

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

FILED
2013 JUL 18 PM 3:11

DAHLIA RAMIREZ, a minor, by her parents
EVILYN RAMIREZ and ERIK RAMIREZ;
EVILYN RAMIREZ, individually; and ERIK
RAMIREZ, individually;

Plaintiffs,

v.

RUSH-COPLEY MEDICAL CENTER, an
Illinois Corporation, SRIKUMAR PILLAI, M.D.;
BONAVENTURE MEDICAL FOUNDATION,
L.L.C. d/b/a Alexian Pediatric Specialty Group;
ALEXIAN BROTHERS AMBULATORY
GROUP; WAYNE PHAM, D.O.; GUARDIAN
ANESTHESIA ASSOCIATES, S.C.; and
KIMBERLY LLOYD, R.N.;

Defendants.

DOROTHY BROWN
CLERK OF CIRCUIT COURT
LAW DIVISION

FILED
JUL 18 2013

Anderson, Rasor & Partners, LLP

No. 09 L 13262(D)

**RUSH-COPLEY MEDICAL CENTER'S ANSWER TO
PLAINTIFFS' SECOND AMENDED COMPLAINT AT LAW**

NOW COMES the defendant, RUSH-COPLEY MEDICAL CENTER, (hereinafter "RCMC") by and through its attorneys, ANDERSON, RASOR & PARTNERS, LLP, and in answer to Plaintiffs' Second Amended Complaint at Law, states as follows:

RECITAL

1. Defendant admits only that it was an Illinois corporation in Kane County at the time alleged. Defendant denies all remaining allegations contained in Paragraph 1.
2. Defendant admits the allegations contained in Paragraph 2 based upon information and belief.
3. Defendant lacks sufficient knowledge to admit or deny the allegations contained in Paragraph 3.

4. Defendant lacks sufficient knowledge to admit or deny the allegations contained in Paragraph 4.

5. Defendant admits the allegations contained in Paragraph 5 based upon information and belief.

6. Defendant lacks sufficient knowledge to admit or deny the allegations contained in Paragraph 6.

7. Defendant admits the allegations contained in Paragraph 7.

8. Defendant admits the allegations contained in Paragraph 8.

9. Defendant admits the allegations contained in Paragraph 9.

10. Defendant admits that at the time stated, Dahlia was transported to an operating room to undergo a procedure to ligate the patent ductus arteriosus (PDA).

11. Defendant admits that Dr. Pillai was the surgeon who began the procedure at the time alleged.

12. Defendant admits the allegations contained in Paragraph 12.

13. Defendant admits only that certain nursing duties were handled by Nurse Lloyd and denies all remaining allegations contained in Paragraph 13.

14. Defendant admits that on the date alleged, after the administration of anesthesia had begun, Dahlia was injured by a fire in the Operating Room.

15. Defendant admits the allegations contained in Paragraph 15.

COUNT I
RUSH-COPLEY MEDICAL CENTER

16. Defendant adopts and restates its answers to Paragraphs 1 through 15 of Plaintiffs'

Second Amended Complaint as though fully set forth herein.

17. Defendant objects to allegations calling for a legal conclusion. Notwithstanding said objection, defendant admits only that Nurse Lloyd was an employee of RCMC at the time alleged and denies all remaining allegations contained in Paragraph 17 of Count I.

18. Defendant denies the allegations contained in Paragraph 18 of Count I.

19. Defendant denies the allegations as stated in Paragraph 19 of Count I.

20. Defendant admits the allegations contained in Paragraph 20 of Count I.

21. Defendant admits only that duty imposed by Illinois law and denies all remaining allegations contained in Paragraph 21 of Count I.

22. Defendant admits only that duty imposed by Illinois law and denies all remaining allegations contained in Paragraph 22 of Count I.

23. Defendant denies the allegations contained in Paragraph 23 of Count I.

24. Defendant denies the allegations contained in Paragraph 24 of Count I.

25. Defendant admits only that duty imposed by Illinois law and denies all remaining allegations contained in Paragraph 25 of Count I.

26. Defendant denies the allegations contained in Paragraph 26 of Count I and more specifically denies each and every allegation of subparagraphs (a) through (i).

27. Defendant denies the allegations contained in Paragraph 27 of Count I.

COUNT II
SRIKUMAR PILLAI, M.D.

The allegations set forth in Count II of Plaintiffs' Second Amended Complaint at Law are not directed toward this defendant, therefore, this defendant makes no answer hereto. To the

extent that the allegations contained in Count II can be construed as being directed toward this defendant, those allegations are denied.

COUNT III
BONAVENTURE MEDICAL FOUNDATION, L.L.C.

The allegations set forth in Count III of Plaintiffs' Second Amended Complaint at Law are not directed toward this defendant, therefore, this defendant makes no answer hereto. To the extent that the allegations contained in Count III can be construed as being directed toward this defendant, those allegations are denied.

COUNT IV
ALEXIAN BROTHERS AMBULATORY GROUP

The allegations set forth in Count IV of Plaintiffs' Second Amended Complaint at Law are not directed toward this defendant, therefore, this defendant makes no answer hereto. To the extent that the allegations contained in Count IV can be construed as being directed toward this defendant, those allegations are denied.

COUNT V
WAYNE PHAM, M.D.

The allegations set forth in Count V of Plaintiffs' Second Amended Complaint at Law are not directed toward this defendant, therefore, this defendant makes no answer hereto. To the extent that the allegations contained in Count V can be construed as being directed toward this defendant, those allegations are denied.

COUNT VI
GUARDIAN ANESTHESIA ASSOCIATES, S.C.

The allegations set forth in Count VI of Plaintiffs' Second Amended Complaint at Law are not directed toward this defendant, therefore, this defendant makes no answer hereto. To the

extent that the allegations contained in Count VI can be construed as being directed toward this defendant, those allegations are denied.

COUNT VII
KIMBERLY LLOYD, R.N.

The allegations set forth in Count VII of Plaintiffs' Second Amended Complaint at Law are not directed toward this defendant, therefore, this defendant makes no answer hereto. To the extent that the allegations contained in Count VII can be construed as being directed toward this defendant, those allegations are denied.

COUNT VIII

67. Defendant adopts and restates its answers to Paragraphs 1 through 66 of Plaintiff's Second Amended Complaint as though fully set forth herein.

68. Defendant denies the allegations contained in Paragraph 68 of Count VIII.

69. Defendant denies the allegations contained in Paragraph 69. of Count VIII.

COUNT IX
FAMILY EXPENSE ACT

70. Defendant adopts and restates its answers to Paragraphs 1 through 69 of Plaintiffs' Second Amended Complaint as though fully set forth herein.

71. Defendant denies each and every allegation contained in Paragraph 71 of Count IX.

72. Defendant lacks sufficient knowledge to admit or deny the allegations contained in Paragraph 72 of Count IX.

WHEREFORE, the defendant, RUSH-COPLEY MEDICAL CENTER, denies that plaintiffs are entitled to judgment in the sum alleged or any sum whatsoever and prays that this action be dismissed with costs.

Respectfully submitted,



One of the Attorneys for Defendant
RUSH-COPLEY MEDICAL CENTER

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CERTIFICATE OF SERVICE

The undersigned, a non-attorney, on oath state that I caused a copy of the foregoing **RUSH-COPLEY MEDICAL CENTER'S ANSWER TO PLAINTIFFS' SECOND AMENDED COMPLAINT AT LAW** to be served upon:

William A. Cirignani
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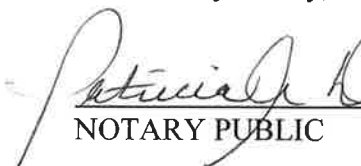
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via electronic mail to plaintiff's counsel and mailing a true copy thereof in a first class, postage prepaid envelope and depositing said envelope(s) in the U.S. Mail chute located at 100 S. Wacker Drive, Chicago, Illinois, to co-counsel before the hour of 5:00 p.m. on July 18, 2013.



Subscribed and sworn to before me
this 18th day of July, 2013.


NOTARY PUBLIC

