

IN THE CIRCUIT COURT FOR FREDERICK COUNTY

BRADEY TRIPLETT *
4 Furnace Court *
Thurmont, MD 21788 *

Plaintiff, *

v. * Case No. _____

FREDERICK HEALTH HOSPITAL, INC. d/b/a *
FREDERICK MEMORIAL HOSPITAL *
400 West 7th Street *
Frederick, MD 21701 *
Registered Agent: *
Lorraine Prete, Esq. *
Kaslick & Prete, LLC *
117 W. Patrick Street, Suite 201 *
Frederick, MD 21701 *

and *

STUART GOODMAN, M.D. *
196 Thomas Johnson Drive, Suite 120 *
Frederick, MD 21702 *

and *

ERIC SCOTT HANSEN, M.D. *
12500 Willowbrook Road *
Cumberland, MD 21502 *

Defendants. *

* * * * *

COMPLAINT AND DEMAND FOR JURY TRIAL

COMES NOW Plaintiff, Bradey Triplett, by and through his attorneys, Kenneth M. Berman, Esq., Jason B. Penn, Esq. and Berman, Sobin, Gross, Feldman & Darby, LLP hereby sues Frederick Health Hospital, Inc. d/b/a Frederick Memorial Hospital, Stuart Goodman, M.D. and Eric S. Hansen, M.D., and their agents and/or employees, and for cause and in support of his claim respectfully state as follows:

INTRODUCTION

1. This claim arises from corporate and medical negligence committed by Frederick Health Hospital, Inc. d/b/a Frederick Memorial Hospital, Stuart Goodman, M.D. and Eric S. Hansen, M.D. That negligence resulted in Bradey Triplett suffering a devastating stroke resulting in permanent brain damage, to include the loss of motor control.

2. This medical negligence claim is instituted pursuant to Md. Cts. & Jud. Proc. §§ 3-2A-01-3-2A-10, for the recovery of damages in excess of Thirty Thousand Dollars (\$30,000.00).

3. Damages sustained by Plaintiff exceed the required jurisdictional amount under MD. CODE, CTS. & JUD. PROC. § 3-2A-02.

4. The Plaintiff avers that he has satisfied all conditions precedent to the filing of this lawsuit, including the filing of a Statement of Claim, Certificate of Qualified Expert and Expert Report, and a Waiver of Arbitration, in the Health Care Alternative Dispute Resolution Office of Maryland. The Plaintiff hereby attach and incorporate by reference the Certificate of Qualified Expert and Expert Report of Kenneth C. Fisher, M.D.

5. Venue as to all claims is invoked in Frederick County pursuant to MD. CODE ANN., CTS. & JUD. PROC. § 6-201, *et seq.*, inasmuch as: (a) all Defendants reside, carry on a regular business, are employed and/or habitually engage in a vocation in Frederick; and/or (b) the cause of action arose in Frederick County, in that the injuries proximately caused by the alleged negligence of the Defendants occurred in Frederick County. .

THE PARTIES

6. Plaintiff Bradey Triplett is a young, 27-year-old male who resides at 4 Furnace Court, Thurmont, Maryland 21788. At all times relevant, Plaintiff was a patient of the Defendants.

7. At all times pertinent hereto, Defendant Frederick Health Hospital, Inc. d/b/a Frederick Memorial Hospital (hereinafter, "Frederick Memorial Hospital"), a professional services corporation organized under the laws of the State of Maryland, with its principal place of business in Frederick County, Maryland, held itself out to the public as competent to provide medical, surgical and nursing services, and indeed did provide such care and services to Bradey Triplett, directly and by and through its principals, and/or actual and/or apparent agents, servants and/or employees, including but not limited to Stuart Goodman, M.D. and Eric Hansen, M.D., who at all times acted within the scope of their authority in providing care to Plaintiff.

8. At all times pertinent hereto, Defendant Stuart Goodman, M.D., (hereinafter, "Dr. Goodman"), was licensed to practice medicine in the state of Maryland, and held himself out to the public as a competent practitioner of neurology. At all times relevant in rendering care to Plaintiff, Dr. Goodman was employed in, and habitually carried on a vocation in Frederick, Maryland.

9. At all times pertinent hereto, Dr. Goodman acted individually, and as the actual and/or apparent agent, servant and/or employee of Frederick Memorial Hospital, and did so within the scope of his employment and authority.

10. At all times pertinent hereto, Defendant Eric S. Hansen, M.D., (hereinafter, "Dr. Hansen"), was licensed to practice medicine in the state of Maryland, and held himself

out to the public as a competent practitioner of emergency medicine. At all times relevant in rendering care to Plaintiff, Dr. Hansen was employed in, and habitually carried on a vocation in Frederick, Maryland.

11. At all times pertinent hereto, Dr. Hansen acted individually, and as the actual and/or apparent agent, servant and/or employee of Frederick Memorial Hospital, and did so within the scope of his employment and authority.

12. At all times relevant hereto, each of the Defendants, including their principals, and/or actual and/or apparent agents, servants and/or employees acted as the actual and/or apparent agents, servants and/or employees of each other.

13. At all times pertinent hereto, Plaintiff was a patient of the above Defendants (hereinafter referred to collectively as “Defendants”) for the purpose of receiving health care and treatment.

DUTIES OF THE HEALTH CARE PROVIDERS

14. At all times during Plaintiff’s hospitalization, Frederick Memorial Hospital operated a two hundred thirty three (233) bed hospital within the meaning of COMAR 10.09.92 offering diagnostic and treatment services for 2 or more unrelated individuals, under the supervision of medical staff at 400 W 7th Street, Frederick, Maryland 21701, which Frederick Memorial Hospital, was licensed by the State of Maryland to operate.

15. As a condition of licensure, Frederick Memorial Hospital, and its managerial employees and agents had the duty, at all times material to this Complaint, to operate the hospital in compliance with the regulations governing licensed hospitals in effect during Plaintiff’s hospitalization.

16. At all times material to this Complaint, Frederick Memorial Hospital, operated a hospital participating in the Medicare program and as a hospital participating in the Medicaid program.

17. At all times material to this Complaint, as a condition of participation in the Medicare and Medicaid programs, Frederick Memorial Hospital, and its managerial employees and agents had the duty, and state regulations required them, to operate the hospital, in compliance with the regulations governing hospitals participating in the Medicare program and hospitals participating in the Medicaid program, codified at 42 USC Ch. 4, Part 482.

18. At all times material to this Complaint, Frederick Memorial Hospital was a “hospital” as defined by MD Health-Gen. § 19-301 (2018) and a “Defendant” as defined in MD Cts. & Jud. Pro. § 3-2A-01 (2018). As a hospital and Defendant, Frederick Memorial Hospital owed Plaintiff, while he was a patient at Frederick Memorial Hospital, the duty, when providing him with health care to:

- a. Use reasonable care and diligence in the application of their knowledge and skill to his care;
- b. Use their best judgment in his treatment and care;
- c. Provide him with treatment and care in accordance with the standards of practice among members of the medical and nursing profession and other medical support professions with similar training and experience;
- d. Employ medical record-keeping practices which were in keeping with the standards of practice among hospitals; and

- e. Otherwise failed to meet all of its non-delegable fiduciary duties to Plaintiff including but not limited to the duties set forth in the ensuing paragraphs of this Complaint.

Frederick Memorial Hospital was at all relevant times, legally responsible for the actions of its managerial employees and agents, apparent agents, and/or those employees it supervised, while acting within the course and scope of their employment and/or agency.

19. Frederick Memorial Hospital, and its managerial employees, agents and apparent agents, including but not limited to Dr. Goodman and Dr. Hansen, owed certain non-delegable, fiduciary duties to Plaintiff, including the administrative duties to exercise reasonable care to:

- a. Monitor and oversee the treatment which is prescribed and administered by nurses and other health care professionals practicing at the facility;
- b. Monitor and oversee the qualifications, competency, and compliance with their policies and the applicable standards of care of the physicians, nurses and technicians and other health care professionals practicing at the facility;
- c. Monitor and oversee the selection and retention of nurses and other health care professionals practicing at the facility;
- d. Monitor and oversee the compliance of all employees, agent and apparent agents with safety standards the facility Defendant voluntarily agreed to abide by, including 42 USC Ch. 4, Part 482, MD Health-Gen. § 19-301 (2018), and COMAR 10.09.92;

- e. Adopt and implement policies which did not interfere with the best judgment of physicians, nurses or other health care professionals practicing at the facility; and
- f. Adopt and implement policies which did not require physicians, nurses, or other health care professionals practicing at the facility to exceed their scope of practice or their duties to patients.

The Defendants also had non-delegable fiduciary duties to Plaintiff, including but not limited to the duties set forth in the ensuing paragraphs of this Complaint.

20. Frederick Memorial Hospital and its managerial employees, agents and apparent agents, including but not limited to Dr. Goodman and Dr. Hansen, had the non-delegable fiduciary duty to Plaintiff to exercise direct management control of the facility on a full-time basis, to develop and implement policies for the management and operation of the facility, to train employees concerning those policies and their job duties, and specifically to ensure that the following duties owed to Plaintiff were met by its employees:

- a. That patient services were provided in accordance with all applicable local, state and federal regulations and codes, and
- b. That patient services were provided in accordance with acceptable standards of practice applicable to professionals providing patients services in the facility, and specifically that services provided or arranged by the Defendants for Plaintiff met professional standards of quality and were provided by qualified persons.
- c. That facility staff (both professional and non-professional including employees, agents, apparent agents, and/or independent contractors) were

properly hired in sufficient numbers, screened, trained, and supervised; and that all staff was competent and fit to provide custodial and nursing care for the health, safety, and proper care of hospital patients;

- d. That a comprehensive assessment of the patient's needs was promptly conducted and conducted again after a significant change in his physical or mental condition, which assessment was used to develop, review, and revise his comprehensive plan of care;
- e. That Mr. Triplett received, and that the Defendants provided, the necessary care and services to attain or maintain the patient's highest practicable physical, mental and psychosocial well-being.

21. Frederick Memorial Hospital held itself out to the Maryland Department of Health and/or the public at large and/or Plaintiff and Plaintiff's family specifically, as being:

- a. Skilled in the performance of nursing, surgical, rehabilitative and other medical support services;
- b. Properly staffed, supervised and equipped to meet the total needs of its patients; able to specifically meet the nursing, medical, pharmacological, and monitoring of Bradey Triplett and other patients like Bradey Triplett; and
- c. Licensed by the Maryland Department of Health as complying on a continual basis with all rules, regulations and standards established for hospitals in Maryland.

22. Frederick Memorial Hospital, held itself out to the Centers for Medicare Services and/or to the public at large and/or to Plaintiff and Plaintiff's family specifically,

as being a hospital that meets the requirements of 42 USC Ch. 4, Part 482, MD Health-Gen. § 19-301 (2018), and COMAR 10.09.92 and other federal and state statutes and regulations.

23. At all times relevant hereto Defendants agreed to provide to Plaintiff appropriate care and treatment. Accordingly, Defendants owed a duty to Plaintiff to exercise the degree of skill and care expected of reasonably competent Defendants in the monitoring, evaluation, assessment, and treatment in the same or similar circumstances.

FACTS COMMON TO ALL COUNTS

24. On December 26, 2016, Bradey Triplett was transported by the Frederick County Division of Fire and Rescue to Frederick Memorial Hospital.

25. EMS providers noted their impression of Plaintiffs' symptoms as "Stroke/CVA." Mr. Triplett arrived, via ambulance, at Frederick Memorial Hospital at 8:35 PM.

26. Upon arrival at Frederick Memorial Hospital it is noted that while at home:

"...he was getting up from the couch and lost his balance and fell to the floor, hitting his head on the wooden table... He says he was unable to get up from the ground so the ambulance was called to bring him to the hospital."

27. The triage assessment performed at the hospital noted "Per ems- pt. watching tv at 1900, attempted to stand and fell to floor and began to shake but remained alert. Per ems pt has left facial droop and left arm and leg paralysis. Pt. alert and oriented with slightly slurred speech."

28. On December 26, 2016, at or around 8:27 PM, Anna M. Houck assessed Mr. Triplett's pain score as being "0".

29. On December 26, 2016 at or around 9:16 PM, Defendant “SAR” noted that Mr. Triplett was having: “abnormal thought processes, speech abnormal, motor response/posturing, abnormal reflexes/signs” and that the patient “states that he is unable to move left arm, left leg and is having difficulty ambulating. Dorsiplantar flexion equal. Pt. states that he is unable to grip with his left hand. Pt states that he began having a severe headache around 2000 and then lost ability to move his extremities on his left side. Denies any ETOH or Drug use this evening.”

30. In the emergency department, he was seen by physician Eric Scott Hansen, M.D.

31. He was sent for an urgent CT after a routine physical exam and neurology was contacted to discuss possible tPA usage.

32. It was noted that Mr. Triplett reported numbness in his left upper extremity and left lower extremity “subjective, weakness.” He denied headache, tingling, tremors.

33. Later, it was noted “patient will not move [Left Upper Extremity] and [Left Lower Extremity] to command.” It was documented that “with painful stimuli, patient will move LUE and LLE, but will not painful stimuli at times when asked –inconsistent exam.”

34. Later, at 8:58 PM, Mr. Triplett was reexamined. The Defendants noted “patient updated on negative CT findings. Re-examined LUE and LLE w/ painful stimuli. Patient retracts limbs minimally w/ painful stimuli.”

35. Upon further examination, however, it was noted that Mr. Triplett was “able to answer...all the questions appropriately. He says he is unable to move his left upper and lower extremities. He says his symptoms have gotten worse since he came in.”

36. A test of his central nervous system revealed that he has 0/5 in his left upper extremity and 0/5 in his left lower extremity.

37. On December 26, 2016, Dr. Goodman and Stuart Hansen, M.D. consulted in regards to Plaintiff and decided that “since patient was of inconsistent neuro exam and moving extremities with painful stimuli, he is not a tPA candidate.”

38. On December 27, 2016, Dr. Goodman completed a neurological examination of the Plaintiff. Dr. Goodman suggested that Plaintiff was “suffering from a right hemispheric ischemic cerebral infarction” rather than a “thrombotic episode.” Further plans and management options were suggested and provided.

39. Following Plaintiff’s neurological consult with Dr. Goodman, Plaintiff underwent a cardiology consult and psychiatry consult.

40. On December 27, 2016, psychiatrist Eduardo Espiridion, M.D. was consulted. The reason for the exam was noted to be “conversion reaction¹ suspected.” Bradey Triplett was not experiencing a conversion reaction.

41. On December 27, 2016 at 12:15 PM a brain MRI was performed. The impression was:

Large region of diffusion restriction consistent with non-hemorrhagic stroke for the right basal ganglia, right insular and right inferior temporal lobe cortex. Findings are in the vascular distribution of the right posterior cerebellar artery. No flow abnormalities are noted within the basilar artery nor within the visualized proximal right or left posterior cerebellar arteries. Consider MRA if clinically warranted.

42. An MRA was clinically warranted and, at or around December 27, 2016 at 3:26 PM, it was noted that:

¹ Conversion reaction is a mental condition in which a person has blindness, paralysis or other neurologic symptoms that cannot be explained by medical evaluation.

Almost complete occlusion of the right MCA, with barely perceptible threadlike perfusion of the proximal most aspect of the MCA. This corresponds to the right MCA territory infarct identified on the 12/26/2016 MRI of the brain study.

43. The MRI and MRA of Bradey Triplet's brain confirmed that he was not suffering from a "conversion reaction" rather he suffered an ischemic stroke—a condition that should have been diagnosed and treated in a timely fashion by Defendants.

44. As a result of the Defendant's failures, Bradey Triplett was not provided with IV Anti-Thrombotic (t-PA) medication.

COUNT I
(ORDINARY CORPORATE NEGLIGENCE – FREDERICK HEALTH HOSPITAL, INC. d/b/a FREDERICK MEMORIAL HOSPITAL)

45. Plaintiff repeats, re-alleges, adopts, and incorporates by reference the above paragraphs of this Complaint as if fully set forth herein.

46. Defendant Frederick Memorial Hospital breached its administrative duties to Bradey Triplett by:

a. Failing to exercise ordinary care in monitoring and overseeing the treatment which was prescribed for and administered to the patient by physicians, nurses and other healthcare professionals practicing at the facility;

b. Failing to exercise ordinary care in monitoring and overseeing the qualifications competency, and compliance with its policies and the applicable standards of care of the physicians, nurses, and other healthcare professionals practicing at and rendering care to the patient at the hospital;

c. Failing to exercise ordinary care in monitoring and overseeing the selection and retention of physicians, nurses and other health care professionals practicing at the facility;

d. Failing to exercise ordinary care in monitoring and overseeing the compliance of all their agents with the safety standards that it voluntarily agreed to abide by, including but not limited to 42 USC Ch. 4, Part 482, MD Health-Gen. § 19-301 (2018), and COMAR 10.09.92;

e. Failing to exercise ordinary care by adopting and implementing policies which interfered with the best judgment of physicians, nurses and other health care professionals practicing at the facility and rendering care to the resident;

f. Adopting and implementing policies which had the effect of requiring physicians, nurses, and other healthcare professionals practicing at the facility to exceed their scope of practice and/or their duties to patients; and

g. Other acts and omissions, which will be shown at the trial of this matter.

47. As a direct and proximate result of the Defendants' negligence, including Dr. Goodman and Dr. Hansen, and multiple violations of the applicable standards of care, Bradey Triplett suffered and will suffer the following injuries, among others:

- a. Neurological disabilities;
- b. Physical impairment;
- c. Significant conscious pain and suffering;
- d. Emotional distress;
- e. He is and will be permanently dependent upon others for his care;
- f. He has and will continue to undergo serious and painful medical procedures;

- g. He has in the past and will in the future incur significant medical and other expenses;
- h. His earning capacity has been severely diminished; and
- i. Other injuries and damages.

48. But for the Defendants' negligence, neglect, and multiple violations of the applicable standards of care, Bradey Triplett would not have suffered the injuries, damages, and consequences as described above culminating in his untimely and otherwise preventable injury.

WHEREFORE, Plaintiff brings this action against the Defendant Health Care Providers and seeks damages that will adequately and fairly compensate him, plus costs and such other and further relief as may be deemed appropriate.

COUNT II
(NEGLIGENCE—MEDICAL MALPRACTICE — FREDERICK HEALTH HOSPITAL, INC. d/b/a FREDERICK MEMORIAL HOSPITAL)

49. Plaintiff repeats, re-alleges, adopts, and incorporates by reference the above paragraphs of this Complaint as if fully set forth herein.

50. In its care and treatment of Bradey Triplett, the Defendant Frederick Memorial Hospital owed Bradey Triplett a duty to exercise that degree of care and skill that a reasonably competent hospital and/or similar healthcare provider would have exercised under similar circumstances.

51. The Defendant Frederick Memorial Hospital directly and through its actual and/or apparent agents, servants and/or employees, including but not limited to, Dr. Goodman and Dr. Hansen, who at all relevant times were acting within the scope of their authority and/or employment, failed to act as reasonably competent Defendants would have

acted under the same or similar circumstances, breached the aforesaid duty of care to Bradey Triplett and was negligent in the following respects, amongst others:

- a. Failing to utilize the proper medical techniques during the care and treatment of Bradey Triplett;
- b. Failing to recognize and appropriately react to his stroke;
- c. Failing to use the appropriate medications to treat his stroke;
- d. Failing to properly train and supervise the Defendants in caring for patients suffering from a stroke;
- e. Failing to have and follow safe practices and maneuvers to treat patients with a stroke;
- f. Failing to establish and/or follow appropriate policies, procedures, protocols, and practices to address properly the needs of patients such as Bradey Triplett;
- g. Failing to properly supervise and provide adequate training to its agents, servants, and/or employees;
- h. Failing to initiate new policies and update existing policies consistent with advances in medical knowledge and practice;
- i. Failing to train and educate medical and nursing staff on the significance and risks of a stroke;
- j. Failing to communicate adequately among Defendants; and
- k. Other negligent acts or omissions that may become apparent throughout the course of discovery.

52. The Defendant Frederick Memorial Hospital breached the aforesaid duty of care to Bradey Triplett and was negligent in the following respects, amongst others:

- a. Failing to adequately instruct, train, and/or supervise its agents, servants and employees;
- b. Failing to provide appropriately trained and skilled personnel to care for Bradey Triplett;
- c. Failing to establish and/or follow and/or enforce appropriate policies, procedures and/or protocols for management of a stroke;
- d. Failing to establish and/or follow and/or enforce appropriate policies, procedures and practices to properly manage patients such Bradey Triplett;
- e. Failing to properly credential, supervise and/or provide adequate training to agents, servants and/or employees, including those who cared for Bradey Triplett; and
- f. Failing to have the appropriate staff, personnel and facilities to provide timely diagnosis and treatment of a surgical emergency.

53. As a direct and proximate result of the Defendants' negligence, including Dr. Goodman and Dr. Hansen, and multiple violations of the applicable standards of care Bradey Triplett suffered and will suffer the following injuries, among others:

- a. Neurological disabilities;
- b. Physical impairment;
- c. Significant conscious pain and suffering;
- e. Emotional distress;

- f. He is and will be permanently dependent upon others for her care;
- g. He has and will continue to undergo serious and painful medical procedures;
- i. His earning capacity has been severely diminished; and
- j. Other injuries and damages.

54. But for the Defendants' negligence, neglect, and multiple violations of the applicable standards of care, Bradey Triplett would not have suffered the injuries, damages, and consequences as described above culminating in his untimely and otherwise preventable injury.

WHEREFORE, Plaintiff brings this action against the Defendant Health Care Providers and seeks damages that will adequately and fairly compensate him, plus costs and such other and further relief as may be deemed appropriate.

COUNT III
(NEGLIGENCE—MEDICAL MALPRACTICE —STUART GOODMAN, MD)

55. Plaintiff repeats, re-alleges, adopts, and incorporates by reference the above paragraphs of this Complaint as if fully set forth herein.

56. In his care and treatment of Bradey Triplett, the Defendant Dr. Goodman owed Bradey Triplett a duty to exercise that degree of care and skill that a reasonably competent physician and/or similar healthcare provider would have exercised under similar circumstances.

57. The Defendant Dr. Goodman breached the aforesaid duty of care to Bradey Triplett and was negligent in the following respects, amongst others:

- a. Failing to utilize the proper medical techniques during the care and treatment of Bradey Triplett;

- b. Failing to recognize and appropriately react to his stroke;
- c. Failing to use the appropriate medications to treat his stroke;
- d. Failing to properly train and supervise the Defendants in caring for patients suffering from a stroke;
- e. Failing to have and follow safe practices and maneuvers to treat patients with a stroke;
- f. Failing to establish and/or follow appropriate policies, procedures, protocols, and practices to address properly the needs of patients such as Bradey Triplett;
- g. Failing to properly supervise and provide adequate training to its agents, servants, and/or employees;
- h. Failing to initiate new policies and update existing policies consistent with advances in medical knowledge and practice;
- i. Failing to train and educate medical and nursing staff on the significance and risks of a stroke;
- j. Failing to communicate adequately among Defendants; and
- k. Other negligent acts or omissions that may become apparent throughout the course of discovery.

58. As a direct and proximate result of the Defendants' negligence, including Dr. Goodman and Dr. Hansen, and multiple violations of the applicable standards of care, Bradey Triplett suffered and will suffer the following injuries, among others:

- a. Neurological disabilities;
- b. Physical impairment;

- c. Significant conscious pain and suffering;
- d. Emotional distress;
- e. He is and will be permanently dependent upon others for his care;
- f. He has and will continue to undergo serious and painful medical procedures;
- g. He has in the past and will in the future incur significant medical and other expenses;
- h. His earning capacity has been severely diminished; and
- i. Other injuries and damages.

59. But for the Defendants' negligence and multiple violations of the applicable standards of care, Bradey Triplett would not have suffered the injuries, damages, and consequences as described above culminating in her untimely and otherwise preventable death.

WHEREFORE, Plaintiff brings this action against the Defendant Health Care Providers and seeks damages that will adequately and fairly compensate him, plus costs and such other and further relief as may be deemed appropriate.

COUNT III
(NEGLIGENCE—MEDICAL MALPRACTICE —ERIC S. HANSEN, MD)

60. Plaintiff repeats, re-alleges, adopts, and incorporates by reference the above paragraphs of this Complaint as if fully set forth herein.

61. In his care and treatment of Bradey Triplett, the Defendant Dr. Hansen owed Bradey Triplett a duty to exercise that degree of care and skill that a reasonably competent physician and/or similar healthcare provider would have exercised under similar circumstances.

62. The Defendant Dr. Hansen breached the aforesaid duty of care to Bradey Triplett and was negligent in the following respects, amongst others:

- a. Failing to utilize the proper medical techniques during the care and treatment of Bradey Triplett;
- b. Failing to recognize and appropriately react to his stroke;
- c. Failing to use the appropriate medications to treat his stroke;
- d. Failing to properly train and supervise the Defendants in caring for patients suffering from a stroke;
- e. Failing to have and follow safe practices and maneuvers to treat patients with a stroke;
- f. Failing to establish and/or follow appropriate policies, procedures, protocols, and practices to address properly the needs of patients such as Bradey Triplett;
- g. Failing to properly supervise and provide adequate training to its agents, servants, and/or employees;
- h. Failing to initiate new policies and update existing policies consistent with advances in medical knowledge and practice;
- i. Failing to train and educate medical and nursing staff on the significance and risks of a stroke;
- j. Failing to communicate adequately among Defendants; and
- k. Other negligent acts or omissions that may become apparent throughout the course of discovery.

63. As a direct and proximate result of the Defendants' negligence, including Dr. Goodman and Dr. Hansen, and multiple violations of the applicable standards of care, Bradey Triplett suffered and will suffer the following injuries, among others:

- a. Neurological disabilities;
- b. Physical impairment;
- c. Significant conscious pain and suffering;
- d. Emotional distress;
- e. He is and will be permanently dependent upon others for his care;
- f. He has and will continue to undergo serious and painful medical procedures;
- g. He has in the past and will in the future incur significant medical and other expenses;
- h. His earning capacity has been severely diminished; and
- i. Other injuries and damages.

64. But for the Defendants' negligence and multiple violations of the applicable standards of care, Bradey Triplett would not have suffered the injuries, damages, and consequences as described above culminating in her untimely and otherwise preventable death.

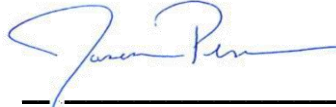
WHEREFORE, Plaintiff brings this action against the Defendant Health Care Providers and seeks damages that will adequately and fairly compensate him, plus costs and such other and further relief as may be deemed appropriate.

Respectfully submitted,

**BERMAN, SOBIN, GROSS,
FELDMAN & DARBY, LLP**

/s/

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