bronx, New York 10468

Defendants' Addresses:

KEITH EDWARDS, M.D.
105 Stevens Avenue, Suite 404
Mount Vernon, NY 10550

PLANNED PARENTHOOD HUDSON PECONIC, INC.
4 Skyline Drive
Hawthorne, New York 10531

PLANNED PARENTHOOD MOUNT VERNON
6 Gramatan Avenue, 4th Floor
Mount Vernon, New York 10550

TANYYA LUCAS, NP
6 Gramatan Avenue, 4th Floor
Mount Vernon, New York 10550

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

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ROCHELLE WEST

Index No.:

Plaintiffs,
-against-

**VERIFIED
COMPLAINT**

KEITH EDWARDS, M.D., PLANNED PARENTHOOD
HUDSON PECONIC, INC., PLANNED PARENTHOOD
MOUNT VERNON, TANYA LUCAS, NP :

Defendants.
-----X

Plaintiff, complaining of the defendants, by her attorneys, THE LAW OFFICE OF
W. RUSSELL CORKER, P.C., upon information and belief, sets forth and alleges as
follows:

AS AND FOR A FIRST CAUSE OF ACTION

1. At all times herein mentioned, the defendant, KEITH EDWARDS, M.D. was
and is a physician licensed to practice medicine in the State of New York.

2. At all times herein mentioned, the defendant, TANYA LUCAS, N.P. was and
is a nurse practitioner licensed to practice medicine in the State of New York.

3. At all times herein mentioned, defendant, PLANNED PARENTHOOD HUDSON
PECONIC, INC. was and is a Domestic Not-For-Profit Corporation organized and existing under
and by virtue of the laws of the State of New York.

4. At all times herein mentioned, defendant, PLANNED PARENTHOOD MOUNT
VERNON, INC., was and is a Domestic Not-For-Profit Corporation organized and existing under
and by virtue of the laws of the State of New York.

5. At all times herein mentioned, the defendant, PLANNED PARENTHOOD HUDSON PECONIC, INC. owned and operated a medical facility doing business as Planned Parenthood located in Mount Vernon, New York

6. At all times herein mentioned, the defendant, PLANNED PARENTHOOD MOUNT VERNON, INC. owned and operated a medical facility doing business as Planned Parenthood located in Mount Vernon, New York

7. Upon information and belief, at all times herein mentioned, the defendant, TANYA LUCAS, N.P., was an employee, servant or agent of the defendant, PLANNED PARENTHOOD HUDSON PECONIC, INC.

8. Upon information and belief, at all times herein mentioned, the defendant, TANYA LUCAS, N.P., was an employee, servant or agent of the defendant, PLANNED PARENTHOOD MOUNT VERNON, INC.

9. That commencing on or about April 2017, and for a period of time before and thereafter, the defendant, KEITH EDWARDS, M.D., rendered professional medical services to the plaintiff, ROCHELLE WEST.

10. That commencing on or about , and for a period of time thereafter, the defendant, PLANNED PARENTHOOD HUDSON PECONIC, INC., rendered professional medical services to the plaintiff, ROCHELLE WEST.

11. That commencing on or about 2015, and for a period of time before and thereafter, the defendant, PLANNED PARENTHOOD MOUNT VERNON, INC., rendered professional medical services to the plaintiff, ROCHELLE WEST.

12. That commencing on or about 2015, and for a period of time thereafter, the defendant, TANYA LUCAS, N.P., rendered professional medical services to the plaintiff, ROCHELLE WEST.

13. Upon information and belief, at all times herein mentioned, the defendant, TANYA LUCAS, N.P., was acting pursuant to and within the scope of his employment with defendant, PLANNED PARENTHOOD HUDSON PECONIC, INC.

14. Upon information and belief, at all times herein mentioned, the defendant, TANYA LUCAS, N.P., was acting pursuant to and within the scope of his employment with defendant, PLANNED PARENTHOOD MOUNT VERNON, INC.

15. At all times herein mentioned, defendants, their agents, servants and/or employees owed a duty to care to treat plaintiff in accordance with good and accepted medical standards.

16. That commencing on or before 2015, and continuing thereafter, the plaintiff, ROCHELLE WEST, had a mass in her right breast for which she sought medical attention from the defendants.

17. That commencing on or before 2015, and continuing thereafter, the plaintiff, ROCHELLE WEST, had a mass in her right [check] breast for which she was not referred for a mammogram, ultrasound or to a breast specialist to evaluate.

18. That on or about 2018, the plaintiff, ROCHELLE WEST, was diagnosed with advanced stage IV breast cancer in her right breast.

19. That during the period of time that the plaintiff, ROCHELLE WEST, was under the care of the defendants, the defendants failed to timely and properly diagnose

her breast cancer utilizing available means at a time when the cancer could have been curable.

20. Defendants, their agents, servants and/or employees were negligent in failing to use reasonable care and skill in treating the plaintiff, ROCHELLE WEST; in failing to follow standard medical, diagnostic, radiological practice and procedures; in negligently failing to properly evaluate the mass in the plaintiff's right breast; in failing to order a mammogram or ultrasound to correctly evaluate and diagnose the cancerous mass; in failing to refer the plaintiff to a breast specialist for evaluation and work up of the suspicious right breast mass; in failing to recognize, diagnose and discover the plaintiff's true condition; in failing to advise the plaintiff that the mass in her breast was likely cancer; in failing to call for appropriate consultants to evaluate the plaintiff; in failing to timely diagnose the plaintiff's breast cancer at a time when her prognosis would have been better and her treatment options better, thereby depriving her of a better prognosis and treatment options.

21. As a result of the aforementioned, plaintiff sustained severe and serious personal injury, conscious pain and suffering, mental anguish, emotional distress, psychological trauma and loss of enjoyment of life, all of a permanent nature.

22. That by reason of the defendants' negligence and medical malpractice, plaintiff is entitled to recover for non-economic loss and for economic loss including health service expenses except to the extent that the right to recover such expenses has been subrogated to an insurer which has paid such expenses or reimbursed plaintiff therefor or to the extent that plaintiff's right to recover such expenses in this action is limited by CPLR §4545.


23. The amount of damages sought exceeds the jurisdictional limits of all lower courts that would otherwise have jurisdiction.

WHEREFORE, Plaintiff, ROCHELLE WEST, demands judgment against the defendants herein in sums which exceed the jurisdictional limit of all lower courts which would otherwise have jurisdiction of this action.

DATED: October 9, 2019

LAW OFFICE OF W. RUSSELL CORKER, P.C.

By:


W. RUSSELL CORKER, ESQ.

Attorney for Plaintiff

82 Main St., Suite 300

Huntington, NY 11743

(631) 923 – 3700

rcorker@corkerlaw.com

ATTORNEY VERIFICATION

W. RUSSELL CORKER, being duly sworn, deposes and says:

That he is a member of the LAW OFFICE OF W. RUSSELL CORKER, P.C., attorneys for Plaintiffs herein; that he has read the foregoing Verified Complaint and knows the contents thereof, and that the same is true to his own knowledge, except as to those matters therein stated to be alleged upon information and belief, and as to those matters he believes them to be true.

Affirmant further says that the reason this verification is made by affirmant and not by the Plaintiffs herein, is because the said Plaintiffs do not reside within the county where your affirmant maintains his office.

Affirmant further says that the source of his knowledge and the grounds of his belief as to all matters therein so stated upon his knowledge are books, papers, records and documents maintained by deponent.

Dated: Huntington, New York
October 9, 2019


W. RUSSELL CORKER, ESQ.