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DEBORAH KOSSICK  
ROBERT KOSSICK

**FILED**  
Superior Court of California  
County of Placer

JUL 19 2013

Jake Charters  
Executive Officer & Clerk  
By: T. Inman, Deputy

**SUPERIOR COURT OF CALIFORNIA - COUNTY OF PLACER**  
**UNLIMITED JURISDICTION**

DEBORAH KOSSICK and ROBERT  
KOSSICK,

Plaintiffs,

v.

KAISER PERMANENTE ROSEVILLE  
MEDICAL CENTER; KAISER  
FOUNDATION HEALTH PLAN, INC.;  
KAISER FOUNDATION HOSPITALS; THE  
PERMANENTE MEDICAL GROUP, INC.;  
STEVEN HATTON RYDER, M.D.; and  
DOES 1 through 50, inclusive,

Defendants.

Case No. **SCV 0033354**

**COMPLAINT FOR DAMAGES**

**MEDICAL NEGLIGENCE; LOSS OF  
CONSORTIUM**

**JURY TRIAL DEMANDED**

**BY FAX**

Plaintiffs DEBORAH and ROBERT KOSSICK complain and allege as against  
Defendants as follows:

**PARTIES AND JURISDICTION**

1. Plaintiff DEBORAH KOSSICK ("Plaintiff") is, and at all relevant times hereto,  
has been a resident of the State of California.

1           2.     Plaintiff ROBERT KOSSICK ("Plaintiff") is, and at all relevant times hereto, has  
2 been a resident of the State of California.

3  
4           3.     Plaintiff is informed and believes and thereby alleges that defendant KAISER  
5 PERMANENTE ROSEVILLE MEDICAL CENTER, is a business form unknown whose  
6 principal place of business is located in the County of Placer, State of California.

7  
8           4.     Plaintiff is informed and believes and thereby alleges that defendant KAISER  
9 FOUNDATION HEALTH PLAN, INC., is a corporation whose principal place of business is  
10 located in the County of Alameda, State of California.

11  
12          5.     Plaintiff is informed and believes and thereby alleges that defendant KAISER  
13 FOUNDATION HOSPITALS, is a corporation whose principal place of business is located in the  
14 County of Alameda, State of California.

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16          6.     Plaintiffs are informed and believe and thereby allege that defendant THE  
17 PERMANENTE MEDICAL GROUP, INC., is a corporation whose principal place of business is  
18 located in the State of California.

19  
20          7.     Defendants KAISER PERMANENTE ROSEVILLE MEDICAL CENTER,  
21 KAISER FOUNDATION HEALTH PLAN, INC., KAISER FOUNDATION HOSPITALS, and  
22 THE PERMANENTE MEDICAL GROUP are engaged in a joint venture, common enterprise,  
23 and/or an unincorporated association commonly referred to as "Kaiser" or "Kaiser Permanente,"  
24 are hereinafter collectively referred to in this complaint as "Kaiser."

25  
26          8.     Plaintiff is informed and believes and thereby alleges that defendant STEVEN  
27 HATTON RYDER, M.D., was at all relevant times a medical doctor that was licensed to practice  
28 medicine in the State of California, and provided medical treatment and care to Plaintiff.

1           9.       DOES 1 through 50 are physicians, health care providers, and/or other persons that  
2 attended to decedent. Plaintiffs are currently unaware of the names of these DOE defendants, but  
3 will amend this complaint to allege these individuals as DOE defendants once plaintiffs identify  
4 said defendants in the course of discovery. Plaintiffs are informed and believe that an agency  
5 relationship exists between defendants and DOES 1 through 50.

6  
7           10.       Plaintiff has complied with the requirements of Code of Civil Procedure Section  
8 364.

9  
10          11.       Plaintiffs are unaware of the true identity, nature and capacity of each of the  
11 defendants designated herein as a DOE, whether individual, corporate, associate or otherwise,  
12 who therefore sues such defendants by fictitious names pursuant to California Code of Civil  
13 Procedure §474. Plaintiffs are informed and believe and thereby allege that each of the  
14 defendants designated herein as a DOE is in some manner responsible for the damages and  
15 injuries as are alleged in this Complaint. Upon learning the true identity, nature and capacity of  
16 the DOE defendants, plaintiffs will amend this Complaint to allege their true names and  
17 capacities.

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19          12.       Plaintiffs are informed and believe, and thereby allege that each of the defendants  
20 herein were at all times relevant hereto, the agents, representatives, servants and employees of the  
21 remaining defendants, and were acting at least in part within the course and scope of such  
22 relationship, and that the wrongful acts alleged herein were committed by such defendants, and  
23 each of them. Moreover, plaintiffs are informed and believe that defendants and DOES 1 through  
24 50 are engaged in a joint enterprise.

1 **FIRST CAUSE OF ACTION**

2 (Medical Negligence – Plaintiff Deborah Kossick v. All Defendants)

3 13. Plaintiff Deborah Kossick was a patient at Kaiser Permanente, in which she sought  
4 treatment and care for a hand and wrist condition.

5  
6 14. Plaintiff Robert Kossick is the husband of Plaintiff Deborah Kossick, who was  
7 actively engaged in a loving and caring relationship with his spouse at the time of the negligent  
8 surgery.

9  
10 15. In or about December 2011, Plaintiff met with Defendant Ryder to discuss  
11 potential treatment options pertaining to Plaintiff's hand and wrist condition, which Defendants  
12 had diagnosed as carpal tunnel syndrome. During this consultation, Defendant Ryder  
13 recommended that Plaintiff undergo surgery for her wrist and hand condition, but Defendant  
14 Ryder failed to explain or disclose any complications associated with the surgery. Defendant  
15 Ryder did not inform Plaintiff or her husband that risks associated with the surgery would include  
16 a chronic discoloration, or blackening of the hand and extremity, or constant and unbearable pain  
17 or swelling.

18  
19 16. On or about April 26, 2012, Plaintiff Deborah Kossick attended surgery with  
20 Defendant Ryder at the Kaiser facility in Roseville, California. During the surgery, Plaintiff  
21 woke up from complications associated with the surgery, and she observed blood pouring  
22 uncontrollably out of her hand and extremity, while there was chaos amongst the staff conducting  
23 the surgery, one of which kept yelling, "we can't give her any more medication."

24  
25 17. Several days after the surgery, Plaintiff was in unbearable and uncontrollable pain  
26 in her right hand. Plaintiff's hand starting becoming discolored and blackened, and it was  
27 swelling.

1           18.    On or about April 30, 2012, Plaintiff advised Defendants that the pain was  
2 unbearable, and she believed that something went wrong during the surgery, as there was too  
3 much blood. Defendants advised Plaintiffs that she had nothing to worry about because  
4 “redheads bleed more” than other patients.

5  
6           19.    On or about May 29, 2012, Plaintiff attended a follow-up appointment with  
7 Defendant Ryder, in which she again disclosed that her right hand was in constant and unbearable  
8 pain, and was discolored and swollen. Defendant showed no sympathy or concern whatsoever,  
9 and, instead, told her that there was nothing more that he could do for her.

10  
11           20.    As a result, Plaintiff sought treatment and care from another qualified licensed  
12 physician, who diagnosed Plaintiff with Complex Regional Pain Syndrome (“CRPS”), which was  
13 caused by the negligent surgery and treatment and care.

14  
15           21.    To this date, Plaintiff Deborah Kossick continues to be in an extreme amount of  
16 pain in her right hand, which is now permanent. The hand is also swollen and blackened, which  
17 will impact her ability to work and care for herself for the remainder of her life.

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19           22.    In acting above, Defendants owed Plaintiffs a duty to exercise reasonable and  
20 professional care in the medical treatment of Plaintiff Deborah Kossick.

21  
22           23.    Defendants’ treatment and care of Plaintiff was below the standard of care and  
23 constituted negligence. Defendants failed to exercise reasonable treatment and care in the surgery  
24 of Plaintiff, including the failure to warn Plaintiff of the associated risks of surgery, so as to  
25 obtain her informed consent. Defendants’ negligent, reckless, and careless conduct caused  
26 Plaintiff significant damages.



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- 2. For special damages in an amount according to proof;
- 3. For prejudgment interest in an amount according to proof;
- 4. For punitive and/or exemplary damages, Plaintiffs reserve in accordance with Code of Civil Procedure Section 425.13;
- 5. For attorneys' fees and costs;
- 6. For costs of suit therein;
- 7. For such other and further relief as the court may deem proper.
- 8. Plaintiff demands a trial by jury.

Dated: July 18, 2013

BROWN | POORE LLP

By: 

David M. Poore  
Attorneys for Plaintiff

Courthouse News Service