

DA
18

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

LAW OFFICES

HARRIS PALUMBO
POWERS & CUNNINGHAM PLLC
PARK CORONADO, SUITE 101
381 EAST CORONADO
POST OFFICE BOX 13888
PHOENIX, ARIZONA 85062-3888
(602) 271-8844 FAX (602) 233-8888
HARRISPALUMBO@WORLDNET.ATT.NET

Frank I. Powers (Bar No. 013369)
Attorneys for Plaintiff

MICHAEL K. JEANES
Clerk of the Superior Court

By MARCI DEADMAN, Deputy
Date 03/31/2000 Time 12:54 PM
Description Qty Amount
CASE# CV2000-006138
CIVIL NEW COMPLAINT 001 140.00
TOTAL AMOUNT 140.00
Receipt# 00003300289

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

RUSSELL PATTERSON, surviving spouse)
of GLORIA PATTERSON, deceased,)
individually and on behalf of JOSEPH)
PATTERSON and LAWRENCE BROWN,)
surviving natural children of GLORIA)
PATTERSON,)

Plaintiff,

vs.

CATHOLIC HEALTHCARE WEST)
ARIZONA, an Arizona corporation, dba)
CHANDLER REGIONAL HOSPITAL)
(fka EAST VALLEY REGIONAL)
HEALTH SYSTEM, dba CHANDLER)
REGIONAL HOSPITAL); WOMEN'S)
HEALTH CARE ASSOCIATES, LTD.,)
an Arizona corporation; H. C. WATTERS,)
D.O., dba CHANDLER SURGERY)
CENTER ASSOCIATES; WARNER)
MEDICAL ASSOCIATES, a partnership;)
EAST VALLEY OFFICE ASSOCIATES,)
a partnership; EAST VALLEY MEDICAL)
OFFICE ASSOCIATES II, a)
partnership; EAST VALLEY MEDICAL)
OFFICE ASSOCIATION, a partnership;)
H. C. WATTERS, D.O., and JANE DOE)
WATTERS, husband and wife; DIANE)
L. EASTON, D.O. and JOHN DOE)

No. CV2000-006138

COMPLAINT

(Medical Negligence)

1 EASTON, wife and husband; EAST)
 2 VALLEY FAMILY MEDICAL, P.C., an)
 3 Arizona corporation, aka EAST VALLEY)
 4 FAMILY MEDICINE; CARDIAC)
 5 DIAGNOSTIC INSTITUTE, L.L.C., an)
 6 Arizona limited liability corporation;)
 7 VICTOR BONILLA, M.D., dba CARDIAC)
 8 INSTITUTE GENERAL PARTNERSHIP;)
 9 CHANDLER DIAGNOSTIC CENTER,)
 10 a partnership; VICTOR R. BONILLA,)
 11 M.D. and JANE DOE BONILLA,)
 12 husband and wife; BRUCE EICH, M.D.)
 13 and JANE DOE EICH,)
 14 husband and wife; OLE-GEORG)
 15 TORJUSEN, M.D. and JANE DOE)
 16 TORJUSEN, husband and wife,)
 17 BONNIE HARE, N.P. and JOHN DOE)
 18 HARE, wife and husband; MARY MAUDE)
 19 MEYER, N.P. and JOHN DOE MEYER,)
 20 wife and husband; MARY MARGARET)
 21 MEYER, R.N. and JOHN ROE MEYER,)
 22 wife and husband; LINDA YESS, C.N.P.)
 23 and JOHN DOE YESS, wife and husband;)
 24 JOHN and JANE DOES I-V; BLACK)
 25 and WHITE CORPORATIONS I-V,)
 26)
 27)
 28)
 Defendants.)

Plaintiff Russell Patterson, through counsel, for his claim against the Defendants,
 alleges as follows:

I.

The Parties at all times relevant hereto were residents of and/or doing business in
 Maricopa County, State of Arizona.

II.

All events complained of occurred within Maricopa County, Arizona.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

III.

Plaintiff Russell Patterson is the surviving spouse of Gloria Patterson, now deceased. He brings this claim on behalf of himself individually, as well as Joseph Patterson and Lawrence Brown, surviving natural adult children of Gloria Patterson.

IV.

Defendant Catholic Healthcare West Arizona, an Arizona corporation, dba Chandler Regional Hospital (formerly known as East Valley Regional Health System dba Chandler Regional Hospital) is a foreign corporation authorized to conduct business within the State of Arizona, with a principal place of business and/or agents and/or property within Maricopa County, Arizona. Said Defendant is authorized to engage in the business of providing health care and medical services to members of the public, and said Defendant and its employees and agents provided services to Gloria Patterson, deceased.

V.

Defendant Women's Health Care Associates, Ltd. is an Arizona corporation organized and existing under the laws of the State of Arizona, with its principal place of business and/or agents and/or property within Maricopa County, Arizona. Said Defendant is authorized to engage in the business of providing health care and medical services to members of the public, and said Defendant and its employees and agents provided services to Gloria Patterson, deceased.

VI.

Defendant Chandler Surgery Center Associates is a registered fictitious name for H. C. Watters, D.O., organized and existing under the laws of the State of Arizona, with its principal place of business and/or agents and/or property within Maricopa County, Arizona. Said Defendant is authorized to engage in the business of providing health care and medical services to members of

1 the public, and said Defendant and its employees and agents provided services to Gloria Patterson,
2 deceased.

3
4 VII.

5 Defendant Warner Medical Associates is a partnership organized and existing under
6 the laws of the State of Arizona, with its principal place of business and/or agents and/or property
7 within Maricopa County, Arizona. Said Defendant is authorized to engage in the business of
8 providing health care and medical services to members of the public, and said Defendant and its
9 employees and agents provided services to Gloria Patterson, deceased.

10
11 VIII.

12 Defendant East Valley Office Associates is a partnership organized and existing
13 under the laws of the State of Arizona, with its principal place of business and/or agents and/or
14 property within Maricopa County, Arizona. Said Defendant is authorized to engage in the business
15 of providing health care and medical services to members of the public, and said Defendant and its
16 employees and agents provided services to Gloria Patterson, deceased.

17
18 IX.

19 Defendant East Valley Medical Office Associates II, is a partnership organized and
20 existing under the laws of the State of Arizona, with its principal place of business and/or agents
21 and/or property within Maricopa County, Arizona. Said Defendant is authorized to engage in the
22 business of providing health care and medical services to members of the public, and said Defendant
23 and its employees and agents provided services to Gloria Patterson, deceased.

24
25 X.

26 Defendant East Valley Medical Office Association is a partnership organized and
27 existing under the laws of the State of Arizona, with its principal place of business and/or agents
28

1 and/or property within Maricopa County, Arizona. Said Defendant is authorized to engage in the
2 business of providing health care and medical services to members of the public, and said Defendant
3 and its employees and agents provided services to Gloria Patterson, deceased.
4

5 XI.

6 Defendants H. C. Watters, D.O. and Jane Doe Watters, are husband and wife and
7 residents of Maricopa County, Arizona. Defendant H. C. Watters, D.O. is duly licensed as a
8 physician under the laws of the State of Arizona. At all times material hereto, Defendant H. C.
9 Watters, D.O. was actively practicing his profession in the State of Arizona. In doing so, he held
10 himself out to the general public as being skilled, careful and diligent in the practice of medicine.
11

12 XII.

13 Plaintiffs allege that Defendant H. C. Watters, D.O. is, and at all times mentioned
14 herein was, acting for, and on behalf of, and in furtherance of the marital community consisting of H.
15 C. Watters, D.O. and Jane Doe Watters. Defendant Jane Doe Watters is named by a fictitious name
16 until her true name is ascertained. Plaintiff prays leave of this Court to amend his Complaint to insert
17 the true name of Jane Doe Watters when it becomes known to the Plaintiff.
18

19 XIII.

20 Defendants Diane Easton, D.O. and John Doe Easton are wife and husband and
21 residents of Maricopa County, Arizona. Defendant Diane Easton, D.O. is duly licensed as a physician
22 under the laws of the State of Arizona. At all times material hereto, Defendant Diane Easton, D.O.
23 was actively practicing her profession in the State of Arizona. In doing so, she held herself out to the
24 general public as being skilled, careful and diligent in the practice of medicine.
25

26 ...

27 ...

28

XIV.

1
2 Plaintiffs allege that Defendant Diane Easton, D.O. is, and at all times mentioned
3 herein was, acting for, and on behalf of, and in furtherance of the marital community consisting of
4 Diane Easton, D.O. and John Doe Easton. Defendant John Doe Easton is named by a fictitious name
5 until his true name is ascertained. Plaintiff prays leave of this Court to amend his Complaint to insert
6 the true name of John Doe Easton when it becomes known to the Plaintiff.
7

8 XV.

9 Defendant East Valley Family Medical, P.C., aka East Valley Family Medicine is an
10 Arizona corporation organized and existing under the laws of the State of Arizona, with its principal
11 place of business and/or agents and/or property within Maricopa County, Arizona. Said Defendant
12 is authorized to engage in the business of providing health care and medical services to members of
13 the public, and said Defendant and its employees and agents provided services to Gloria Patterson,
14 deceased.
15

16 XVI.

17 Defendant Cardiac Diagnostic Institute, L.L.C. is an Arizona Limited Liability
18 Corporation organized and existing under the laws of the State of Arizona, with its principal place
19 of business and/or agents and/or property within Maricopa County, Arizona. Said Defendant is
20 authorized to engage in the business of providing health care and medical services to members of the
21 public, and said Defendant and its employees and agents provided services to Gloria Patterson,
22 deceased.
23

24 XVII.

25 Defendant Cardiac Institute General Partnership is a registered fictitious name for
26 Victor Bonilla, M.D., organized and existing under the laws of the State of Arizona, with its principal
27
28

1 place of business and/or agents and/or property within Maricopa County, Arizona. Said Defendant
2 is authorized to engage in the business of providing health care and medical services to members of
3 the public, and said Defendant and its employees and agents provided services to Gloria Patterson,
4 deceased.
5

6 XVIII.

7 Defendant Chandler Diagnostic Center is a partnership organized and existing under
8 the laws of the State of Arizona, with its principal place of business and/or agents and/or property
9 within Maricopa County, Arizona. Said Defendant is authorized to engage in the business of
10 providing health care and medical services to members of the public, and said Defendant and its
11 employees and agents provided services to Gloria Patterson, deceased.
12

13 XIX.

14 Defendants Victor R. Bonilla, M.D. and Jane Doe Bonilla are husband and wife and
15 residents of Maricopa County, Arizona. Defendant Victor R. Bonilla, M.D. is duly licensed as a
16 physician under the laws of the State of Arizona. At all times material hereto, Defendant Victor R.
17 Bonilla, M.D. was actively practicing his profession in the State of Arizona. In doing so, he held
18 himself out to the general public as being skilled, careful and diligent in the practice of medicine.
19

20 XX.

21 Plaintiff alleges that Defendant Victor R. Bonilla, M.D. is, and at all times mentioned
22 herein was, acting for, and on behalf of, and in furtherance of the marital community consisting of
23 Victor R. Bonilla, M.D. and Jane Doe Bonilla. Defendant Jane Doe Bonilla is named by a fictitious
24 name until her true name is ascertained. Plaintiff prays leave of this Court to amend his Complaint
25 to insert the true name of Jane Doe Bonilla when it becomes known to the Plaintiff.
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

XXI.

Defendants Bruce Eich, M.D. and Jane Doe Eich are husband and wife and residents of Maricopa County, Arizona. Defendant Bruce Eich, M.D. is duly licensed as a physician under the laws of the State of Arizona. At all times material hereto, Defendant Bruce Eich, M.D. was actively practicing his profession in the State of Arizona. In doing so, he held himself out to the general public as being skilled, careful and diligent in the practice of medicine.

XXII.

Plaintiffs allege that Defendant Bruce Eich, M.D. is, and at all times mentioned herein was, acting for, and on behalf of, and in furtherance of the marital community consisting of Bruce Eich, M.D. and Jane Doe Eich. Defendant Jane Doe Eich is named by a fictitious name until her true name is ascertained. Plaintiff prays leave of this Court to amend his Complaint to insert the true name of Jane Doe Eich when it becomes known to the Plaintiff.

XXIII.

Defendants Ole-Georg Torjusen, M.D. and Jane Doe Torjusen are husband and wife and residents of Maricopa County, Arizona. Defendant Ole-Georg Torjusen, M.D. is duly licensed as a physician under the laws of the State of Arizona. At all times material hereto, Defendant Ole-Georg Torjusen, M.D. was actively practicing his profession in the State of Arizona. In doing so, he held himself out to the general public as being skilled, careful and diligent in the practice of medicine.

XXIV.

Plaintiffs allege that Defendant Ole-Georg Torjusen, M.D. is, and at all times mentioned herein was, acting for, and on behalf of, and in furtherance of the marital community consisting of Ole-Georg Torjusen, M.D. and Jane Doe Torjusen. Defendant Jane Doe Torjusen is named by a fictitious name until her true name is ascertained. Plaintiff prays leave of this Court to

1 amend his Complaint to insert the true name of Jane Doe Torjusen when it becomes known to the
2 Plaintiff.

3 XXV.

4 Defendants Bonnie Hare, N.P. and John Doe Hare are wife and husband and residents
5 of Maricopa County, Arizona. Defendant Bonnie Hare, N.P. is duly licensed as a nurse practitioner
6 under the laws of the State of Arizona. At all times material hereto, Defendant Bonnie Hare, N.P.
7 was actively practicing her profession in the State of Arizona. In doing so, she held herself out to the
8 general public as being skilled, careful and diligent in the practice of medicine.
9

10 XXVI.

11 Plaintiffs allege that Defendant Bonnie Hare, N.P. is, and at all times mentioned herein
12 was, acting for, and on behalf of, and in furtherance of the marital community consisting of Bonnie
13 Hare, N.P. and John Doe Hare. Defendant John Doe Hare is named by a fictitious name until his true
14 name is ascertained. Plaintiff prays leave of this Court to amend his Complaint to insert the true name
15 of John Doe Hare when it becomes known to the Plaintiff.
16

17 XXVII.

18 Defendants Mary Maude Meyer, N.P. and John Doe Meyer are wife and husband and
19 residents of Maricopa County, Arizona. Defendant Mary Maude Meyer, N.P. is duly licensed as a
20 nurse practitioner under the laws of the State of Arizona. At all times material hereto, Defendant
21 Mary Maude Meyer, N.P. was actively practicing her profession in the State of Arizona. In doing
22 so, she held herself out to the general public as being skilled, careful and diligent in the practice of
23 medicine.
24

25 ...

26 ...

27 ...
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

XXVIII.

Plaintiffs allege that Defendant Mary Maude Meyer, N.P. is, and at all times mentioned herein was, acting for, and on behalf of, and in furtherance of the marital community consisting of Mary Maude Meyer, N.P. and John Doe Meyer. Defendant John Doe Meyer is named by a fictitious name until his true name is ascertained. Plaintiff prays leave of this Court to amend his Complaint to insert the true name of John Doe Meyer when it becomes known to the Plaintiff.

XXIX.

Defendants Mary Margaret Meyer, R.N. and John Roe Meyer are wife and husband and residents of Maricopa County, Arizona. Defendant Mary Margaret Meyer, R.N. is duly licensed as a registered nurse under the laws of the State of Arizona. At all times material hereto, Defendant Mary Margaret Meyer, R.N. was actively practicing her profession in the State of Arizona. In doing so, she held herself out to the general public as being skilled, careful and diligent in the practice of medicine.

XXX.

Plaintiffs allege that Defendant Mary Margaret Meyer, R.N. is, and at all times mentioned herein was, acting for, and on behalf of, and in furtherance of the marital community consisting of Mary Margaret Meyer, R.N. and John Roe Meyer. Defendant John Roe Meyer is named by a fictitious name until his true name is ascertained. Plaintiff prays leave of this Court to amend his Complaint to insert the true name of John Roe Meyer when it becomes known to the Plaintiff.

XXXI.

Defendants Linda Yess, C.N.P. and John Doe Yess are wife and husband and residents of Maricopa County, Arizona. Defendant Linda Yess C.N.P. is duly licensed as a certified nurse

1 practitioner under the laws of the State of Arizona. At all times material hereto, Defendant Linda
2 Yess, C.N.P. was actively practicing her profession in the State of Arizona. In doing so, she held
3 herself out to the general public as being skilled, careful and diligent in the practice of medicine.
4

5 XXXII.

6 Plaintiffs allege that Defendant Linda Yess, C.N.P. is, and at all times mentioned
7 herein was, acting for, and on behalf of, and in furtherance of the marital community consisting of
8 Linda Yess, C.N.P. and John Doe Yess. Defendant John Doe Yess is named by a fictitious name
9 until his true name is ascertained. Plaintiff prays leave of this Court to amend his Complaint to insert
10 the true name of John Doe Yess when it becomes known to the Plaintiff.
11

12 XXXIII.

13 Defendants John and Jane Does I-V and Black and White Corporations I-V are and,
14 at all times mentioned herein, were persons, agents, servants, employees, corporations and/or business
15 entities whose true names and identities are not known to Plaintiff at the present time. Plaintiff
16 alleges, upon information and belief, that John and Jane Does I-V are citizens and/or residents of the
17 State of Arizona. Plaintiff is informed and believe, upon information and belief, that one or more of
18 these individuals and/or business entities caused an event to occur within the State of Arizona, which
19 is the subject of this Complaint. At the present time, Plaintiff does not have the true names of John
20 and Jane Does I-V and Black and White Corporations I-V. However, at such time as any of these
21 true names are ascertained, Plaintiff will seek leave of this Court to amend Plaintiff's Complaint to
22 reflect the true identities of these individuals and/or entities, together with the appropriate charging
23 allegations.
24
25

26 ...

27 ...

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

XXXIV.

At all times material hereto, Defendant H. C. Watters, D.O. was acting as an employee, agent, or with the apparent authority of Defendant Catholic Healthcare West Arizona, dba Chandler Regional Hospital (formerly known as East Valley Regional Health System, dba Chandler Regional Hospital). Therefore, Defendant Catholic Healthcare West Arizona, dba Chandler Regional Hospital (formerly known as East Valley Regional Health System, dba Chandler Regional Hospital) is directly and vicariously liable for the negligence of Defendant H. C. Watters, D.O.

XXXV.

At all times material hereto, Defendant H. C. Watters, D.O. was acting as an employee, agent, or with the apparent authority of Defendant Women's Health Care Associates, Ltd. an Arizona corporation. Therefore, Defendant Women's Health Care Associates, Ltd. is directly and vicariously liable for the negligence of Defendant H. C. Watters, D.O.

XXXVI.

At all times material hereto, Defendant H. C. Watters, D.O. was acting as an employee, agent, or with the apparent authority of Defendant Chandler Surgery Center Associates, a fictitious business name. Therefore, Defendant Chandler Surgery Center Associates is directly and vicariously liable for the negligence of Defendant H. C. Watters, D.O.

XXXVII.

At all times material hereto, Defendant H. C. Watters, D.O. was acting as an employee, agent, or with the apparent authority of Defendant Warner Medical Associates, a partnership. Therefore, Defendant Warner Medical Associates is directly and vicariously liable for the negligence of Defendant H. C. Watters, D.O.

1 XXXVIII

2 At all times material hereto, Defendant H. C. Watters, D.O. was acting as an
3 employee, agent, or with the apparent authority of Defendant East Valley Office Associates, a
4 partnership. Therefore, Defendant East Valley Office Associates is directly and vicariously liable for
5 the negligence of Defendant H. C. Watters, D.O.
6

7 XXXIX

8 At all times material hereto, Defendant H. C. Watters, D.O. was acting as an
9 employee, agent, or with the apparent authority of Defendant East Valley Medical Office Associates
10 II, a partnership. Therefore, Defendant East Valley Medical Office Associates II, is directly and
11 vicariously liable for the negligence of Defendant H. C. Watters, D.O.
12

13 XL

14 At all times material hereto, Defendant H. C. Watters, D.O. was acting as an
15 employee, agent, or with the apparent authority of Defendant East Valley Medical Office Association,
16 a partnership. Therefore, Defendant East Valley Medical Office Association is directly and
17 vicariously liable for the negligence of Defendant H. C. Watters, D.O.
18

19 XLI

20 At all times material hereto, Defendant Diane Easton, D.O. was acting as an employee,
21 agent, or with the apparent authority of Defendant Catholic Healthcare West Arizona, dba Chandler
22 Regional Hospital (formerly known as East Valley Regional Health System, dba Chandler Regional
23 Hospital). Therefore, Defendant Catholic Healthcare West Arizona, dba Chandler Regional Hospital
24 (formerly known as East Valley Regional Health System, dba Chandler Regional Hospital) is directly
25 and vicariously liable for the negligence of Defendant Diane Easton, D.O.
26

27 ...
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

XLII.

At all times material hereto, Defendant Diane Easton, D.O. was acting as an employee, agent, or with the apparent authority of Defendant East Valley Family Medical, P.C., aka East Valley Family Medicine. Therefore, Defendant East Valley Family Medical, P.C. aka East Valley Family Medicine is directly and vicariously liable for the negligence of Defendant Diane Easton, D.O.

XLIII.

At all times material hereto, Defendant Victor Bonilla, M.D. was acting as an employee, agent, or with the apparent authority of Defendant Catholic Healthcare West Arizona, dba Chandler Regional Hospital (formerly known as East Valley Regional Health System, dba Chandler Regional Hospital). Therefore, Defendant Catholic Healthcare West Arizona, dba Chandler Regional Hospital (formerly known as East Valley Regional Health System, dba Chandler Regional Hospital) is directly and vicariously liable for the negligence of Defendant Victor Bonilla, M.D.

XLIV.

At all times material hereto, Defendant Victor Bonilla, M.D. was acting as an employee, agent, or with the apparent authority of Defendant Cardiac Diagnostic Institute, L.L.C. Therefore, Defendant Cardiac Diagnostic Institute, L.L.C. is directly and vicariously liable for the negligence of Defendant Victor Bonilla, M.D.

XLV.

At all times material hereto, Defendant Victor Bonilla, M.D. was acting as an employee, agent, or with the apparent authority of Defendant Cardiac Institute General Partnership, a fictitious business name. Therefore, Defendant Cardiac Institute General Partnership is directly and vicariously liable for the negligence of Defendant Victor Bonilla, M.D.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

XLVI.

At all times material hereto, Defendant Victor Bonilla, M.D. was acting as an employee, agent, or with the apparent authority of Defendant Chandler Diagnostic Center, a partnership. Therefore, Defendant Chandler Diagnostic Center is directly and vicariously liable for the negligence of Defendant Victor Bonilla, M.D.

XLVII.

At all times material hereto, Defendant Ole-Georg Torjusen, M.D. was acting as an employee, agent, or with the apparent authority of Defendant Catholic Healthcare West Arizona, dba Chandler Regional Hospital (formerly known as East Valley Regional Health System, dba Chandler Regional Hospital). Therefore, Defendant Catholic Healthcare West Arizona, dba Chandler Regional Hospital (formerly known as East Valley Regional Health System, dba Chandler Regional Hospital) is directly and vicariously liable for the negligence of Defendant Ole-Georg Torjusen, M.D.

XLVIII.

At all times material hereto, Defendant Ole-Georg Torjusen, M.D. was acting as an employee, agent, or with the apparent authority of Defendant Women's Health Care Associates, Ltd. an Arizona corporation. Therefore, Defendant Women's Health Care Associates, Ltd. is directly and vicariously liable for the negligence of Defendant Ole-Georg Torjusen, M.D.

XLIX.

At all times material hereto, Defendant Bruce Eich, M.D. was acting as an employee, agent, or with the apparent authority of Defendant Catholic Healthcare West Arizona, dba Chandler Regional Hospital (formerly known as East Valley Regional Health System, dba Chandler Regional Hospital). Therefore, Defendant Catholic Healthcare West Arizona, dba Chandler Regional Hospital

1 (formerly known as East Valley Regional Health System, dba Chandler Regional Hospital) is directly
2 and vicariously liable for the negligence of Defendant Bruce Eich, M.D.

3 L.

4 At all times material hereto, Defendant Bonnie Hare, N.P. was acting as an employee,
5 agent, or with the apparent authority of Defendant Catholic Healthcare West Arizona, dba Chandler
6 Regional Hospital (formerly known as East Valley Regional Health System, dba Chandler Regional
7 Hospital). Therefore, Defendant Catholic Healthcare West Arizona, dba Chandler Regional Hospital
8 (formerly known as East Valley Regional Health System, dba Chandler Regional Hospital) is directly
9 and vicariously liable for the negligence of Defendant Bonnie Hare, N.P.
10

11 LI.

12 At all times material hereto, Defendant Mary Maude Meyer, N.P. was acting as an
13 employee, agent, or with the apparent authority of Defendant Catholic Healthcare West Arizona, dba
14 Chandler Regional Hospital (formerly known as East Valley Regional Health System, dba Chandler
15 Regional Hospital). Therefore, Defendant Catholic Healthcare West Arizona, dba Chandler Regional
16 Hospital (formerly known as East Valley Regional Health System, dba Chandler Regional Hospital)
17 is directly and vicariously liable for the negligence of Defendant Mary Maude Meyer, N.P.
18

19 LII.

20 At all times material hereto, Defendant Mary Margaret Meyer, R.N. was acting as an
21 employee, agent, or with the apparent authority of Defendant Catholic Healthcare West Arizona, dba
22 Chandler Regional Hospital (formerly known as East Valley Regional Health System, dba Chandler
23 Regional Hospital). Therefore, Defendant Catholic Healthcare West Arizona, dba Chandler Regional
24 Hospital (formerly known as East Valley Regional Health System, dba Chandler Regional Hospital)
25 is directly and vicariously liable for the negligence of Defendant Mary Margaret Meyer, R.N.
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

LIII.

At all times material hereto, Defendant Linda Yess, C.N.P. was acting as an employee, agent, or with the apparent authority of Defendant Catholic Healthcare West Arizona, dba Chandler Regional Hospital (formerly known as East Valley Regional Health System, dba Chandler Regional Hospital). Therefore, Defendant Catholic Healthcare West Arizona, dba Chandler Regional Hospital (formerly known as East Valley Regional Health System, dba Chandler Regional Hospital) is directly and vicariously liable for the negligence of Defendant Linda Yess, C.N.P.

LIV.

Jurisdiction and venue against each of the Defendants is proper.

LV.

Beginning on or about March 16, 1998, Defendants provided medical treatment to Gloria Patterson, now deceased. On or about April 7, 1998, Gloria Patterson underwent surgery, performed by Defendant H. C. Watters, at Chandler Regional Hospital.

LVI.

The care and treatment rendered to Gloria Patterson by Defendants was medically negligent and inadequate, and it failed to conform to the appropriate standards of practice customarily recognized by physicians, nurses, and other health care providers practicing in Maricopa County, Arizona.

LVII.

As a direct and proximate result of the negligence, carelessness and wrongful conduct of the Defendants, and each of them, Gloria Patterson died on or about April 11, 1998.

...
...

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

LVIII.

As a direct result of the acts of Defendants and each of them, Plaintiff has incurred medical, funeral and burial expenses in an amount to be proven at trial.

LIX.

Further, as a direct and proximate result of the death of Gloria Patterson, Plaintiff Russell Patterson, the surviving spouse of Gloria Patterson, deceased, has suffered and will continue to suffer loss of consortium, mental pain, suffering and anguish, having been deprived of the love and companionship and joy of his spouse.

LX.

Further, as a direct and proximate result of the death of Gloria Patterson, Joseph Patterson and Lawrence Brown, the surviving adult children of Gloria Patterson, deceased, have suffered and will continue to suffer loss of consortium, mental pain, suffering and anguish, having been deprived of the love and companionship and joy of their mother.

LXI.

That as a direct and proximate result of the aforementioned, Plaintiff has sustained general damages in a sum to be determined, such sum, however, being in excess of the minimal jurisdictional limits of this Court.

WHEREFORE, Plaintiff prays for judgment against the Defendants, and each of them, as follows:

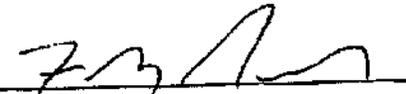
- A. For special damages, as alleged above, in a sum to be proven at the time of trial;
- B. For general damages, as alleged above, in a sum to be proven at the time of trial;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- C. For the reasonable value of medical, funeral and burial expenses incurred to date of trial;
- D. For Plaintiff's costs incurred herein and accruing;
- E. For Plaintiff's loss of consortium;
- F. For the loss of consortium of Joseph Patterson and Lawrence Brown; and
- G. For such other and further relief as the Court may deem just and proper.

DATED this 31st day of March, 2000.

HARRIS PALUMBO POWERS &
CUNNINGHAM, P.L.L.C

By 
Frank I. Powers
361 East Coronado
Suite 101
Phoenix, Arizona 85004-1525
Attorneys for Plaintiff

ORIGINAL of the foregoing filed
this 31st day of March
2000, with:

Clerk of the Court
MARICOPA COUNTY SUPERIOR COURT
201 West Jefferson
Phoenix, Arizona 85003

