

STATE OF ILLINOIS)
) SS.
COUNTY OF COLES)

IN THE CIRCUIT COURT OF COLES COUNTY, ILLINOIS
LAW DIVISION

JAIME CAMPBELL, individually, and as
mother and next friend of, KIERA
CAMPBELL, a minor

Plaintiffs

versus

SARAH BUSH LINCOLN HEALTH CENTER,
an Illinois not-for-profit corporation; SARAH
BUSH LINCOLN HEALTH FOUNDATION,
an Illinois not-for-profit corporation; SARAH
BUSH LINCOLN HEALTH MANAGEMENT
SERVICES, an Illinois not-for-profit
corporation; SARAH BUSH LINCOLN
HEALTH SYSTEM, an Illinois not-for-profit
corporation, ALLISON M. ALLEN, R.N., and
MICHAEL BENSON, D.O.,

Defendants

and

RICK L. MILLER, D.O., and SHERYL
ARTMANN, M.D.,

Respondents in Discovery

COURT # 08L50

FILED
SEP 11 2008

Vicki Kirkpatrick
Circuit Clerk COLES COUNTY, ILLINOIS

COMPLAINT AT LAW

NOW COMES the Plaintiff, JAIME CAMPBELL, individually and as mother and
next friend of, KIERA CAMPBELL, a minor, by and through her attorneys, LEVIN &
PERCONTI, and SPIROS & WALL, P.C., and complaining against Defendants, SARAH
BUSH LINCOLN HEALTH CENTER, an Illinois not-for-profit corporation; SARAH

**BUSH LINCOLN HEALTH FOUNDATION, an Illinois not-for-profit corporation;
SARAH BUSH LINCOLN HEALTH MANAGEMENT SERVICES, an Illinois not-for-profit corporation; SARAH BUSH LINCOLN HEALTH SYSTEM, an Illinois not-for-profit corporation; ALLISON M. ALLEN, R.N., and MICHAEL BENSON, D.O.,**
complains as follows:

COUNT I

(Negligence v. Sarah Bush Lincoln Health Center and Allison Allen, R.N.)

The Plaintiff, **JAIME CAMPBELL**, individually and as mother and next friend of, **KIERA CAMPBELL**, a minor, by her attorneys, **LEVIN & PERCONTI**, and **SPIROS & WALL, P.C.**, complains against Defendant, **SARAH BUSH LINCOLN HEALTH CENTER**, an Illinois not-for-profit corporation; **SARAH BUSH LINCOLN HEALTH FOUNDATION**, an Illinois not-for-profit corporation; **SARAH BUSH LINCOLN HEALTH MANAGEMENT SERVICES**, an Illinois not-for-profit corporation; **SARAH BUSH LINCOLN HEALTH SYSTEM**, an Illinois not-for-profit corporation, and **ALLISON ALLEN, R.N.** as follows:

1. **KIERA CAMPBELL ("KIERA")** was born on May 20, 2003.
2. **JAIME CAMPBELL ("JAIME")** is the mother and next friend of the minor Plaintiff, **KIERA**.
3. In the early morning hours of May 20th, 2003, **JAIME** presented to the Labor and Delivery department of **SARAH BUSH LINCOLN HEALTH CENTER** by ambulance after experiencing heavy vaginal bleeding
4. On and before May 20, 2003, the Defendants, **SARAH BUSH LINCOLN HEALTH CENTER**, **SARAH BUSH LINCOLN HEALTH FOUNDATION**, **SARAH**

BUSH LINCOLN EALTH MANAGEMENT SERVICES, and SARAH BUSH LINCOLN HEALTH SYSTEM, owned, operated, maintained, managed and controlled a certain medical facility located at 1000 Health Center Dr., Mattoon, Illinois 61938, known as **SARAH BUSH LINCOLN HEALTH CENTER**.

5. **SARAH BUSH LINCOLN HEALTH CENTER** provided rooms, laboratories, technicians, nursing services, and physicians for patients confined in the said facility.

6. At all times relevant to this complaint, Defendant, **ALLISON ALLEN, R.N.**, was an employee and agent of **SARAH BUSH LINCOLN HEALTH CENTER**, acting in the scope of her employment.

7. At all times relevant to this complaint Defendant, **ALLISON ALLEN, R.N.**, was licensed as a registered nurse by the State of Illinois.

8. At all times relevant to this complaint it was the duty of Defendant, **ALLISON ALLEN, R.N.**, to use the skill and care ordinarily used by a reasonably well-qualified nurse in the care and treatment of **JAIME**.

9. At all times mentioned herein, it became and was the duty of Defendant, **SARAH BUSH LINCOLN HEALTH CENTER**, acting through its duly authorized agents and/or employees including, but not limited to, Defendant, **ALLISON ALLEN, R.N.**, and other nursing staff, physicians and labor and delivery personnel to exercise due care and caution in the examination, diagnosis, treatment and management of **JAIME'S** pregnancy, labor, and the ultimate delivery of **KIERA**.

10. The Defendant, **SARAH BUSH LINCOLN HEALTH CENTER**, acting through its agents and/or employees, including but not limited to Defendant, **ALLISON ALLEN, R.N.**, committed one or more of the following careless and negligent acts or omissions:

- a. Failed to accurately assess JAIME's condition upon admission to the Labor and Delivery department;
- b. Failed to initiate and record appropriate fetal monitoring upon admission to the Labor and Delivery department;
- c. Failed to accurately communicate JAIME's condition upon admission to physicians;
- d. Failed to accurately communicate JAIME's continued vaginal bleeding to physicians;
- e. Failed to accurately communicate the ongoing fetal distress as evidenced by continued variable and late decelerations and fetal bradycardia to physicians;
- f. Failed to request that a physician within the hospital evaluate Jaime's condition;
- g. Failed to assemble the appropriate medical personnel necessary to facilitate a timely delivery;
- h. Failed to initiate and/or follow proper chain of command/communication to facilitate a timely delivery; and
- i. Failed to perform an emergency cesarean section on JAIME when it was known or should have been known that one was urgently needed;

11. As a direct and proximate result of one or more of the above-described acts of negligence, the minor Plaintiff, **KIERA**, suffered injuries including but not limited to birth asphyxia, hypoxic ischemic encephalopathy, and cerebral palsy.

12. As a direct and proximate result of the aforesaid, the minor Plaintiff, **KIERA**, suffered injuries of a personal and pecuniary nature including, but not limited to, medical expenses, pain and suffering, disability and disfigurement, and physical and emotional trauma, all of which are permanent.

13. Attached to this Complaint as Exhibit "A" is the Affidavit of the attorney in this cause, filed pursuant to 625 ILCS 5/2-622 (a)(1) as to the existence of a reasonable and meritorious basis for the filing of this action.

WHEREFORE, the Plaintiff, **JAIME CAMPBELL**, individually and as mother and next friend of, **KIERA CAMPBELL**, a minor, demands judgment against each of the Defendants, **SARAH BUSH LINCOLN HEALTH CENTER**, an Illinois not-for-profit corporation; **SARAH BUSH LINCOLN HEALTH FOUNDATION**, an Illinois not-for-profit corporation; **SARAH BUSH LINCOLN HEALTH MANAGEMENT SERVICES**, an Illinois not-for-profit corporation; and **SARAH BUSH LINCOLN HEALTH SYSTEM**, an Illinois not-for-profit corporation, and **ALLISON ALLEN, R.N.**, jointly and severally, in a fair and equitable sum in excess of the jurisdictional amount of FIFTY THOUSAND DOLLARS (\$50,000.00).

COUNT II

(Family Expense Act v. Sarah Bush Lincoln Health Center and Allison Allen, R.N.)

The Plaintiff, **JAIME CAMPBELL**, individually and as mother and next friend of, **KIERA CAMPBELL**, a minor, by her attorneys, **LEVIN & PERCONTI**, and **SPIROS & WALL, P.C.**, complains against Defendant, **SARAH BUSH LINCOLN HEALTH CENTER**, an Illinois not-for-profit corporation; **SARAH BUSH LINCOLN HEALTH FOUNDATION**, an Illinois not-for-profit corporation; **SARAH BUSH LINCOLN HEALTH MANAGEMENT SERVICES**, an Illinois not-for-profit corporation; and **SARAH BUSH LINCOLN HEALTH SYSTEM**, an Illinois not-for-profit corporation, and **ALLISON ALLEN, R.N.**, as follows:

1-12. The Plaintiff, **JAIME CAMPBELL ("JAIME")**, adopts, realleges, and incorporates by reference the allegations of paragraphs 1 through 12 of Count I as paragraphs 1 through 12 of this Count II.

13. As a direct and proximate result of the above-described incident, the Plaintiff,

JAIME, has expended and incurred obligations for and in the future will continue to expend and incur obligations for large sums of money for medical care and treatment in attempting to have her daughter, **KIERA'S**, injuries lessened or cured.

14. **JAIME** is the natural mother of the minor Plaintiff, **KIERA**, and brings this action pursuant to the Family Expense Act, 750 ILCS 65/15.

15. Attached to this Complaint as Exhibit "A" is the Affidavit of the attorney in this cause, filed pursuant to 625 ILCS 5/2-622 (a)(1) as to the existence of a reasonable and meritorious basis for the filing of this action.

WHEREFORE, the Plaintiff, **JAIME CAMPBELL**, individually and as mother and next friend of, **KIERA CAMPBELL**, a minor, demands judgment against Defendant, **SARAH BUSH LINCOLN HEALTH CENTER**, an Illinois not-for-profit corporation; **SARAH BUSH LINCOLN HEALTH FOUNDATION**, an Illinois not-for-profit corporation; **SARAH BUSH LINCOLN HEALTH MANAGEMENT SERVICES**, an Illinois not-for-profit corporation; and **SARAH BUSH LINCOLN HEALTH SYSTEM**, an Illinois not-for-profit corporation, and **ALLISON ALLEN**, R.N. jointly and severally, in a fair and equitable sum sufficient to reimburse her for such expenses.

COUNT III
(Negligence v. Michael Benson, D.O.)

The Plaintiff, **JAIME CAMPBELL**, individually and as mother and next friend of, **KIERA CAMPBELL**, a minor, by her attorneys, **LEVIN & PERCONTI**, and **SPIROS & WALL, P.C.**, complains against Defendant, **MICHAEL BENSON, D.O.**, as follows:

1. **KIERA CAMPBELL ("KIERA")** was born on May 20, 2003.
2. **JAIME CAMPBELL ("JAIME")** is the mother and next friend of the minor

Plaintiff, **KIERA**.

3. In the early morning hours of May 20th, 2003, **JAIME** presented to the Labor and Delivery department of **SARAH BUSH LINCOLN HEALTH CENTER** by ambulance after experiencing heavy vaginal bleeding

4. At all times relevant to this Complaint, the Defendant, **MICHAEL BENSON, D.O. ("BENSON")** was a physician licensed to practice medicine in the State of Illinois and was specializing in the area of family practice.

5. At all times mentioned herein, it became and was the duty of Defendant **BENSON** to exercise due care and caution in the examination, diagnosis, treatment and management of **JAIME'S** pregnancy and the ultimate delivery of **KIERA**.

6. The Defendant, **MICHAEL BENSON**, committed one or more of the following careless and negligent acts or omissions:

- a. Failed to obtain an accurate assessment of **JAIME'S** condition upon admission to the Labor and Delivery department;
- b. Failed to respond in a timely manner to **JAIME'S** continued vaginal bleeding;
- c. Failed to respond in a timely manner to the fetal distress that was occurring as evidenced by viable and late decelerations and fetal bradycardia;
- d. Failed to perform an emergency cesarean section on **JAIME** when it was known or should have been known that one was needed;

7. As a direct and proximate result of one or more of the above-described acts of negligence, the minor Plaintiff, **KIERA**, suffered injuries including, but not limited to, birth asphyxia, hypoxic ischemic encephalopathy, and cerebral palsy.

8. As a direct and proximate result of the aforesaid, the minor Plaintiff, **KIERA**, suffered injuries of a personal and pecuniary nature including, but not limited to, medical expenses, pain and suffering, disability and disfigurement, and physical and emotional trauma,

all of which are permanent.

9. Attached to this Complaint as Exhibit "B" is the Affidavit of the attorney in this cause, filed pursuant to 625 ILCS 5/2-622 (a)(1) as to the existence of a reasonable and meritorious basis for the filing of this action.

WHEREFORE, the Plaintiff, **JAIME CAMPBELL, individually and as mother and next friend of, KIERA CAMPBELL, a minor,** demands judgment against Defendant, **MICHAEL BENSON, D.O.,** in a fair and equitable sum in excess of the jurisdictional amount of FIFTY THOUSAND DOLLARS (\$50,000.00).

COUNT IV
(Family Expense Act v. Michael D. Benson, D.O.)

The Plaintiff, **JAIME CAMPBELL, individually and as mother and next friend of, KIERA CAMPBELL, a minor,** by her attorneys, **LEVIN & PERCONTI, and SPIROS & WALL, P.C.,** complains against Defendant, **MICHAEL BENSON, D.O.,** as follows:

1-8. The Plaintiff, **JAIME CAMPBELL ("JAIME"),** adopts, realleges, and incorporates by reference the allegations of paragraphs 1 through 8 of Count III as paragraphs 1 through 8 of this Count IV.

9. As a direct and proximate result of the above-described incident, the Plaintiff, **JAIME,** has expended and incurred obligations for and in the future will continue to expend and incur obligations for large sums of money for medical care and treatment in attempting to have her daughter, **KIERA'S,** injuries lessened or cured.

10. **JAIME** is the natural mother of the minor Plaintiff, **KIERA,** and brings this action pursuant to the Family Expense Act, 750 ILCS 65/15.

11. Attached to this Complaint as Exhibit "B" is the Affidavit of the attorney in this

cause, filed pursuant to 625 ILCS 5/2-622 (a)(1) as to the existence of a reasonable and meritorious basis for the filing of this action.

WHEREFORE, the Plaintiff, **JAIME CAMPBELL**, individually and as mother and next friend of, **KIERA CAMPBELL**, a minor, demands judgment against Defendant, **MICHAEL BENSON, D.O.**, in a fair and equitable sum sufficient to reimburse her for such expenses.

COUNT V

(Respondent Superior v. Sarah Bush Lincoln Health Center)

The Plaintiff, **JAIME CAMPBELL**, individually and as mother and next friend of, **KIERA CAMPBELL**, a minor, by her attorneys, **LEVIN & PERCONTI**, and **SPIROS & WALL, P.C.**, complains against Defendants, **SARAH BUSH LINCOLN HEALTH CENTER**, an Illinois not-for-profit corporation; **SARAH BUSH LINCOLN HEALTH FOUNDATION**, an Illinois not-for-profit corporation; **SARAH BUSH LINCOLN HEALTH MANAGEMENT SERVICES**, an Illinois not-for-profit corporation; and **SARAH BUSH LINCOLN HEALTH SYSTEM**, an Illinois not-for-profit corporation, as follows:

1. **KIERA CAMPBELL ("KIERA")** was born on May 20, 2003.
2. **JAIME CAMPBELL ("JAIME")** is the mother and next friend of the minor Plaintiff, **KIERA**.
3. In the early morning hours of May 20th, 2003, **JAIME** presented to the Labor and Delivery department of **SARAH BUSH LINCOLN HEALTH CENTER** by ambulance after experiencing heavy vaginal bleeding
4. On and before May 20, 2003, the Defendant, **SARAH BUSH LINCOLN**

HEALTH CENTER, an Illinois not-for-profit corporation; SARAH BUSH LINCOLN HEALTH FOUNDATION, an Illinois not-for-profit corporation; SARAH BUSH LINCOLN HEALTH MANAGEMENT SERVICES, an Illinois not-for-profit corporation; and SARAH BUSH LINCOLN HEALTH SYSTEM, an Illinois not-for-profit corporation, owned, operated, maintained, managed and controlled a certain medical facility located at 1000 Health Center Dr., Mattoon, Illinois 61938, known as SARAH BUSH LINCOLN HEALTH CENTER.

5. **SARAH BUSH LINCOLN HEALTH CENTER** provided rooms, laboratories, technicians, nursing services, and physicians for patients confined in said facility.

6. At all times relevant to this Complaint, the Defendant, **MICHAEL BENSON, D.O., ("BENSON")** was an actual agent, apparent agent, servant or employee of the Defendant, **SARAH BUSH LINCOLN HEALTH CENTER** acting within the scope of his employment.

7. At all times mentioned herein, it became and was the duty of the Defendant, **SARAH BUSH LINCOLN HEALTH CENTER**, acting through its duly authorized agents and/or employees including, but not limited to, **MICHAEL D. BENSON, D.O.**, to exercise due caution and care in the examination, care, diagnosis, treatment and management of **JAIME'S** pregnancy, labor, and the ultimate delivery of **KIERA**.

8. The Defendant, **SARAH BUSH LINCOLN HEALTH CENTER**, acting through its duly authorized agents and/or employees including, but not limited to **MICHAEL D. BENSON, D.O.**, committed one or more of the following careless and negligent acts or omissions:

- a. Failed to obtain an accurate assessment of **JAIME'S** condition upon admission to the Labor and Delivery department;
- b. Failed to respond in a timely manner to **JAIME'S** continued vaginal bleeding;

- c. Failed to respond in a timely manner to the fetal distress that was occurring as evidenced by viable and late decelerations and fetal bradycardia;
- d. Failed to perform an emergency cesarean section on JAIME when it was known or should have been known that one was needed;

9. As a direct and proximate result of one or more of the above-described acts of negligence, the minor Plaintiff, **KIERA**, suffered injuries including, but not limited to, birth asphyxia, hypoxic ischemic encephalopathy, and cerebral palsy.

10. As a direct and proximate result of the aforesaid, the minor Plaintiff, **KIERA**, suffered injuries of a personal and pecuniary nature including, but not limited to, medical expenses, pain and suffering, disability and disfigurement, and physical and emotional trauma, all of which are permanent.

11. Attached to this Complaint as Exhibit "A" is the Affidavit of the attorney in this cause, filed pursuant to 625 ILCS 5/2-622 (a)(1) as to the existence of a reasonable and meritorious basis for the filing of this action.

WHEREFORE, the Plaintiff, **JAIME CAMPBELL**, individually and as mother and next friend of, **KIERA CAMPBELL**, a minor, demands judgment against Defendant, **SARAH BUSH LINCOLN HEALTH CENTER**, an Illinois not-for-profit corporation; **SARAH BUSH LINCOLN HEALTH FOUNDATION**, an Illinois not-for-profit corporation; **SARAH BUSH LINCOLN HEALTH MANAGEMENT SERVICES**, an Illinois not-for-profit corporation; and **SARAH BUSH LINCOLN HEALTH SYSTEM**, an Illinois not-for-profit corporation, in a fair and equitable sum in excess of the jurisdictional amount of FIFTY THOUSAND DOLLARS (\$50,000.00).

COUNT VI
**(Family Expense Act v. Sarah Bush Lincoln Health Center – Respondent Superior –
Michael D. Benson, D.O.)**

The Plaintiff, **JAIME CAMPBELL**, individually and as mother and next friend of, **KIERA CAMPBELL**, a minor, by her attorneys, **LEVIN & PERCONTI**, and **SPIROS & WALL, P.C.**, complains against Defendants, **SARAH BUSH LINCOLN HEALTH CENTER**, an Illinois not-for-profit corporation; **SARAH BUSH LINCOLN HEALTH FOUNDATION**, an Illinois not-for-profit corporation; **SARAH BUSH LINCOLN HEALTH MANAGEMENT SERVICES**, an Illinois not-for-profit corporation; and **SARAH BUSH LINCOLN HEALTH SYSTEM**, an Illinois not-for-profit corporation, as follows:

1-10. The Plaintiff, **JAIME CAMPBELL** ("**JAIME**"), adopts, realleges, and incorporates by reference the allegations of paragraphs 1 through 10 of Count V as paragraphs 1 through 10 of this Count VI.

11. As a direct and proximate result of the above-described incident, the Plaintiff, **JAIME**, has expended and incurred obligations for and in the future will continue to expend and incur obligations for large sums of money for medical care and treatment in attempting to have her daughter, **KIERA'S**, injuries lessened or cured.

11. **JAIME** is the natural mother of the minor Plaintiff, **KIERA**, and brings this action pursuant to the Family Expense Act, 750 ILCS 65/15.

12. Attached to this Complaint as Exhibit "A" is the Affidavit of the attorney in this cause, filed pursuant to 625 ILCS 5/2-622 (a)(1) as to the existence of a reasonable and meritorious basis for the filing of this action.

WHEREFORE, the Plaintiff, **JAIME CAMPBELL**, individually and as mother and

next friend of, **KIERA CAMPBELL, a minor**, demands judgment against Defendant, **SARAH BUSH LINCOLN HEALTH CENTER, an Illinois not-for-profit corporation; SARAH BUSH LINCOLN HEALTH FOUNDATION, an Illinois not-for-profit corporation; SARAH BUSH LINCOLN HEALTH MANAGEMENT SERVICES, an Illinois not-for-profit corporation; and SARAH BUSH LINCOLN HEALTH SYSTEM, an Illinois not-for-profit corporation**, in a fair and equitable sum sufficient to reimburse her for such expenses.

COUNT VII

(Rick L. Miller, D.O. and Sheryl Artmann, M.D., Respondents in Discovery)

The Plaintiff, **JAIME CAMPBELL, individually and as mother and next friend of, KIERA CAMPBELL, a minor**, by her attorneys **LEVIN & PERCONTI, and SPIROS & WALL, P.C.**, makes the following allegations against Respondents in Discovery, **RICK L. MILLER, D.O., and SHERYL ARTMANN, M.D.**

1. The Respondents in Discovery, **RICK L. MILLER, D.O., and SHERYL ARTMANN, M.D.**, were involved in the care provided to **JAIME**, and are aware of information relevant to the facts alleged in this complaint and are being named as a Respondents in Discovery so that they may be requested to respond to written and oral discovery to determine whether they should be named as an additional defendant, pursuant to 735 ILCS 5/2-402.

2. The Plaintiff attaches to this Complaint, Interrogatories and a Request for Production, to be answered by Respondent in Discovery, and a Notice of Discovery Deposition for the Respondents to give oral testimony concerning relevant issues.

WHEREFORE, the Plaintiff, **JAIME CAMPBELL**, individually and as mother and next friend of, **KIERA CAMPBELL**, a minor, request the Respondents in Discovery, **RICK L. MILLER, D.O.**, and **SHERYL ARTMANN, M.D.**, to respond to the attached discovery.

Respectfully submitted,
LEVIN & PERCONTI

By: 

PATRICIA GIFFORD

LEVIN & PERCONTI
325 North LaSalle Street
Suite 450
Chicago, Illinois 60654
312.332.2872
312.332.3112 FAX

Spiros & Wall, P.C.
2807 North Vermilion Street
Suite 3
Danville, IL 61832
217.443.4343
217.443.4545 FAX

HEALTH PROFESSIONAL'S REPORT

1. I am a registered nurse who is knowledgeable in the relevant issues involved in the particular action, who practices or has practiced within the last 5 years, or teaches or has taught within the last 5 years in the same area of health care that is at issue in the particular action.
2. I am familiar with the standard of care for nurses as it relates to labor and delivery and the issues presented in this case.
3. I have read and reviewed the following medical records:
 - a. EMS report dated 5/20/03
 - b. Sarah Bush Lincoln Health Center records: 5/20/03 – 5/21/03
4. Based upon my experience, training and knowledge and my review of the above records, it is my opinion that the care and treatment provided to Jaime Campbell by Allison Allen, R.N. at Sarah Bush Lincoln Health Center fell below the minimum standard of care and constituted negligence as follows:
 - a. Failed to initiate and record appropriate fetal monitoring upon admission to the Labor and Delivery department;
 - b. Failed to accurately communicate Jaime's condition upon admission to her Doctor;
 - c. Failed to accurately communicate Jaime's continued vaginal bleeding to her Doctor;
 - d. Failed to accurately communicate the ongoing fetal distress as evidenced by continued variable and late decelerations and fetal bradycardia to Jaime's Doctor;
 - e. Failed to request that a physician within the hospital evaluate Jaime's condition;
 - f. Failed to assemble the appropriate medical personnel necessary to facilitate a timely delivery; and
 - g. Failed to initiate and/or follow proper chain of command/communication to facilitate a timely delivery.

5. It is my opinion to a reasonable degree of nursing certainty that the above-described acts of negligence contributed to the injuries sustained by the minor Plaintiff, Kiera Campbell, including but not limited to hypoxic ischemic encephalopathy.

6. As a result of the aforementioned negligence, in my opinion, there is a reasonable and meritorious basis for filing a lawsuit against Allison Allen, R.N.

Charlotte Daniels

Name

Registered Nurse

Profession

5825 Deer Creek Lane

Address Westmont,
Ill 60559

8/3/08

Date

041-172306

License Number

Illinois

State of Licensure

STATE OF ILLINOIS)
) SS.
COUNTY OF COLES)

IN THE CIRCUIT COURT OF COLES COUNTY, ILLINOIS
LAW DIVISION

JAIME CAMPBELL, individually, and as
mother and next friend of, KIERA
CAMPBELL, a minor

Plaintiffs

versus

SARAH BUSH LINCOLN HEALTH
CENTER, an Illinois not-for-profit
corporation; SARAH BUSH LINCOLN
HEALTH FOUNDATION, an Illinois not-
for-profit; SARAH BUSH LINCOLN
HEALTH MANAGEMENT SERVICES,
an Illinois not-for-profit; SARAH BUSH
LINCOLN HEALTH SYSTEM, an Illinois
not-for-profit, ALLISON M. ALLEN,
R.N., and MICHAEL BENSON, D.O.,

Defendants

and

RICK L. MILLER, D.O., and SHERYL
ARTMANN, M.D.,

Respondents in Discovery

COURT #

ATTORNEY AFFIDAVIT OF PATRICIA GIFFORD

YOUR AFFIANT, **PATRICIA GIFFORD**, attorney for the Plaintiffs herein, **JAIME CAMPBELL**, individually, and as mother and next friend of, **KIERA CAMPBELL**, a minor, being first duly sworn, deposes and states that:

1. I am one of the attorneys for the Plaintiff herein, **JAIME CAMPBELL**, individually, and as mother and next friend of, **KIERA CAMPBELL**, a minor.

2. I have consulted and reviewed the facts surrounding the treatment of **KIERA CAMPBELL**, by **MICHAEL BENSEN, M.D. and SARAH BUSH LINCOLN HEALTH CENTER**, with Dr. Stephen Jones, 509 Loch Ridge, Shreveport, LA 71106, a physician licensed to practice medicine in all its branches who I reasonably believe is (i) knowledgeable in the relevant issues involved in this particular action, (ii) practices of has practiced within the last 5 years or teaches or has taught within the last 5 years in the same area of health care or medicine that is at issue in this particular action, and (iii) meets the expert witness standards set forth in paragraphs (a) through (d) of Section 8-2501.

3. The said reviewing physician is qualified by experience or has demonstrated competence in the subject of this case and has determined in a written report (a copy of which is attached hereto), after a review of **KIERA CAMPBELL'S** medical records and other relevant material, that there is a reasonable and meritorious cause for the filing of this action.

5. Dr. Stephen Jones is licensed in the State of Louisiana, and his license # is 20195.

6. I have concluded, on the basis of the said review and consultation of the reviewing physician, that there is a reasonable and meritorious cause for the filing of this action.

7. A true and correct copy of the report of the reviewing physician is attached hereto.

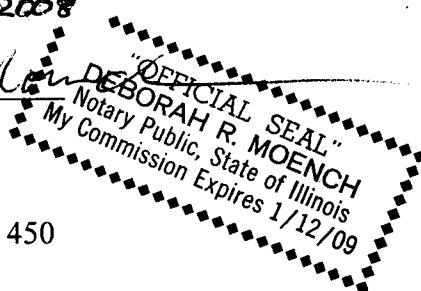
BY:


PATRICIA GIFFORD

Subscribed and sworn to before me
this 21st day of August 2008


Notary Public

LEVIN & PERCONTI
325 N. LaSalle St., Suite 450
Chicago, IL 60654
(312)332-2872
(312)332-3112 FAX



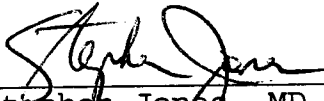
HEALTH PROFESSIONAL'S REPORT

1. I am a physician licensed to practice medicine in all of its branches.
2. I have practiced and/or taught medicine within the last six years in the same area of healthcare or medicine that is at issue in this particular action.
3. I am familiar with the standard of care for hospitals and physicians as it currently relates to the issues presented in this case.
4. I have read and reviewed the following medical records:
 - a. EMS report dated 5/20/03
 - b. Sarah Bush Lincoln Health Center records: 5/20/03 – 5/21/03
5. Based upon my experience, training and knowledge and my review of the above records, it is my opinion, to a reasonable degree of medical certainty that the care and treatment provided to Jaime Campbell by the agents and/or employees of Sarah Bush Lincoln Health Center fell below the minimum standard of care and constituted negligence as follows:
 - a. Failed to accurately assess Jaime's condition upon admission to the Labor and Delivery department;
 - b. Failed to initiate and record appropriate fetal monitoring upon admission to the Labor and Delivery department;
 - c. Failed to accurately communicate Jaime's condition upon admission to her Doctor;
 - d. Failed to accurately communicate Jaime's continued vaginal bleeding to her Doctor;
 - e. Failed to accurately communicate the ongoing fetal distress as evidenced by continued variable and late decelerations and fetal bradycardia to her Doctor;
 - f. Failed to assemble the appropriate medical personnel necessary to facilitate a timely delivery;

- g. Failed to perform an emergency cesarean section on Jaime when it was known or should have been known that one was needed; and
- h. Failed to initiate and/or follow proper chain of command/communication to facilitate a timely delivery.

As a direct and proximate result of one or more of the above-described acts of negligence, the minor Plaintiff, Kiera Campbell, suffered injuries including but not limited to hypoxic ischemic encephalopathy.

As a result of the aforementioned negligence, in my opinion, there is a reasonable and meritorious basis for filing a lawsuit against Sarah Bush Lincoln Health Center.



Stephen Jones, MD
MO. 20197 Louisiana
Lic #

8-4-08


Date

HEALTH PROFESSIONAL'S REPORT

1. I am a physician licensed to practice medicine in all of its branches.
2. I have practiced and/or taught medicine within the last six years in the same area of healthcare or medicine that is at issue in this particular action.
3. I am familiar with the standard of care for hospitals and physicians as it currently relates to the issues presented in this case.
4. I have read and reviewed the following medical records:
 - a. EMS report dated 5/20/03
 - b. Sarah Bush Lincoln Health Center records: 5/20/03 – 5/21/03
5. Based upon my experience, training and knowledge and my review of the above records, it is my opinion, to a reasonable degree of medical certainty that the care and treatment provided to Jaime Campbell by Michael Benson, MD fell below the minimum standard of care and constituted negligence as follows:
 - a. Failed to obtain an accurate assessment of Jaime's condition upon admission to the Labor and Delivery department;
 - b. Failed to respond in a timely manner to Jaime's continued vaginal bleeding;
 - c. Failed to respond in a timely manner to the fetal distress that was occurring as evidenced by variable and late decelerations and fetal bradycardia;
 - d. Failed to perform an emergency cesarean section on Jaime when it was known or should have been known that one was needed;

As a direct and proximate result of one or more of the above-described acts of negligence, the minor Plaintiff, Kiera Campbell, suffered injuries including but not limited to hypoxic ischemic encephalopathy.

As a result of the aforementioned negligence, in my opinion, there is a reasonable and meritorious basis for filing a lawsuit against Michael Benson, MD.



Stephen Jones, MD
MD. 201954 Louisiana
License #

8-4-08
Date

STATE OF ILLINOIS)
) SS.
COUNTY OF COLES)

**IN THE CIRCUIT COURT OF COLES COUNTY, ILLINOIS
LAW DIVISION**

**JAIME CAMPBELL, individually, and as
mother and next friend of, KIERA
CAMPBELL, a minor**

Plaintiffs

versus

COURT #

**SARAH BUSH LINCOLN HEALTH
CENTER, an Illinois not-for-profit
corporation; SARAH BUSH LINCOLN
HEALTH FOUNDATION, an Illinois not-
for-profit; SARAH BUSH LINCOLN
HEALTH MANAGEMENT SERVICES,
an Illinois not-for-profit; SARAH BUSH
LINCOLN HEALTH SYSTEM, an Illinois
not-for-profit, ALLISON M. ALLEN,
R.N., and MICHAEL BENSON, D.O.,**

Defendants

and

**RICK L. MILLER, D.O., and SHERYL
ARTMANN, M.D.,**

Respondents in Discovery

**INTERROGATORIES TO BE ANSWERED BY
RESPONDENT IN DISCOVERY, RICK L. MILLER, D.O.**

1. State your full name, professional and residence addresses, and attach a current copy of your curriculum vitae (CV). In the event you do not have a CV, state in detail your professional qualifications, including your education by identifying schools from which you graduated and the degrees granted and dates thereof, your medical internships and residencies, fellowships and a bibliography of your professional writing(s).

ANSWER:

2. State whether you have held any position on a committee or with an administrative body at any hospital. If so, state when you had such position(s) and the duties and responsibilities involved in such position(s).

ANSWER:

3. Have you ever been named as a defendant in a lawsuit arising from alleged malpractice or professional negligence? If so, state the court, the caption and the case number for each lawsuit.

ANSWER:

4. Since the institution of this action, have you been asked to appear before or attend any meeting of a medical committee or official board of any medical society or other entity for the purpose of discussing this case? If so, state the date(s) of each such meeting and the name and address of the committee, society or other entity conducting each meeting.

ANSWER:

5. Have you ever testified in court in a medical malpractice case? If so, state the court, the caption and the case number of each such case, the approximate date of your testimony, whether you testified as a treating physician or expert and whether you testified on your own behalf or on behalf of the defendant or the plaintiff.

ANSWER:

6. Has your license to practice medicine ever been suspended or has any disciplinary action ever been taken against you in reference to your license? If so, state the specific disciplinary action taken the date of the disciplinary action, the reason for the disciplinary action the period of time for which the disciplinary action was effective and the name and address of the disciplinary entity taking the action.

ANSWER:

7. State the exact dates and places on and at which you saw the plaintiff for the purpose of providing care or treatment.

ANSWER:

8. State the name, author, publisher, title, date of publication and specific provision of all medical texts, books, journals or other medical literature which you or your attorney intend to use as authority or reference in defending any of the allegations set forth in the complaint.

ANSWER:

9. Were you named or covered under any policy or policies of liability insurance at the time of the care and treatment alleged in the complaint? If so, state for each policy:

- a. The name of the insurance company;
- b. The policy number;
- c. The effective policy period;
- d. The maximum liability limits for each person and each occurrence, including umbrella and excess liability coverage; and
- e. The named insured(s) under the policy.

ANSWER:

10. Are you incorporated as a professional corporation? If so, state the legal name of your corporation and the names(s) and address(es) for all shareholders.

ANSWER:

11. If you are not incorporated as a professional corporation, state whether you were affiliated with a corporate medical practice or partnership in any manner on the date of the occurrence alleged in the complaint. If so, state the name of the corporate medical practice or partnership, the name of your affiliation and the dates of your affiliation.

ANSWER:

12. Were you at any time an employee, agent, servant, shareholder or partner of **SARAH BUSH LINCOLN HEALTH CENTER, an Illinois not-for-profit corporation; SARAH BUSH LINCOLN HEALTH FOUNDATION, an Illinois not-for-profit; SARAH BUSH LINCOLN HEALTH MANAGEMENT SERVICES, an Illinois not-for-profit; SARAH BUSH LINCOLN HEALTH SYSTEM, an Illinois not-for-profit.** If so, state the date(s) and nature of your relationship.

ANSWER:

13. Were any photographs, movies and/or videotapes taken of the plaintiff or of the procedures complained of? If so, state the date(s) on which such photographs, movies and/or videotapes were taken, who is displayed therein, who now has custody of them, and the name, address, occupation and employer of the person taking them.

ANSWER:

14. Do you know of any statements made by any person relating to the care and treatment or the damages described in the complaint? If so, give the name and address of each such witness and the date of the statement, and state whether which statement was written or oral and if written the present location of each such statement.

ANSWER:

15. Do you have any information:

- a. That any plaintiff was, within the 10 years immediately prior to the care and treatment described in the complaint, confined in a hospital and/or clinic, treated by a physician and/or other health professional, or x-rayed for any reason other than personal injury? If so, state the name of each plaintiff so involved, the name and address of each such hospital and/or clinic, physician, technician and/or health care professional, the approximate date of such confinement or service and state the reason for such confinement or service.
- b. That any plaintiff has suffered any serious personal injury and/or illness within 10 years prior to the date of the occurrence? If so, state the name of each plaintiff so involved and state when, where and how he or she was injured and/or ill and describe the injuries and/or illness suffered.

- c. That any plaintiff has suffered any serious personal injury and/or illness since the date of the occurrence? If so, state the name of each plaintiff so involved and state when, where and how he or she was injured and/or ill and describe the injuries and/or illness suffered.
- d. That any other suits have been filed for any plaintiffs personal injuries? If so, state the name of each plaintiff involved, the nature of the injuries claimed, the court(s) and caption(s) in which filed, the year(s) filed, and the title(s) and docket number(s) of the suit(s).
- e. That any claim for workers' compensation benefits has been filed for any plaintiff? If so, state the name and address of the employer, the date(s) of the incident(s), the identity of the insurance company that paid any such benefits and the case numbers) and jurisdiction(s) where filed.

ANSWER:

16. Have you (or has anyone acting on your behalf) had any conversations with any person at any time with regard to the manner in which the care and treatment described in the complaint was provided, or have you overheard any statement made by any person at any time with regard to the injuries complained of by the plaintiff or the manner in which the care and treatment described in the complaint was provided? If so, state the following:

- a. The date or dates of such conversation(s) and/or statement(s);
- b. The place of such conversation(s) and/or statements(s);
- c. All persons present for the conversation(s) and/or statement(s);
- d. The matters and things stated by the person in the conversation(s) and/or statement(s);
- e. Whether the conversation(s) was oral, written and/or recorded; and
- f. Who has possession of the statement(s) if written and/or recorded.

ANSWER:

17. Pursuant to Illinois Supreme Court Rule 213(f), please state the name and current address(es) or last known address(es) of all witnesses who will testify at the trial of this matter. Further, for each witness, provide the following information:

- a. For each Alay witness@ please identify the subjects on which the witness will testify;
- b. For each AIndependent expert witness@ please identify:
 - (i) The subjects on which the witness will testify; and
 - (ii) The opinions expected to be elicited.
- c. For each Acontrolled expert witness@ please identify:
 - (i) The subject matter on which the witness will testify;

- (ii) The conclusions and opinions of the witness and the bases therefor;
- (iii) The qualifications of the witness; and
- (iv) Any report prepared by the witness about the case.

ANSWER:

18. Identify any statements, information and/or documents known to you and requested by any of the foregoing interrogatories which you claim to be work product or subject to any common law or statutory privilege, and with respect to each interrogatory, specify the legal basis for the claim as required by Illinois Supreme Court Rule 201(n).

ANSWER:

19. List the name and addresses of all persons (other than yourself and persons heretofore listed) who have knowledge of the facts regarding the care and treatment complained of in the complaint filed herein and/or of the injuries claimed to have resulted there from.

ANSWER:

20. State at what time you were first contacted on May 20, 2003, regarding JAIME CAMPBELL.

ANSWER:

21. State how you were first contacted on May 20, 2003, regarding JAIME CAMPBELL. (ie, telephone call, page, etc.)

ANSWER:

22. Where you were when you were first contacted on May 20, 2003, regarding JAIME CAMPBELL.

ANSWER:

23. At what time did you first arrive at Sarah Bush Lincoln Health Center on May 20, 2003.

ANSWER:

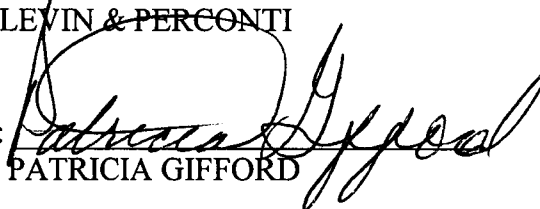
24. At what time did you first see **JAIME CAMPBELL** at Sarah Bush Lincoln Health Center on May 20, 2003.

ANSWER:

25. By whom were you first contacted on May 20, 2003, regarding **JAIME CAMPBELL**.

ANSWER:

DEMAND TO SUPPLEMENT: Pursuant to Illinois Supreme Court Rule 213(i), you are hereby requested to seasonally supplement the answers to interrogatories as information becomes available.

LEVIN & PERCONTI
BY: 
PATRICIA GIFFORD

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Suite 450
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Spiros & Wall, P.C.
2807 North Vermilion Street
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R.N., and MICHAEL BENSON, D.O.,

Defendants

and

RICK L. MILLER, D.O., and SHERYL
ARTMANN, M.D.,

Respondents in Discovery

FIRST NOTICE FOR PRODUCTION TO RESPONDENT IN DISCOVERY,
RICK L. MILLER, D.O.

To: Respondent in Discovery and Attorneys of Record

Pursuant to the Illinois Supreme Court Rules and procedures adopted by the local rule of the county where this action is pending, this First Notice for Production is hereby served upon all Respondents in Discovery. Compliance with this discovery request is due within 28 days and shall include the following:

- (a) All oral or written statements of all parties given or transferred to some other

person or entity other than the attorney for the aforesaid parties.

- (b) The statement of any other witness, except parties to this action.
- (c) All photographs, slides or motion pictures taken prior subsequent to the alleged occurrence of the plaintiff, or other physical objects involved or of the scene of the alleged occurrence.
- (d) All original and copies of data as to the physical or mental condition of the plaintiff(s) prior and subsequent to the alleged occurrence, including, inter alia, injuries sustained in other accidents.
- (e) All original and copies of letters, notes, memoranda or other records of Rick L. Miller, D.O., relating to Jaime Campbell.
- (f) Copies of all articles, treatises, books or other documents which will be used at any depositions or at the trial of this cause.
- (g) Any and all past, present and future contracts or agreements entered into between Rick L. Miller, D.O., any medical group and **SARAH BUSH LINCOLN HEALTH CENTER, an Illinois not-for-profit corporation, SARAH BUSH LINCOLN HEALTH FOUNDATION, an Illinois not-for-profit, SARAH BUSH LINCOLN HEALTH MANAGEMENT SERVICES, an Illinois not-for-profit, or SARAH BUSH LINCOLN HEALTH SYSTEM, an Illinois not-for-profit**, governing the year of 2003.
- (h) All records and lab reports of the plaintiff's care at **SARAH BUSH LINCOLN HEALTH CENTER**, or any other institution before and after the date of the alleged occurrence.
- (i) All office records of respondent in discovery, Rick L. Miller, D.O., including but not limited to appointments, office visits of the plaintiff, laboratory and consultant reports, x-rays and copies of records of other doctors, hospitals or medical facilities.
- (j) The curriculum vitae of Rick L. Miller, D.O., including professional education, professional teaching experience, professional work experience and professional publications.
- (k) All by-laws and policies and procedures governing Rick L. Miller, D.O., and his/her medical group(s) in effect on the date of the alleged occurrence and all amendments and changes to those by-laws and procedures enacted after the date of the occurrence.
- (l) The protocols, policies, and procedures and the table of contents for same for

defendants, respondents, or their medical group(s) or **SARAH BUSH LINCOLN HEALTH CENTER** as it relates to emergency room, labor and delivery, emergency cesarean sections, physician notification, operating room, anesthesia in effect at **SARAH BUSH LINCOLN HEALTH CENTER** at the time of the care and/or treatment of the plaintiff alleged in the Complaint

- (m) Statements of any non-party witnesses or persons having knowledge of any facts relevant to the occurrence complained of, or to the injuries or damages alleged.
- (n) Statements of any party which is in the possession or control of some person or entity other than himself or his attorney or insurer.
- (o) Any and all text, medical literature, articles, authoritative writings or similar matters upon which defendant relies in defense of the allegations made in the Complaint.
- (p) Copies of any and all reports and notes from any opinion witness regarding or relating to the subject matter of this litigation.
- (q) Copies of any and all documents and information reviewed by any opinion witness whether written or oral and all documents exchanged by the opinion witness and the law firm which represents the defendant.
- (r) Copies of any and all photographs, drawings, tape recordings, deposition transcripts and pleadings reviewed by the opinion witness.
- (s) A copy of the opinion witnesses' curriculum vitae, resume, or if no CV or resume if available, a biographical outline which details the education, background, and credentials of the witness.
- (t) A summary of the witnesses charges to date, and attach any bills or statements for services in connection with the witnesses' activities in the matter.
- (u) Copies of all bills for services rendered by Rick L. Miller, D.O. and/or his/her medical group(s) for Jaime Campbell.
- (v) Attach all records from the **SARAH BUSH LINCOLN HEALTH CENTER** chart(s) of all pages of the chart containing entries authored by Rick L. Miller, D.O. or referring to Rick L. Miller, D.O. in some way.
- (w) An affidavit of the defendant indicating that the production is complete and that all documents have been produced in response to this request.

LEVIN & PERCONTI

BY:

PATRICIA GIFFORD

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R.N., and MICHAEL BENSON, D.O.,

Defendants

and

RICK L. MILLER, D.O., and SHERYL
ARTMANN, M.D.,

Respondents in Discovery

INTERROGATORIES TO BE ANSWERED BY
RESPONDENT IN DISCOVERY, SHERYL ARTMANN, M.D.

1. State your full name, professional and residence addresses, and attach a current copy of your curriculum vitae (CV). In the event you do not have a CV, state in detail your professional qualifications, including your education by identifying schools from which you graduated and the degrees granted and dates thereof, your medical internships and residencies, fellowships and a bibliography of your professional writing(s).

ANSWER:

2. State whether you have held any position on a committee or with an administrative body at any hospital. If so, state when you had such position(s) and the duties and responsibilities involved in such position(s).

ANSWER:

3. Have you ever been named as a defendant in a lawsuit arising from alleged malpractice or professional negligence? If so, state the court, the caption and the case number for each lawsuit.

ANSWER:

4. Since the institution of this action, have you been asked to appear before or attend any meeting of a medical committee or official board of any medical society or other entity for the purpose of discussing this case? If so, state the date(s) of each such meeting and the name and address of the committee, society or other entity conducting each meeting.

ANSWER:

5. Have you ever testified in court in a medical malpractice case? If so, state the court, the caption and the case number of each such case, the approximate date of your testimony, whether you testified as a treating physician or expert and whether you testified on your own behalf or on behalf of the defendant or the plaintiff.

ANSWER:

6. Has your license to practice medicine ever been suspended or has any disciplinary action ever been taken against you in reference to your license? If so, state the specific disciplinary action taken the date of the disciplinary action, the reason for the disciplinary action the period of time for which the disciplinary action was effective and the name and address of the disciplinary entity taking the action.

ANSWER:

7. State the exact dates and places on and at which you saw the plaintiff for the purpose of providing care or treatment.

ANSWER:

8. State the name, author, publisher, title, date of publication and specific provision of all medical texts, books, journals or other medical literature which you or your attorney intend to use as authority or reference in defending any of the allegations set forth in the complaint.

ANSWER:

9. Were you named or covered under any policy or policies of liability insurance at the time of the care and treatment alleged in the complaint? If so, state for each policy:

- a. The name of the insurance company;
- b. The policy number;
- c. The effective policy period;
- d. The maximum liability limits for each person and each occurrence, including umbrella and excess liability coverage; and
- e. The named insured(s) under the policy.

ANSWER:

10. Are you incorporated as a professional corporation? If so, state the legal name of your corporation and the names(s) and address(es) for all shareholders.

ANSWER:

11. If you are not incorporated as a professional corporation, state whether you were affiliated with a corporate medical practice or partnership in any manner on the date of the occurrence alleged in the complaint. If so, state the name of the corporate medical practice or partnership, the name of your affiliation and the dates of your affiliation.

ANSWER:

12. Were you at any time an employee, agent, servant, shareholder or partner of **SARAH BUSH LINCOLN HEALTH CENTER, an Illinois not-for-profit corporation, SARAH BUSH LINCOLN HEALTH FOUNDATION, an Illinois not-for-profit, SARAH BUSH LINCOLN HEALTH MANAGEMENT SERVICES, an Illinois not-for-profit, or SARAH BUSH LINCOLN HEALTH SYSTEM, an Illinois not-for-profit.** If so, state the date(s) and nature of your relationship.

ANSWER:

13. Were any photographs, movies and/or videotapes taken of the plaintiff or of the procedures complained of? If so, state the date(s) on which such photographs, movies and/or videotapes were taken, who is displayed therein, who now has custody of them, and the name, address, occupation and employer of the person taking them.

ANSWER:

14. Do you know of any statements made by any person relating to the care and treatment or the damages described in the complaint? If so, give the name and address of each such witness and the date of the statement, and state whether which statement was written or oral and if written the present location of each such statement.

ANSWER:

15. Do you have any information:

- a. That any plaintiff was, within the 10 years immediately prior to the care and treatment described in the complaint, confined in a hospital and/or clinic, treated by a physician and/or other health professional, or x-rayed for any reason other than personal injury? If so, state the name of each plaintiff so involved, the name and address of each such hospital and/or clinic, physician, technician and/or health care professional, the approximate date of such confinement or service and state the reason for such confinement or service.
- b. That any plaintiff has suffered any serious personal injury and/or illness within 10 years prior to the date of the occurrence? If so, state the name of each plaintiff so involved and state when, where and how he or she was injured and/or ill and describe the injuries and/or illness suffered.

- c. That any plaintiff has suffered any serious personal injury and/or illness since the date of the occurrence? If so, state the name of each plaintiff so involved and state when, where and how he or she was injured and/or ill and describe the injuries and/or illness suffered.
- d. That any other suits have been filed for any plaintiffs personal injuries? If so, state the name of each plaintiff involved, the nature of the injuries claimed, the court(s) and caption(s) in which filed, the year(s) filed, and the title(s) and docket number(s) of the suit(s).
- e. That any claim for workers' compensation benefits has been filed for any plaintiff? If so, state the name and address of the employer, the date(s) of the incident(s), the identity of the insurance company that paid any such benefits and the case numbers) and jurisdiction(s) where filed.

ANSWER:

16. Have you (or has anyone acting on your behalf) had any conversations with any person at any time with regard to the manner in which the care and treatment described in the complaint was provided, or have you overheard any statement made by any person at any time with regard to the injuries complained of by the plaintiff or the manner in which the care and treatment described in the complaint was provided? If so, state the following:

- a. The date or dates of such conversation(s) and/or statement(s);
- b. The place of such conversation(s) and/or statements(s);
- c. All persons present for the conversation(s) and/or statement(s);
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ANSWER:

17. Pursuant to Illinois Supreme Court Rule 213(f), please state the name and current address(es) or last known address(es) of all witnesses who will testify at the trial of this matter. Further, for each witness, provide the following information:

- a. For each Alay witness@ please identify the subjects on which the witness will testify;
- b. For each AIndependent expert witness@ please identify:
 - (i) The subjects on which the witness will testify; and
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ANSWER:

18. Identify any statements, information and/or documents known to you and requested by any of the foregoing interrogatories which you claim to be work product or subject to any common law or statutory privilege, and with respect to each interrogatory, specify the legal basis for the claim as required by Illinois Supreme Court Rule 201(n).

ANSWER:

19. List the name and addresses of all persons (other than yourself and persons heretofore listed) who have knowledge of the facts regarding the care and treatment complained of in the complaint filed herein and/or of the injuries claimed to have resulted there from.

ANSWER:

20. State at what time you were first contacted on May 20, 2003, regarding JAIME CAMPBELL.

ANSWER:

21. State how you were first contacted on May 20, 2003, regarding JAIME CAMPBELL. (ie, telephone call, page, etc.)

ANSWER:

22. Where you were when you were first contacted on May 20, 2003, regarding JAIME CAMPBELL.

ANSWER:

23. At what time did you first arrive at Sarah Bush Lincoln Health Center on May 20, 2003.

ANSWER:

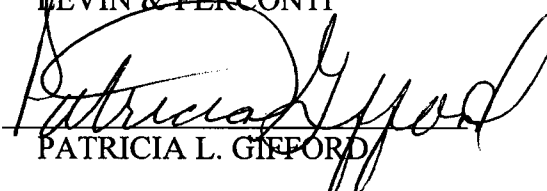
24. At what time did you first see **JAIME CAMPBELL** at Sarah Bush Lincoln Health Center on May 20, 2003.

ANSWER:

25. By whom were you first contacted on May 20, 2003, regarding **JAIME CAMPBELL**.

ANSWER:

DEMAND TO SUPPLEMENT: Pursuant to Illinois Supreme Court Rule 213(i), you are hereby requested to seasonally supplement the answers to interrogatories as information becomes available.

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R.N., and MICHAEL BENSON, D.O.,

Defendants

and

RICK MILLER, D.O., and SHERYL
ARTMANN, M.D.,

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FIRST NOTICE FOR PRODUCTION TO RESPONDENT IN DISCOVERY,
SHERYL ARTMANN, M.D.

To: Respondents in Discovery and Attorneys of Record

Pursuant to the Illinois Supreme Court Rules and procedures adopted by the local rule of the county where this action is pending, this First Notice for Production is hereby served upon all Respondents in Discovery. Compliance with this discovery request is due within 28 days and shall include the following:

- (a) All oral or written statements of all parties given or transferred to some other person or entity other than the attorney for the aforesaid parties.
- (b) The statement of any other witness, except parties to this action.
- (c) All photographs, slides or motion pictures taken prior subsequent to the alleged occurrence of the plaintiff, or other physical objects involved or of the scene of the alleged occurrence.
- (d) All original and copies of data as to the physical or mental condition of the plaintiff(s) prior and subsequent to the alleged occurrence, including, inter alia, injuries sustained in other accidents.
- (e) All original and copies of letters, notes, memoranda or other records of Sheryl Artmann, M.D., relating to Jaime Campbell.
- (f) Copies of all articles, treatises, books or other documents which will be used at any depositions or at the trial of this cause.
- (g) Any and all past, present and future contracts or agreements entered into between Sheryl Artmann, M.D., any medical group and **SARAH BUSH LINCOLN HEALTH CENTER, an Illinois not-for-profit corporation, SARAH BUSH LINCOLN HEALTH FOUNDATION, an Illinois not-for-profit, SARAH BUSH LINCOLN HEALTH MANAGEMENT SERVICES, an Illinois not-for-profit, or SARAH BUSH LINCOLN HEALTH SYSTEM, an Illinois not-for-profit**, governing the year of 2003.
- (h) All records and lab reports of the plaintiff's care at **SARAH BUSH LINCOLN HEALTH CENTER**, or any other institution before and after the date of the alleged occurrence.
- (i) All office records of respondent in discovery, Sheryl Artmann, M.D., including but not limited to appointments, office visits of the plaintiff, laboratory and consultant reports, x-rays and copies of records of other doctors, hospitals or medical facilities.
- (j) The curriculum vitae of Sheryl Artmann, M.D., including professional education, professional teaching experience, professional work experience and professional publications.
- (k) All by-laws and policies and procedures governing Sheryl Artmann, M.D., and his/her medical group(s) in effect on the date of the alleged occurrence and all amendments and changes to those by-laws and procedures enacted after the date of the occurrence.

- (l) The protocols, policies, and procedures and the table of contents for same for defendants, respondents, or their medical group(s) or **SARAH BUSH LINCOLN HEALTH CENTER** as it relates to emergency room, labor and delivery, emergency cesarean sections, physician notification, operating room, anesthesia in effect at **SARAH BUSH LINCOLN HEALTH CENTER** at the time of the care and/or treatment of the plaintiff alleged in the Complaint
- (m) Statements of any non-party witnesses or persons having knowledge of any facts relevant to the occurrence complained of, or to the injuries or damages alleged.
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- (o) Any and all text, medical literature, articles, authoritative writings or similar matters upon which defendant relies in defense of the allegations made in the Complaint.
- (p) Copies of any and all reports and notes from any opinion witness regarding or relating to the subject matter of this litigation.
- (q) Copies of any and all documents and information reviewed by any opinion witness whether written or oral and all documents exchanged by the opinion witness and the law firm which represents the defendant.
- (r) Copies of any and all photographs, drawings, tape recordings, deposition transcripts and pleadings reviewed by the opinion witness.
- (s) A copy of the opinion witnesses' curriculum vitae, resume, or if no CV or resume if available, a biographical outline which details the education, background, and credentials of the witness.
- (t) A summary of the witnesses charges to date, and attach any bills or statements for services in connection with the witnesses' activities in the matter.
- (u) Copies of all bills for services rendered by Sheryl Artmann, M.D. and/or his/her medical group(s) for Jaime Campbell.
- (v) Attach all records from the **SARAH BUSH LINCOLN HEALTH CENTER** chart(s) of all pages of the chart containing entries authored by Sheryl Artmann, M.D. or referring to Sheryl Artmann, M.D. in some way.
- (w) An affidavit of the defendant indicating that the production is complete and that all documents have been produced in response to this request.

LEVIN & PERCONTI

BY:

PATRICIA GIFFORD

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217.443.4343
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STATE OF ILLINOIS)
) SS.
COUNTY OF COLES)

IN THE CIRCUIT COURT OF COLES COUNTY, ILLINOIS
LAW DIVISION

JAIME CAMPBELL, individually, and as
mother and next friend of, KIERA
CAMPBELL, a minor

Plaintiffs

versus

COURT #

SARAH BUSH LINCOLN HEALTH
CENTER, an Illinois not-for-profit
corporation; SARAH BUSH LINCOLN
HEALTH FOUNDATION, an Illinois not-
for-profit; SARAH BUSH LINCOLN
HEALTH MANAGEMENT SERVICES,
an Illinois not-for-profit; SARAH BUSH
LINCOLN HEALTH SYSTEM, an Illinois
not-for-profit, ALLISON M. ALLEN,
R.N., and MICHAEL BENSON, D.O.,

Defendants

and

RICK MILLER, D.O., and SHERYL
ARTMANN, M.D.,

Respondents in Discovery

NOTICE OF DEPOSITIONS

TO: Respondents in Discovery

PLEASE PRODUCE for discovery depositions, the person or persons named below, on the date and hour specified, at Spiros & Wall, P.C., 2807 North Vermilion Street, Suite 3, Danville, IL 61832.

	<u>NAME OF DEPONENT(S)</u>	<u>DATE</u>	<u>HOURL</u>
1.	Rick Miller, D.O.	12/1/08	10:00 a.m.
2.	Sheryl Artmann	12/5/08	10:00 a.m.

THIS NOTICE is served upon you in conformity with the provisions of Illinois Supreme Court Rule 206, and is intended to require the presence of the party or parties identified.


PATRICIA L. GIFFORD

ATTORNEY FOR PLAINTIFF

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