

Supreme Court of the State of New York  
County of Kings

MOESHA JORDAN,

Plaintiff,

-against-

SONDRA DANTZIC, M.D., MIRIAM CREMER, M.D.,  
and PLANNED PARENTHOOD OF NEW YORK CITY, INC.,

Defendants.

Index No. 5044/15  
Date Purchased:

**SUMMONS**

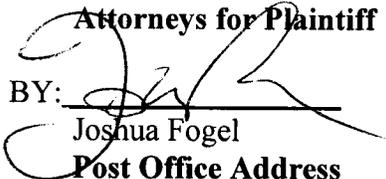
Plaintiff designates  
Kings County as the  
place of trial  
*The basis of venue is  
Plaintiff's residence*  
12 Kingston Avenue  
Brooklyn, NY 11216

**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 Plaintiff's 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: New York, NY  
April 21, 2015

SANOCKI, NEWMAN & TURRET, LLP  
Attorneys for Plaintiff

BY:   
Joshua Fogel  
Post Office Address  
225 Broadway, 8th Floor  
New York, NY 10007  
(212) 962-1190

**Defendants' addresses:**

1. Sondra Dantzie, M.D.  
c/o Planned Parenthood of New York City, Inc.  
26 Bleecker Street  
New York, NY 10012

2. Miriam Cremer, M.D.  
125 Court Street, Apt. 5N South  
Brooklyn, NY 11201

or

c/o Planned Parenthood of New York City, Inc.  
26 Bleecker Street  
New York, NY 10012

3. Planned Parenthood of New York City, Inc.  
26 Bleecker Street  
New York, NY 10012

2015 APR 22 AM 9:10

KINGS COUNTY CLERK  
FILED



SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X  
MOESHA JORDAN

Plaintiff,

Index No.

- against -

**VERIFIED COMPLAINT**

SONDRA DANTZIC, M.D., MIRIAM CREMER,  
M.D., and PLANNED PARENTHOOD OF NEW  
YORK CITY, INC.,

Defendants.  
-----X

Plaintiff MOESHA JORDAN, complaining of the defendants by her attorneys,  
SANOCKI NEWMAN & TURRET, LLP, respectfully alleges upon information and belief at  
all times hereinafter as follows:

**THE PARTIES**

1. Plaintiff MOESHA JORDAN resides at 12 Kingston Avenue, County of Kings, State  
of New York.

2. Defendant SONDRA DANTZIC, M.D. (hereinafter referred to as "DANTZIC") is a  
physician duly licensed to practice medicine in the State of New York.

3. Defendant DANTZIC held herself out as a physician duly licensed to practice  
medicine in the State of New York.

4. Defendant DANTZIC held herself out as a physician specializing in the field of  
obstetrics and gynecology.

5. Defendant DANTZIC maintains an office for her practice at defendant PLANNED  
PARENTHOOD OF NEW YORK CITY, INC. (hereinafter referred to as "PLANNED  
PARENTHOOD") located at 26 Bleecker Street, City, County, and State of New York.

6. Defendant DANTZIC held herself out to the public at large, and more particularly, plaintiff MOESHA JORDAN, as a physician duly qualified and capable of rendering requisite medical care and treatment to the public at large, and more particularly, plaintiff MOESHA JORDAN.

7. Defendant DANTZIC is an agent, servant, and/or employee of defendant PLANNED PARENTHOOD.

8. Defendant MIRIAM CREMER, M.D. (hereinafter referred to as "CREMER") is a physician duly licensed to practice medicine in the State of New York.

9. Defendant CREMER held herself out as a physician duly licensed to practice medicine in the State of New York.

10. Defendant CREMER held herself out as a physician specializing in the field of obstetrics and gynecology.

11. Defendant CREMER resides at 125 Court Street, Apt. 5N South, County of Kings, State of New York.

12. Defendant CREMER maintains an office for her practice at defendant PLANNED PARENTHOOD located at 26 Bleecker Street, City, County, and State of New York.

13. Defendant CREMER held herself out to the public at large, and more particularly, plaintiff MOESHA JORDAN, as a physician duly qualified and capable of rendering requisite medical care and treatment to the public at large, and more particularly, plaintiff MOESHA JORDAN.

14. Defendant CREMER is an agent, servant, and/or employee of defendant PLANNED PARENTHOOD.

15. Defendant PLANNED PARENTHOOD is a professional corporation duly organized and existing under and by virtue of the laws of the State of New York.

16. Defendant PLANNED PARENTHOOD owns and operates a medical and/or surgical center located at 26 Bleecker Street, City, County and State of New York.

17. Defendant PLANNED PARENTHOOD, its agents, servants and/or employees operated, maintained, managed, controlled and supervised the aforesaid medical and/or surgical premises, which held itself out to the public at large and, more particularly, to the plaintiff herein, as a facility duly qualified and capable of rendering adequate medical care and treatment to the public at large and for such purposes hired physicians, surgeons, radiologists, nurses, attendants and other personnel.

18. Defendant PLANNED PARENTHOOD, its agents, servants and/or employees held itself out to the public at large and, more particularly, to the plaintiff herein, as a medical group duly qualified and capable of rendering adequate medical care and treatment to the public at large and for such purposes hired physicians, surgeons, radiologists, nurses, attendants and other personnel.

### **THE UNDERLYING FACTS**

19. From on or about the 25<sup>th</sup> day of June, 2014 through on or about the 26<sup>th</sup> day of June, 2014, plaintiff MOESHA JORDAN came under the medical care and treatment of defendant DANTZIC.

20. It was the duty of defendant DANTZIC to reasonably care for, treat, and supervise her patients, and more particularly, plaintiff MOESHA JORDAN.

21. Defendant DANTZIC attended to plaintiff MOESHA JORDAN in the course and scope of her employment with defendant PLANNED PARENTHOOD.

22. From on or about the 25<sup>th</sup> day of June, 2014 through on or about the 26<sup>th</sup> day of June, 2014, plaintiff MOESHA JORDAN came under the medical care and treatment of defendant CREMER.

23. It was the duty of defendant CREMER to reasonably care for, treat, and supervise her patients, and more particularly, plaintiff MOESHA JORDAN.

24. Defendant CREMER attended to plaintiff MOESHA JORDAN in the course and scope of her employment with defendant PLANNED PARENTHOOD.

25. From on or about the 25<sup>th</sup> day of June, 2014 through on or about the 26<sup>th</sup> day of June, 2014, plaintiff MOESHA JORDAN came under the medical care and treatment of defendant PLANNED PARENTHOOD, its agents, servants and/or employees.

26. It was the duty of defendant PLANNED PARENTHOOD to reasonably care for, treat, and supervise its patients, and more particularly, plaintiff MOESHA JORDAN.

**AS AND FOR A FIRST CAUSE OF ACTION**

27. The medical care and treatment rendered by these defendants to plaintiff, MOESHA JORDAN was rendered in a careless and negligent manner, not in accordance and conformity with proper medical practice and procedure.

28. Among other things, the defendants were careless and negligent in the medical care and treatment rendered to the plaintiff; in failing to properly perform a termination of pregnancy procedure; in failing to properly screen and test the plaintiff prior to performing said abortion; in failing to adequately and/or completely perform a dilation and curettage and/or dilation and evacuation; in failing to take timely and effective steps to treat and prevent the plaintiff from suffering adverse consequences as a result of the procedure to terminate her pregnancy; in failing to advise plaintiff of the alternatives including a termination of the

pregnancy procedure using proper ultrasound guidance; in failing to sound the uterus in such a matter as to identify uterine size and position the sharp curette as to so avoid application of injudicious force in performing a dilation, curettage and evacuation; in using improper technique; in utilizing a curette in an improper fashion; in failing to perform a bimanual examination under anesthesia; in failing to determine cervical dilation; in failing to determine uterine fundal position; in failing to determine uterine size; using surgical instruments, including a curette and/ or vacuum extraction device during a termination of pregnancy procedure; in improperly inserting laminaria; in proceeding with the termination of pregnancy procedure despite concern for uterine perforation; in failing to halt the termination of pregnancy procedure upon perforation of the uterus; in deviating from the midline in the performance of the termination of pregnancy procedure; in transecting the cervix from the uterus; in traumatically injuring plaintiff's uterus; in perforating/lacerating plaintiff's uterus; in perforating/lacerating the right uterine artery; in failing to perform the termination of the pregnancy procedure by adequately dilating cervix without trauma before removing the product of conception; in causing and allowing the injuries complained of herein; in failing to perform a proper, thorough, and accurate work-up and physical examination of the plaintiff herein; in failing to properly monitor the plaintiff during surgery; in failing to take timely and effective steps to treat and prevent the plaintiff from suffering adverse consequences during said termination of pregnancy; in failing to properly observe and monitor the plaintiff's post-operative condition; in failing to properly, thoroughly and/or adequately anesthetize and/or sedate the plaintiff; in failing to diagnose the true extent and nature of said post-operative condition; in failing to adequately monitor the plaintiff post-operatively; in failing to prescribe appropriate medications; in failing to perform requisite tests and studies; in failing to properly

read and interpret the results of those tests which were taken; in causing plaintiff's uterus, plaintiff's right uterine artery and other internal organs and blood vessels to be ruptured, lacerated, perforated and/or otherwise damaged; in causing iatrogenic injury; in causing and allowing the injuries complained of herein; in violating all applicable statutes, rules, regulations and ordinances; in failing to properly attend to the plaintiff; in failing to utilize the degree of skill, care and diligence to which this plaintiff was entitled; in failing to obtain an informed consent; in improperly retaining unqualified and unskilled physicians, nurses and personnel; in failing to review and evaluate staff, nurses and physicians at indicated intervals; in failing to consult proper specialists; in failing to perform a proper physical examination; in failing to properly and adequately supervise and monitor physicians, nurses, staff and other personnel rendering care and treatment to the plaintiff; in failing to employ sufficient, efficient, competent and qualified agents, servants and/or employees; in failing to take standard and accepted precautions to avoid and/or prevent the plaintiff's injuries; in failing to establish proper and adequate safeguards, steps and precautions in order to prevent the occurrence complained of; and these defendants were otherwise careless and negligent. Plaintiff will also rely upon the doctrine of res ipsa loquitur.

29. As a result of the carelessness and negligence of the defendants, plaintiff MOESHA JORDAN was caused to sustain severe and permanent personal injuries including rupture, perforation and/laceration of the plaintiff's internal organs and blood vessels, including uterus and right uterine artery; was caused to have her uterus nearly completely transected from the cervix; was caused to undergo a diagnostic laparoscopy, exploratory laparotomy, supracervical hysterectomy, bilateral salpingectomy, removal of hematoma and small bowel exploration; hemoperitoneum; was caused to sustain otherwise unnecessary abdominal scarring; was caused

to be rendered infertile; was caused to require a prolonged hospitalization stay; was caused to suffer a severe loss of energy and weight; was caused to undergo otherwise unnecessary surgical procedures; was caused to suffer pain, mental anguish, emotional distress, embarrassment and anxiety; was caused to be rendered sick, sore, lame and disabled; was caused to seek extensive medical care, treatment and procedures and may, in the future, be so caused; was caused to undergo extensive medical care and treatment and may, in the future, be so caused; was caused to be confined to home, hospital and bed; was caused to undergo extensive diagnostic tests and procedures and may, in the future, be so caused; and this plaintiff was otherwise damaged, all of which damages and injuries are permanent in nature and continuing into the future.

29. By reason of the foregoing, the defendants are jointly and severally liable pursuant to the exceptions set forth in Article 16 of the CPLR.

30. By reason of the foregoing, the plaintiff is entitled to recover all of her damages from these defendants pursuant to CPLR 3017(c), the amount of which exceeds the jurisdictional limits of all lower Courts.

**AS AND FOR A SECOND CAUSE OF ACTION**

31. Plaintiff repeats, reiterates and realleges each and every allegation set forth in the paragraphs of this Complaint numbered "1" through "29" inclusive, with the same force and effect as if more fully set forth at length herein.

32. Proper medical practice and procedure required defendants to obtain plaintiff MOESHA JORDAN's consent or the consent of an individual authorized to act upon her behalf, to the treatment, or lack of treatment rendered to the plaintiff.

33. A reasonably prudent person in the plaintiff MOESHA JORDAN's position or the position of an individual authorized to act on her behalf would not have undergone the treatment or lack of treatment provided by the defendants had she been properly informed of the risks and hazards and alternatives of such treatment, or lack of treatment.

34. Plaintiff MOESHA JORDAN would not have agreed to the treatment, or lack of treatment provided by the defendants had she or the individual authorized to act on her behalf, been properly informed of the risks and hazards of such treatment, or lack of treatment.

35. Defendants' failure to obtain plaintiff MOESHA JORDAN's informed consent or the consent of an individual authorized to act on her behalf is a contributing cause of the injuries sustained by the plaintiff.

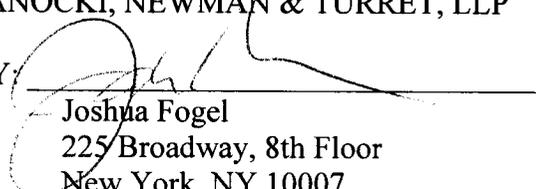
36. By reason of the foregoing, the defendants are jointly and severally liable pursuant to the exceptions set forth in Article 16 of the CPLR.

37. By reason of the foregoing, plaintiff is entitled to recover all her damages from the defendants pursuant to CPLR 3017(c), the amount of which exceeds the jurisdictional limits of all lower Courts.

**WHEREFORE**, in the First and Second Causes of Action, pursuant to CPLR 3017(c), plaintiff demands from the defendants that she be awarded all damages and relief to which she is entitled, together with the costs, disbursements and attorneys' fees of this action.

Dated: New York, NY  
April 21, 2015

SANOCKI, NEWMAN & TURRET, LLP

BY: 

Joshua Fogel  
225 Broadway, 8th Floor  
New York, NY 10007  
(212) 962-1190

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X  
MOESHA JORDAN,

Plaintiff,

- against -

**ATTORNEY'S  
CERTIFICATION**

SONDRA DANTZIC, M.D., MIRIAM CREMER, M.D.,  
and PLANNED PARENTHOOD OF NEW YORK  
CITY, INC.

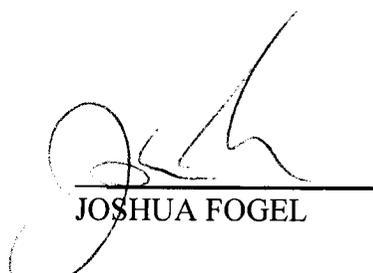
Defendants.

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JOSHUA FOGEL, an attorney duly admitted to practice before the Courts of this State,

certifies the following:

1. I am an attorney and Associate of the law firm of SANOCKI NEWMAN & TURRET, LLP, attorneys for the plaintiff in the within action.
2. I have reviewed the facts of the case and have consulted with a physician duly licensed to practice medicine and reasonably believe that said physician is knowledgeable with respect to the relevant issues involved in this action.
3. Based upon the discussions had with the aforesaid physician, I have concluded, on the basis of my review and consultation, that there is a reasonable basis for the commencement of this action.

Dated: New York, New York  
April 22, 2015

  
\_\_\_\_\_  
JOSHUA FOGEL

**ATTORNEY'S VERIFICATION**

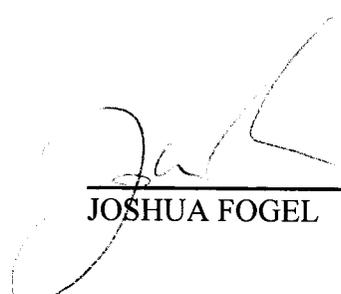
JOSHUA FOGEL, an attorney and Associate of the law firm of SANOCKI NEWMAN & TURRET, LLP, attorneys for the plaintiff(s) in the within action, duly admitted to practice law in the Courts of the State of New York, affirms the following statements to be true under the penalties of perjury, pursuant to Rule 2106 of the CPLR:

That affirmant has read the foregoing COMPLAINT and knows the contents thereof; that the same is true to affirmant's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters affirmant believes them to be true.

Affirmant further states that the source of affirmant's information and grounds of affirmant's belief are derived from the file maintained in the normal course of business of the attorneys for the plaintiff(s).

Affirmant further states that the reason this verification is not made by the plaintiff is that the plaintiff does not reside within the County of New York, which is the County where the attorneys for the plaintiff(s) herein maintains their offices.

Dated: New York, NY  
April 21, 2015



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JOSHUA FOGEL

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Index No.      Year

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

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MOESHA JORDAN

Plaintiff,

- against -

SONDRA DANTZIC, M.D., MIRIAM CREMER, M.D.,  
and PLANNED PARENTHOOD OF NEW YORK  
CITY, INC.

Defendants.

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**SUMMONS AND VERIFIED COMPLAINT**

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**SANOCKI NEWMAN & TURRET, LLP**

Attorneys for Plaintiff(s)  
Office and Post Office Address, Telephone

**225 Broadway  
New York, NY 10007  
(212) 962-1190**

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