

03-298-CD
DOUTHIT

v

JENNIFER WINEBERG-ZETTLER, MD, et al

Date: 11/15/2006

Clearfield County Court of Common Pleas

User: LMILLER

Time: 02:10 PM

ROA Report

Page 1 of 2

Case: 2003-00298-CD

Current Judge: Fredric Joseph Ammerman

Denette A. Douthit vs. Jennifer Wineberg-Zeitler, DuBois Regional Medical Center, George Palmer Jr., Russell E. Cameron MD

Civil Other

Date		Judge
3/3/2003	Filing: Writ of Summons Paid by: Milgrub, Richard Receipt number: 1856349 Dated: 03/03/2003 Amount: \$85.00 (Check)	No Judge
	Praecipe For Writ of Summons Upon the Four (4) Defendants. filed by s/Samuel Cohen, Esquire 5 Writs to Atty Milgrub	No Judge
3/20/2003	Praecipe For Appearance on Behalf of DuBois Regional Medical Center, George Palmer, Jr., D.O., Russell E. Cameron, M.D. filed by s/David R. Johnson, Esquire Certificate of Service no cc	No Judge
	Praecipe For Rule For Complaint. filed by s/David R. Johnson, Esquire Certificate of Service no cc 2 Rules to Attorney	No Judge
3/21/2003	Praecipe For Entry of Appearance, filed by Atty. Klym on behalf of Jennifer Wineberg-Zeitler, M.D.	No Judge
	Praecipe for Rule to File Complaint, filed by Atty. Klyn Rule to File Complaint upon Defendant.	No Judge
4/2/2003	Proof of Service of Rule to File Complaint, upon SAMUEL COHEN, ESQUIRE. filed by s/Edward D. Klym, Esquire no cc	No Judge
4/3/2003	Affidavit of Service Rule to File Complaint upon SAMUEL COHEN, ESQ. filed by s/David R. Johnson, Esquire no cc	No Judge
5/22/2003	Sheriff Return, Papers served on Defendant(s). So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm	No Judge
5/30/2003	Complaint Filed by Atty. Cohen No cc.	No Judge
	Certificate of Merit of Jennifer Wineberg-Zeitler, M. D.	No Judge
	Certificate of Merit of George Palmer, Jr. M.D. No cc.	No Judge
	Certificate of Merit of Russell E. Cameron, M.D. No cc.	No Judge
	Certificate of Merit of Dubois Regional Medical Center. No cc.	No Judge
6/19/2003	Praecipe To Substitute Verification. filed by s/Samuel Cohen, Esquire no cc	No Judge
7/14/2003	Answer And New Matter. filed by s/David R. Johnson, Esquire Verification s/Greg J. Volpe s/George Palmer, Jr., D.O. and Russell E. Cameron, M.D. Certificate of Service no cc	No Judge
8/19/2003	Plaintiffs Reply To New Matter Of Defendants DuBois Regional Medical Center, George Palmer, Jr., D.O. and Russell E. Cameron. filed by, s/Samuel Cohen Verification s/Samuel Cohen Certificate of Service no cc	No Judge
11/24/2003	Answer To Plaintiff's Complaint. filed by, s/Edward D. Klym, Esquire Verification s/Edward D. Klym, Esquire Certificate of Service no cc	No Judge
12/8/2003	Notice of Service Of Interrogatories Directed To Plaintiff. filed by, s/Edward D. Klym, Esquire Certificate of Service no cc	No Judge
4/26/2004	Response To Plaintiff For Production of Expert Reports. filed by, s/David R. Johnson, Esquire Certificate of Service no cc	No Judge
5/3/2004	Request To Plaintiff for Production Of Expert Reports. filed by, s/Edward D. Klym, Esquire Certificate of Service no cc	No Judge
5/24/2004	Notice of Deposition of Plaintiff. filed by, s/Edward D. Klym, Esquire Certificate of Service no cc	No Judge
7/20/2004	ORDER, filed. 1 Cert. to Atty. Cohen NOW, this 20th day of July, 2004, RE: Case Management Deadline Entered, Plaintiff reports due within 180 days.	Fredric Joseph Ammerman

Date: 11/15/2006

Clearfield County Court of Common Pleas

User: LMILLER

Time: 02:10 PM

ROA Report

Page 2 of 2

Case: 2003-00298-CD

Current Judge: Fredric Joseph Ammerman

Denette A. Douthit vs. Jennifer Wineberg-Zeitler, DuBois Regional Medical Center, George Palmer Jr., Russell E. Cameron MD

Civil Other

Date		Judge
10/6/2006	Motion To Compel, filed by s/Jeanette E. Oliver, Esquire. 1CC Atty	Fredric Joseph Ammerman
10/10/2006	Order, NOW, this 10th day of October, 2006, Ordered that oral argument on the motion to compel is scheduled for the 22nd day of Nov. 2006, at 9:30 a.m. in Courtroom No. 1 By The Court, /s/ Fredric J. Ammerman, judge. 1CC Atty. Oliver	Fredric Joseph Ammerman
10/16/2006	Affidavit of Service filed. That a true and correct copy of the Judge Ammerman's October 10, 2006 Scheduling Order, along with a true and correct copy of the Motion to Compel in the above-captioned case was served on Samuel Cohen Esq. and Edward D. Klym Esq., filed by s/ Jeanette E. Oliver Esq. NO CC.	Fredric Joseph Ammerman
10/23/2006	Certificate of Service, filed. That a true and correct copy of the Plaintiff's Answers to Interrogatories of Defendants - Second Set and Plaintiff's Response to Defendants' Request for Production of Documents - Second Request, on October 12, 2006 on Davis R. Johnson Esq., and Edward D. Klym Esq., filed by s/ Samuel Cohen Esq. No CC.	Fredric Joseph Ammerman

SAMUEL COHEN

FILED

Atty Milgrub
03:17 PM
MAR 03 2003 *pd. 85.00*

William A. Shaw
Prothonotary

5 cents to Atty Milgrub
WAS

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY PENNSYLVANIA
CIVIL ACTION**

SUMMONS

COPY

Denette A. Douthit

Vs.

NO.: 2003-00298-CD

**Jennifer Wineberg-Zeitler
DuBois Regional Medical Center
George Palmer Jr.
Russell E. Cameron MD**

**TO: JENNIFER WINEBERG-ZEITLER
DUBOIS REGIONAL MEDICAL CENTER
GEORGE PALMER JR.
RUSSELL E. CAMERON MD**

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 03/03/2003

William A. Shaw
Prothonotary

Issuing Attorney:

Samuel Cohen, Esq.
Suite 2010
117 South 17th Street
Philadelphia, PA 19103-5020

IN THE COURT OF COMMON PLEAS OF ^{Clearfield} ~~ALLEGHENY~~ COUNTY, PENNSYLVANIA

DENETTE A. DOUTHIT,

Plaintiff,

Vs.

JENNIFER WINEBERG-ZEITLER,
DUBOIS REGIONAL MEDICAL
CENTER, GEORGE PALMER, JR.,
RUSSELL E. CAMERON, M.D.,

Defendants.

CIVIL DIVISION

No. 2003-00298-CD

Issue No.

PRAECIPE FOR APPEARANCE

Code: 007

Filed on behalf of DuBois Regional Medical
Center, George Palmer, Jr., D.O., Russell E.
Cameron, M.D., three of the defendants.

Counsel of Record for These Parties:

David R. Johnson, Esquire
PA I.D. #26409

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED

MAR 20 2003

William A. Shaw
Prothonotary

PRAECIPE FOR APPEARANCE

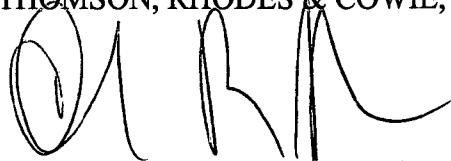
TO: PROTHONOTARY

Kindly enter our appearance on behalf of DuBois Regional Medical Center,
George Palmer, Jr., D.O., Russell E. Cameron, M.D., three of the defendants.

JURY TRIAL DEMANDED.

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.

A handwritten signature in black ink, appearing to read 'DRJ', is written over a horizontal line.

David R. Johnson, Esquire
Attorneys for DuBois Regional Medical
Center, George Palmer, Jr., D.O., Russell E.
Cameron, M.D., three of the defendants.

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within PRAECIPE FOR APPEARANCE has been served upon the following counsel of record and same placed in the U.S. Mails on this 18th day of March, 2003:

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 South 17th Street
Philadelphia, PA 19103-5020

THOMSON, RHODES & COWIE, P.C.

A handwritten signature in black ink, appearing to be 'D. Johnson', written over a horizontal line.

David R. Johnson, Esquire
Attorneys for DuBois Regional Medical
Center, George Palmer, Jr., D.O., Russell E.
Cameron, M.D., three of the defendants.

IN THE COURT OF COMMON PLEAS OF ^{Clearfield} ~~ALLEGHENY~~ COUNTY, PENNSYLVANIA

DENETTE A. DOUTHIT,

Plaintiff,

Vs.

JENNIFER WINEBERG-ZEITLER,
DUBOIS REGIONAL MEDICAL
CENTER, GEORGE PALMER, JR.,
RUSSELL E. CAMERON, M.D.,

Defendants.

CIVIL DIVISION

No. 2003-00298-CD

Issue No.

PRAECIPE FOR RULE FOR COMPLAINT

Code: 007

Filed on behalf of DuBois Regional Medical
Center, George Palmer, Jr., D.O., Russell E.
Cameron, M.D., three of the defendants.

Counsel of Record for These Parties:

David R. Johnson, Esquire
PA I.D. #26409

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED

MAR 20 2003

William A. Shaw
Prothonotary

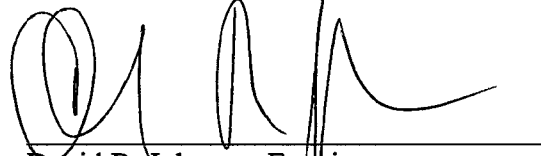
PRAECIPE FOR RULE FOR COMPLAINT

TO: PROTHONOTARY

Kindly issue a rule on plaintiff to file her complaint within twenty days.

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.

A handwritten signature in black ink, appearing to read 'DR Johnson', written over a horizontal line.

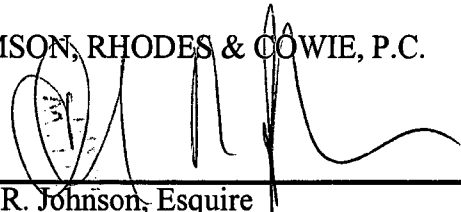
David R. Johnson, Esquire
Attorneys for DuBois Regional Medical
Center, George Palmer, Jr., D.O., Russell E.
Cameron, M.D., three of the defendants.

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within PRAECIPE FOR RULE
FOR COMPLAINT has been served upon the following counsel of record and same
placed in the U.S. Mails on this 18th day of March, 2003:

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 South 17th Street
Philadelphia, PA 19103-5020

THOMSON, RHODES & COWIE, P.C.



David R. Johnson, Esquire
Attorneys for DuBois Regional Medical
Center, George Palmer, Jr., D.O., Russell E.
Cameron, M.D., three of the defendants.

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL DIVISION

Denette A. Douthit

Vs.

Case No. 2003-00298-CD

Jennifer Wineberg-Zeitler
DuBois Regional Medical Center
George Palmer Jr.
Russell E. Cameron MD

RULE TO FILE COMPLAINT

TO: Denette A. Douthit

YOU ARE HEREBY RULED to file a Complaint in the above-captioned matter within twenty (20) days from service hereof, or a judgment of non pros may be entered against you.

William A. Shaw, Prothonotary

Dated: March 20, 2003

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

DENETTE A. DOUTHIT,

Plaintiff,

v.

JENNIFER WINEBERG-ZEITLER, M.D.;
DUBOIS REGIONAL MEDICAL CENTER;
GEORGE PALMER, JR., M.D.; and
RUSSELL E. CAMERON, M.D.,

Defendants.

CIVIL DIVISION

No. 2003-00298-CD

PRAECIPE FOR APPEARANCE

JURY TRIAL DEMANDED

Filed on behalf of Defendant,
Jennifer Wineberg-Zeitler, M.D.

Counsel of record for this party:

Edward D. Klym, Esquire
PA ID 29923

EDWARD D. KLYM & ASSOCIATES
180 Fort Couch Road, Suite 265
Pittsburgh, PA 15241-1041

Telephone: (412) 835-4020
Fax: (412) 835-1251

FILED

MAR 21 2003

m/3:00/a
William A. Shaw

Prothonotary/Clerk of Courts

no c/c

PRAECIPE FOR APPEARANCE

TO: William A. Shaw, Prothonotary
Clearfield County Courthouse
P. O. Box 549
Clearfield, PA 16830

Please enter the appearance of Edward D. Klym, Esquire and EDWARD
D. KLYM & ASSOCIATES on behalf of Defendant, Jennifer Wineberg-Zeitler,
M.D., in the above-captioned matter.

Respectfully submitted,

EDWARD D. KLYM & ASSOCIATES

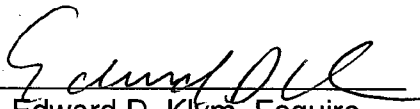
By: _____


Edward D. Klym, Esquire

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Praeceptum for Appearance has been served upon counsel as listed below via first class, United States mail, postage prepaid at Pittsburgh, Pennsylvania, this 19th day of March, 2003.

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
177 S. 17th Street
Philadelphia, PA 19103
(Counsel for Plaintiff)


Edward D. Klym, Esquire

2003-298-C

PRAECIPE FOR RULE TO FILE COMPLAINT

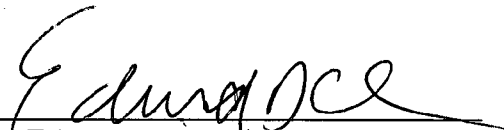
TO: William A. Shaw, Prothonotary
Clearfield County Courthouse
P. O. Box 549
Clearfield, PA 16830

Kindly issue a Rule on Plaintiff, Denette A. Douthit, to file a Complaint within twenty (20) days from the date of service thereon, otherwise judgment of non pros to be entered.

Respectfully submitted,

EDWARD D. KLYM & ASSOCIATES

By:


Edward D. Klym, Esquire

FILED

MAR 21 2003

W/ 3:15 PM
William A. Shaw
Prothonotary/Clerk of Courts

RULE TO ATT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Praeceptum for Rule to File Complaint has been served upon counsel as listed below via first class, United States mail, postage prepaid at Pittsburgh, Pennsylvania, this 19 day of March, 2003.

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
177 S. 17th Street
Philadelphia, PA 19103
(Counsel for Plaintiff)


Edward D. Klym, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

DENETTE A. DOUTHIT,

Plaintiff,

v.

JENNIFER WINEBERG-ZEITLER, M.D.;
DUBOIS REGIONAL MEDICAL CENTER;
GEORGE PALMER, JR., M.D.; and
RUSSELL E. CAMERON, M.D.,

Defendants.

CIVIL DIVISION

No. 2003-00298-CD

RULE TO FILE COMPLAINT

JURY TRIAL DEMANDED

Filed on behalf of Defendant,
Jennifer Wineberg-Zeitler, M.D.

Counsel of record for this party:

Edward D. Klym, Esquire
PA ID 29923

EDWARD D. KLYM & ASSOCIATES
180 Fort Couch Road, Suite 265
Pittsburgh, PA 15241-1041

Telephone: (412) 835-4020
Fax: (412) 835-1251

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL DIVISION

Denette A. Douthit

Vs.

Case No. 2003-00298-CD

Jennifer Wineberg-Zeitler
DuBois Regional Medical Center
George Palmer Jr.
Russell E. Cameron MD

RULE TO FILE COMPLAINT

TO: Denette A. Douthit

YOU ARE HEREBY RULED to file a Complaint in the above-captioned matter within twenty (20) days from service hereof, or a judgment of non pros may be entered against you.

William A. Shaw, Prothonotary

Dated: March 21, 2003

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

DENETTE A. DOUTHIT,

CIVIL DIVISION

Plaintiff,

No. 2003-00298-CD

v.

JENNIFER WINEBERG-ZEITLER, M.D.;
DUBOIS REGIONAL MEDICAL CENTER;
GEORGE PALMER, JR., M.D.; and
RUSSELL E. CAMERON, M.D.,

**PROOF OF SERVICE OF
RULE TO FILE COMPLAINT**

Defendants.

JURY TRIAL DEMANDED

Filed on behalf of Defendant,
Jennifer Wineberg-Zeitler, M.D.

Counsel of record for this party:

Edward D. Klym, Esquire
PA ID 29923

EDWARD D. KLYM & ASSOCIATES
180 Fort Couch Road, Suite 265
Pittsburgh, PA 15241-1041

Telephone: (412) 835-4020
Fax: (412) 835-1251

FILED

APR 02 2003

m/11-24/ww

William A. Shaw
Prothonotary

No C/L

ETS

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL DIVISION

Denette A. Douthit

Vs.


Case No. 2003-00298-CD

Jennifer Wineberg-Zeitler
DuBois Regional Medical Center
George Palmer Jr.
Russell E. Cameron MD

RULE TO FILE COMPLAINT

TO: Denette A. Douthit

YOU ARE HEREBY RULED to file a Complaint in the above-captioned matter within twenty (20) days from service hereof, or a judgment of non pros may be entered against you.



William A. Shaw, Prothonotary

Dated: March 21, 2003

COMMONWEALTH OF PENNSYLVANIA)
) SS
COUNTY OF ALLEGHENY)

Notarial Seal
Virginia E. Bomba, Notary Public
Bethel Park Boro, Allegheny County
My Commission Expires May 23, 2005
Member, Pennsylvania Association of Notaries

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
177 S. 17th Street
Philadelphia, PA 19103

2. Article Number
(Transfer from service label)

PS Form 3811, August 2001

COMPLETE THIS SECTION ON DELIVERY

A. Signature

John A. Ruggen

☐ Agent

☐ Addressee

B. Received by (Printed Name)

JOHN A. RUGGEN

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7001 0360 0001 4016 3488

Domestic Return Receipt

102595-02-M-1540

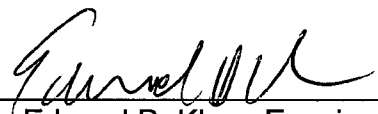
EXHIBIT "A"

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing PROOF OF SERVICE OF RULE TO FILE COMPLAINT has been served upon counsel as listed below via first class, United States mail, postage prepaid at Pittsburgh, Pennsylvania, this 31 day of March, 2003.

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
177 S. 17th Street
Philadelphia, PA 19103
(Counsel for Plaintiff)

David Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, PA 15219-3499
(Counsel for Defendants, DuBois Regional Medical Center; George Palmer, M.D.; and Russell E. Cameron, M.D.)



Edward D. Klym, Esquire

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

DENETTE A. DOUTHIT,

Plaintiff,

Vs.

JENNIFER WINEBERG-ZEITLER,
DUBOIS REGIONAL MEDICAL
CENTER, GEORGE PALMER, JR.,
RUSSELL E. CAMERON, M.D.,

Defendants.

CIVIL DIVISION

No. 2003-00298-CD

Issue No.

AFFIDAVIT OF SERVICE OF RULE FOR
COMPLAINT

Code: 007

Filed on behalf of DuBois Regional Medical
Center, George Palmer, Jr., D.O., Russell E.
Cameron, M.D., three of the defendants.

Counsel of Record for These Parties:

David R. Johnson, Esquire
PA I.D. #26409

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED

APR 03 2003

M 12:00 PM
William A. Shaw

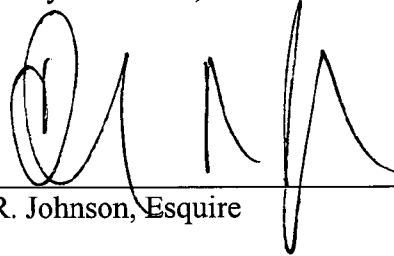
Prothonotary/Clerk of Courts

NO C/C
E
K21

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared David R. Johnson, Esquire, who, being duly sworn, deposes and says that a true and correct copy of the Rule to File a Complaint in the above-captioned case was served upon plaintiff's counsel, Samuel Cohen, Esquire, Katz, Cohen & Price, P.C., Suite 2010, 117 South 17th Street, Philadelphia, PA 19103-5020, by certified mail, return receipt requested, and that the same was received on his behalf as shown by the return receipt attached hereto.

Respectfully submitted,



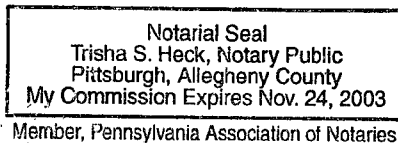
David R. Johnson, Esquire

Sworn to and subscribed before me

this 1st day of April, 2003.

Trisha S. Heck

Notary Public



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL DIVISION

Denette A. Douthit

Vs.

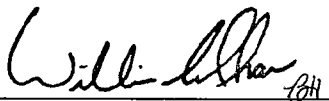
Case No. 2003-00298-CD

Jennifer Wineberg-Zeitler
DuBois Regional Medical Center
George Palmer Jr.
Russell E. Cameron MD

RULE TO FILE COMPLAINT

TO: Denette A. Douthit

YOU ARE HEREBY RULED to file a Complaint in the above-captioned matter within twenty (20) days from service hereof, or a judgment of non pros may be entered against you.



William A. Shaw, Prothonotary

Dated: March 20, 2003

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Samuel Cohen, Esq.
Katz, Cohen & Price, PC
Suite 2010
117 South 17th St.
Philadelphia, PA 19103

2. Arti
(Tra

7001 1940 0002 3753 4280

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x John A. Ruggeri

☐ Agent☐ Addressee

B. Received by (Printed Name)

JOHN A. RUGGERI

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes


CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within AFFIDAVIT OF SERVICE OF RULE FOR COMPLAINT has been served upon the following counsel of record and same placed in the U.S. mails on this 1st day of April, 2003:

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 South 17th Street
Philadelphia, PA 19103-5020

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.

A handwritten signature in black ink, appearing to be 'DJ', written over a horizontal line.

David R. Johnson, Esquire
Attorneys for DuBois Regional Medical
Center, George Palmer, Jr., D.O., Russell E.
Cameron, M.D., three of the defendants.

In The Court of Common Pleas of Clearfield County, Pennsylvania

DOUTHIT, DENETTE A.

Sheriff Docket #

13753

VS.

03-298-CD

WINEBERG-ZEITLER, JENNIFER al

SUMMONS

SHERIFF RETURNS

NOW MARCH 10, 2003 AT 10:55 AM SERVED THE WITHIN SUMMONS ON DUBOIS REGIONAL MEDICAL CENTER, DEFENDANT AT EMPLOYMENT, 100 HOSPITAL AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO GREG VOLPE, RISK MGR. A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: COUDRIET/RYEN

NOW MARCH 10, 2003 AT 10:55 AM SERVED THE WITHIN SUMMONS ON RUSSELL E. CAMERON, M.D., DEFENDANT AT EMPLOYMENT, 100 HOSPITAL AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO GREG VOLPE, RISK MGR. A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: COUDRIET/RYEN

NOW MARCH 10, 2003 AT 10:55 AM SERVED THE WITHIN SUMMONS ON GEORGE PALMER, JR., M.D., DEFENDANT AT EMPLOYMENT, 100 HOSPITAL AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO GREG VOLPE, RISK MGR. A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: COUDRIET/RYEN

NOW MARCH 6, 2003, THOMAS DEMKO, SHERIFF OF JEFFERSON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON JENNIFER WINEBERG-ZEITLER, M.D., DEFENDANT.

NOW MARCH 13, 2003 SERVED THE WITHIN SUMMONS ON JENNIFER WINEBERG-ZEITLER, DEFENDANT BY DEPUTIZING THE SHERIFF OF JEFFERSON COUNTY. THE RETURN OF SHERIFF DEMKO IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

Return Costs

Cost	Description
59.65	SHERIFF HAWKINS PAID BY: ATTY CK# 21300
40.00	SURCHARGE PAID BY: ATTY CK# 21301
28.06	JEFFERSON CO. SHFF. PAID BY: ATTY CK# 12500

Sworn to Before Me This

22nd Day Of May, 2003





So Answers,



Chester A. Hawkins

Sheriff

No. 03-298-CD

Personally appeared before me, Kirk Brudnock, Deputy for Thomas A. Demko, Sheriff of Jefferson County, Pennsylvania, who according to law deposes and says that on March 13, 2003 at 3:55 o'clock P.M. served the Writ of Summons upon JENNIFER WINEBERG-ZEITLER, Defendant, at her place of business, 22 Wells Drive, Borough of Reynoldsville, County of Jefferson, State of Pennsylvania, by handing to her, personally, a true copy of the Writ of Summons and by making known to her the contents thereof.

Advance Costs Received:	\$125.00
My Costs:	\$ 26.06 Paid
Prothy:	\$ 2.00
Total Costs:	\$ 28.06
Refunded:	\$ 96.94

Sworn and subscribed

to before me this

day of

By

20th
March, 2003
Tanya L. Lust

So Answers,

**My Commission Expires The
First Monday January 2006**

Kirk Brudnock Deputy
Thomas A. Demko Sheriff
JEFFERSON COUNTY, PENNSYLVANIA

KATZ, COHEN & PRICE, P.C.
By: SAMUEL COHEN, ESQUIRE
ATTORNEY I.D. NO.: 27544
117 SOUTH 17th STREET
SUITE 2010
PHILADELPHIA, PA 19103
(215) 636-0400

ATTORNEY FOR PLAINTIFF

DENETTE A. DOUTHIT

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

FILED

JENNIFER WINEBERG-ZEITLER, M.D.
And
DUBOIS REGIONAL MEDICAL CENTER
And
GEORGE PALMER, JR., M.D.
And
RUSSELL E. CAMERON, M.D.

MAY 30 2003

William A. Shaw
Prothonotary

NO. 2003-00298-CD

COMPLAINT IN CIVIL ACTION
NOTICE

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

Lleva esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio. Vaya en persona o llame por telefono a la oficina cuya direccion se encuentra escrita abajo para averiguar donde se puede conseguir asistencia legal.

LAWYER REFERRAL SERVICE
Pennsylvania Bar Association
P. O. Box 186
Harrisburg, Pennsylvania 17108
(800) 692 7375

KATZ, COHEN & PRICE, P.C.
By: SAMUEL COHEN, ESQUIRE
ATTORNEY I.D. NO.: 27544
117 SOUTH 17th STREET
SUITE 2010
PHILADELPHIA, PA 19103
(215) 636-0400

ATTORNEY FOR PLAINTIFF

DENETTE A. DOUTHIT
928 E. Main Street
Reynoldsville, PA 15851

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

JENNIFER WINEBERG-ZEITLER, M.D.
22 Wells Drive
Reynoldsville, PA 15851

And

DUBOIS REGIONAL MEDICAL CENTER
100 Hospital Avenue
DuBois, PA 15801

And

GEORGE PALMER, JR., M.D.
100 Hospital Avenue
DuBois, PA 15801

And

RUSSELL E. CAMERON, M.D.
100 Hospital Avenue
DuBois, PA 15801

NO. 2003-00298-CD

CIVIL ACTION COMPLAINT

COMES NOW, Plaintiff, Denette A. Douthit, by her counsel, Katz, Cohen & Price, P.C. and desiring to recover compensation for the injuries, losses and damages sustained by her as a result of the negligence and carelessness of the Defendants avers in support thereof the following:

1. Plaintiff, Denette A. Douthit is an adult individual who is a citizen and resident

of the Commonwealth of Pennsylvania residing therein at 928 E. Main Street, Reynoldsville, Clearfield County.

2. Defendant, Jennifer Wineberg-Zeitler, M.D. is a licensed professional with offices in Clearfield County, Pennsylvania. Plaintiff is asserting professional liability against this Defendant.

3. Defendant, DuBois Regional Medical Center is a licensed professional with offices in Clearfield County, Pennsylvania. Plaintiff is asserting professional liability against this Defendant.

4. Defendant, George Palmer, Jr., M.D. is a licensed professional with offices in Clearfield County, Pennsylvania. Plaintiff is asserting professional liability against this Defendant.

5. Defendant, Russell E. Cameron, M.D. is a licensed professional with offices in Clearfield County, Pennsylvania. Plaintiff is asserting professional liability against this Defendant.

6. Defendant, Jennifer Wineberg-Zeitler, M.D., at the time of the occurrence, held herself out as a licensed practitioner providing medical care and purporting to specialize in family medicine with an office at 5 North Third Street, Reynoldsville, Clearfield County, Pennsylvania.

7. Defendant, DuBois Regional Medical Center is, upon information and belief, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania regularly conducting business at 100 Hospital Avenue, DuBois, Clearfield County, and engaged in the business of providing health care services to the public.

8. Defendant, George Palmer, Jr., M.D., at the time of the occurrence, held himself

out as a licensed practitioner providing medical care and purporting to specialize in emergency medicine with an office at 100 Hospital Avenue, DuBois, Clearfield County, Pennsylvania.

9. Defendant, Russell E. Cameron, M.D., at the time of the occurrence, held himself out as a licensed practitioner providing medical care and purporting to specialize in emergency medicine with an office at 100 Hospital Avenue, DuBois, Clearfield County, Pennsylvania.

10. At all times material hereto, Defendant, DuBois Regional Medical Center acted by and through its authorized agents, servants, workmen and/or employees including, Defendants, George Palmer, Jr., M.D. and Russell E. Cameron, M.D. as well as each and every health care professional who saw Plaintiff professionally during the various visits to DuBois Regional Medical Center made by Plaintiff as further described in this Complaint.

11. Prior to March 16, 2001, Plaintiff, Denette A. Douthit began to feel ill.

12. Several days later, on March 16, 2001, Defendant, Jennifer Wineberg-Zeitler prescribed Brontex for Plaintiff and telephoned a prescription to a pharmacy without examining Plaintiff.

13. Defendant, Jennifer Wineberg-Zeitler was aware that Plaintiff had a history of sarcoidosis.

14. On March 18, 2001, Plaintiff went to the emergency room of Defendant, DuBois Regional Medical Center where she was seen by Defendant, Russell E. Cameron, M.D.

15. At that time, Plaintiff related that she was suffering from "really bad headaches", pressure to the frontal area and base of the head, that she was experiencing chills and had a fever of 100.9 degrees Fahrenheit, that she did not have a sore throat, that her ears were pounding, that her neck felt stiff and that these symptoms had started the previous Thursday afternoon,

March 16, 2001.

16. Defendant, Russell E. Cameron, M.D. was informed that Plaintiff, Denette A. Douthit had a history of sarcoidosis.

17. At the time of her examination on March 18, 2001, Plaintiff reported that her headache level at its worst was 10/10 and at the time she was seen by Defendant, Russell E. Cameron, M.D. on March 18, 2001, her pain level was 9/10.

18. At the time of her examination by Defendant, Russell E. Cameron, M.D. on March 18, 2001, Plaintiff reported that her vision was disturbed and that she had dizziness.

19. Following his examination, Defendant, Russell E. Cameron, M.D. on March 18, 2001 diagnosed Plaintiff as having sinusitis and prescribed Ceftin 500 mg twice a day.

20. Plaintiff telephoned Defendant, Jennifer Wineberg-Zeitler, M.D. every two or three days between March 18, 2001 and March 29, 2001.

21. On March 29, 2001, Plaintiff was seen by Defendant, Jennifer Wineberg-Zeitler, M.D. and informed her that she was only sleeping two or three hours per night, she had an occipital headache that was throbbing, that she was light headed, that sounds were muffled, that she had nausea without vomiting, that she had photophobia and phonophobia and occasional blurred vision.

22. Plaintiff indicated at the time of the March 29, 2001 examination by Defendant, Jennifer Wineberg-Zeitler, M.D. that she had tried Flexoril but it did not provide relief.

23. On March 31, 2001, Plaintiff returned to the DuBois Regional Medical Center emergency room where she was seen by Defendant, George Palmer, Jr., M.D. At the time, Plaintiff gave her history, she related she had suffered previously from sarcoidosis.

24. At the time she was seen by Defendant, George Palmer, Jr., M.D. on March 31, 2001, she indicated that she had been suffering from a headache for sixteen days which she characterized as throbbing, nausea, vomiting, blurred vision, muscle aches and cough.

25. Plaintiff reported a pain level of 10/10 and sensitivity to light.

26. Following Dr. Palmer's examination, Plaintiff was discharged.

27. On April 2, 2001, Plaintiff telephoned the office of Defendant, Jennifer Wineberg-Zeitler, M.D. complaining of neck pain at which time she was instructed to have a physical therapy evaluation.

28. On April 5, 2001, Plaintiff again telephoned the office of Defendant, Jennifer Wineberg-Zeitler, M.D. complaining of headaches and neck pain at which time Defendant, Jennifer Wineberg-Zeitler scheduled an MRI for April 10, 2001.

29. On April 9, 2001, Plaintiff again telephoned the office of Defendant, Jennifer Wineberg-Zeitler, M.D. complaining of pain in the shoulder, neck and head as well as double vision.

30. On April 10, 2001, Plaintiff went to DuBois Regional Medical Center where she received a spinal tap and was diagnosed as having cryptococcal meningitis after receiving a spinal tap.

COUNT I

PLAINTIFF VS. DEFENDANT, JENNIFER WINEBERG-ZEITLER, M.D.

31. Plaintiff, Denette A. Douthit incorporates herein by reference each and every averment contained in paragraphs 1 through 30 as though same were fully set forth herein at length.

32. Defendant, Jennifer Wineberg-Zeitler, M.D. holds herself out to be a health care provider who possesses skill and knowledge in her specialty, and holds herself out to the public as so qualified.

33. Defendant, Jennifer Wineberg-Zeitler, M.D. failed to provide reasonable health care under the circumstances as follows:

- (a) In failing to obtain a comprehensive medical history;
- (b) In failing to properly diagnose Plaintiff cryptococcal meningitis;
- (c) In failing to order a spinal tap;
- (d) In failing to properly take into account Plaintiff's history of sarcoidosis;
- (e) In failing to timely order a lumbar puncture;
- (f) In failing to inform Plaintiff of warning signs of cryptococcal meningitis;

34. As a direct and proximate result of the conduct set forth, Plaintiff has suffered as follows:

- (a) Extended pain and suffering due to the failure to diagnose cryptococcal meningitis and treat her condition;
- (b) Damage to her vision and various other injuries;
- (c) Unnecessary medical bills;
- (d) Mental anguish and upset;
- (e) Lost of wages, future lost wages and has lost impairment of her earning capacity and power;
- (f) Humiliation, embarrassment and such other damages as are permitted by law;

WHEREFORE, Plaintiff claims damages from Defendant in excess of limits of

arbitration.

COUNT II - VICARIOUS LIABILITY

PLAINTIFF VS. DEFENDANT, DUBOIS REGIONAL MEDICAL CENTER

35. Plaintiff, Denette A. Douthit incorporates herein by reference each and every averment contained in paragraphs 1 through 34 as though same were fully set forth herein at length.

36. Defendants, Russell E. Cameron, M.D. and George Palmer, Jr., M.D. were, at all times relevant hereto, the agents, employees, servants, officers or directors of Defendant, DuBois Regional Medical Center, or were apparent agents held out as such.

37. At all times relevant hereto, Defendants, Russell E. Cameron, M.D. and George Palmer, Jr., M.D. were acting in the scope of their employment as an agent, servant or employee of said Defendant hospital.

38. Defendant, DuBois Regional Medical Center is vicariously liable for the acts, commissions or omissions of said Defendant physicians as fully as though the aforementioned hospital performed the acts or omissions itself.

39. Defendant, Dubois Regional Medical Center failed to provide reasonable health care under the circumstances as follows:

- (a) In failing to obtain a comprehensive medical history;
- (b) In failing to properly diagnose Plaintiff cryptococcal meningitis;
- (c) In failing to order a spinal tap;
- (d) In failing to properly take into account Plaintiff's history of sarcoidosis;
- (e) In failing to timely order a lumbar puncture;

(f) In failing to inform Plaintiff of warning signs of cryptococcal meningitis;

40. As a direct and proximate result of the conduct set forth, Plaintiff has suffered as follows:

(a) Extended pain and suffering due to the failure to diagnose crypto coccal meningitis and treat her condition;

(b) Damage to her vision and various other injuries;

(c) Unnecessary medical bills;

(d) Mental anguish and upset;

(e) Lost of wages, future lost wages and has lost impairment of her earning capacity and power;

(f) Humiliation, embarassment and such other damages as are permitted by law;

WHEREFORE, Plaintiff claims damages from Defendant in excess of limits of arbitration.

COUNT III

PLAINTIFF VS. DEFENDANTS, RUSSELL E. CAMERON, M.D. AND GEORGE PALMER, JR., MD.

41. Plaintiff, Denette A. Douthit incorporates herein by reference each and every averment contained in paragraphs 1 through 40 as though same were fully set forth herein at length.

42. Defendants, Russell E. Cameron, M.D. and George Palmer, Jr., M.D. hold themselves out to be health care providers who possess skills and knowledge in their specialty, and hold themselves out to the public as so qualified.

43. Defendants, Russell E. Cameron, M.D. and George Palmer, Jr., M.D. failed to provide reasonable health care under the circumstances as follows:

- (a) In failing to obtain a comprehensive medical history;
- (b) In failing to properly diagnose Plaintiff cryptococcal meningitis;
- (c) In failing to order a spinal tap;
- (d) In failing to properly take into account Plaintiff's history of sarcoidosis;
- (e) In failing to timely order a lumbar puncture;
- (f) In failing to inform Plaintiff of warning signs of cryptococcal meningitis;

44. As a direct and proximate result of the conduct set forth, Plaintiff has suffered as follows:

- (a) Extended pain and suffering due to the failure to diagnose cryptococcal meningitis and treat her condition;
- (b) Damage to her vision and various other injuries;
- (c) Unnecessary medical bills;
- (d) Mental anguish and upset;
- (e) Lost of wages, future lost wages and has lost impairment of her earning capacity and power;
- (f) Humiliation, embarassement and such other damages as are permitted by law;

WHEREFORE, Plaintiff claims damages from Defendants in excess of limits of arbitration.

KATZ, COHEN & PRICE, P.C.

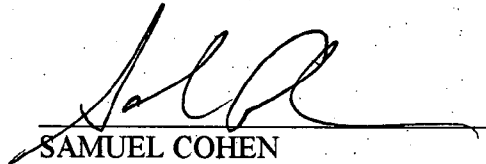
By:



SAMUEL COHEN

VERIFICATION

I, Samuel Cohen verify that I am counsel for Plaintiff named herein and that the averments of fact set forth in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I understand that this Verification is made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.


SAMUEL COHEN

Dated 5/27/07

KATZ, COHEN & PRICE, P.C.
By: SAMUEL COHEN, ESQUIRE
ATTORNEY I.D. NO.: 27544
117 SOUTH 17th STREET
SUITE 2010
PHILADELPHIA, PA 19103
(215) 636-0400

ATTORNEY FOR PLAINTIFF

DENETTE A. DOUTHIT

vs.

JENNIFER WINEBERG-ZEITLER, M.D.
And
DUBOIS REGIONAL MEDICAL CENTER
And
GEORGE PALMER, JR., M.D.
And
RUSSELL E. CAMERON, M.D.

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

FILED No. 1053-81
MAY 30 2003

William A. Shaw
Prothonotary

NO. 2003-00298-CD

CERTIFICATE OF MERIT AS TO JENNIFER WINEBERG-ZEITLER, M.D.

I, Samuel Cohen, certify that:

- ☒ an appropriate licensed professional has supplied a written statement to the undersigned that there is a basis to conclude that the care, skill or knowledge exercised or exhibited by this Defendant in the treatment, practice or work that is the subject of the Complaint, fell outside professional standards and that such conduct was a cause in bringing about the harm.
- ☐ the claim that this Defendant deviated from an acceptable professional standard is based solely on allegations that other licensed professionals for whom this Defendant is responsible deviated from an acceptable professional standard and an appropriate licensed professional has supplied a written statement to the undersigned that there is a basis to conclude that the care, skill or knowledge exercised or exhibited by the other licensed professionals in the treatment, practice or work that is the subject of the Complaint, fell outside acceptable professional standards and that such conduct was a cause in bringing about the harm.
- ☐ expert testimony of an appropriate licensed professional is unnecessary for prosecution of the claim against this Defendant.

KATZ, COHEN & PRICE, P.C.

By: 

SAMUEL COHEN

Dated 5/27/07

KATZ, COHEN & PRICE, P.C.
By: SAMUEL COHEN, ESQUIRE
ATTORNEY I.D. NO.: 27544
117 SOUTH 17th STREET
SUITE 2010
PHILADELPHIA, PA 19103
(215) 636-0400

ATTORNEY FOR PLAINTIFF

DENETTE A. DOUTHIT

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

JENNIFER WINEBERG-ZEITLER, M.D.
And
DUBOIS REGIONAL MEDICAL CENTER
And
GEORGE PALMER, JR., M.D.
And
RUSSELL E. CAMERON, M.D.

FILED NO CC
10:53 AM
MAY 30 2003

William A. Shaw
Prothonotary

NO. 2003-00298-CD

CERTIFICATE OF MERIT AS TO GEORGE PALMER, JR., M.D.

I, Samuel Cohen, certify that:

- ☒ an appropriate licensed professional has supplied a written statement to the undersigned that there is a basis to conclude that the care, skill or knowledge exercised or exhibited by this Defendant in the treatment, practice or work that is the subject of the Complaint, fell outside professional standards and that such conduct was a cause in bringing about the harm.
- ☐ the claim that this Defendant deviated from an acceptable professional standard is based solely on allegations that other licensed professionals for whom this Defendant is responsible deviated from an acceptable professional standard and an appropriate licensed professional has supplied a written statement to the undersigned that there is a basis to conclude that the care, skill or knowledge exercised or exhibited by the other licensed professionals in the treatment, practice or work that is the subject of the Complaint, fell outside acceptable professional standards and that such conduct was a cause in bringing about the harm.
- ☐ expert testimony of an appropriate licensed professional is unnecessary for prosecution of the claim against this Defendant.

KATZ, COHEN & PRICE, P.C.

By: 

SAMUEL COHEN

Dated 5/27/02

KATZ, COHEN & PRICE, P.C.
By: SAMUEL COHEN, ESQUIRE
ATTORNEY I.D. NO.: 27544
117 SOUTH 17th STREET
SUITE 2010
PHILADELPHIA, PA 19103
(215) 636-0400

ATTORNEY FOR PLAINTIFF

DENETTE A. DOUTHIT

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

JENNIFER WINEBERG-ZEITLER, M.D.
And
DUBOIS REGIONAL MEDICAL CENTER
And
GEORGE PALMER, JR., M.D.
And
RUSSELL E. CAMERON, M.D.

FILED ^{NO CC}
m/10.53 PM
MAY 30 2003

William A. Shaw
Prothonotary

NO. 2003-00298-CD

CERTIFICATE OF MERIT AS TO RUSSELL E. CAMERON, M.D.

I, Samuel Cohen, certify that:

- ☒ an appropriate licensed professional has supplied a written statement to the undersigned that there is a basis to conclude that the care, skill or knowledge exercised or exhibited by this Defendant in the treatment, practice or work that is the subject of the Complaint, fell outside professional standards and that such conduct was a cause in bringing about the harm.
- ☐ the claim that this Defendant deviated from an acceptable professional standard is based solely on allegations that other licensed professionals for whom this Defendant is responsible deviated from an acceptable professional standard and an appropriate licensed professional has supplied a written statement to the undersigned that there is a basis to conclude that the care, skill or knowledge exercised or exhibited by the other licensed professionals in the treatment, practice or work that is the subject of the Complaint, fell outside acceptable professional standards and that such conduct was a cause in bringing about the harm.
- ☐ expert testimony of an appropriate licensed professional is unnecessary for prosecution of the claim against this Defendant.

KATZ, COHEN & PRICE, P.C.

By:

SAMUEL COHEN

Dated 5/27/03

KATZ, COHEN & PRICE, P.C.
By: SAMUEL COHEN, ESQUIRE
ATTORNEY I.D. NO.: 27544
117 SOUTH 17th STREET
SUITE 2010
PHILADELPHIA, PA 19103
(215) 636-0400

ATTORNEY FOR PLAINTIFF

DENETTE A. DOUTHIT

vs.

JENNIFER WINEBERG-ZEITLER, M.D.
And
DUBOIS REGIONAL MEDICAL CENTER
And
GEORGE PALMER, JR., M.D.
And
RUSSELL E. CAMERON, M.D.

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

FILED
MAY 30 2003
10:53 AM
cc

William A. Shaw
Prothonotary

NO. 2003-00298-CD

CERTIFICATE OF MERIT AS TO DUBOIS REGIONAL MEDICAL CENTER

I, Samuel Cohen, certify that:

- ☐ an appropriate licensed professional has supplied a written statement to the undersigned that there is a basis to conclude that the care, skill or knowledge exercised or exhibited by this Defendant in the treatment, practice or work that is the subject of the Complaint, fell outside professional standards and that such conduct was a cause in bringing about the harm.
- ☒ the claim that this Defendant deviated from an acceptable professional standard is based solely on allegations that other licensed professionals for whom this Defendant is responsible deviated from an acceptable professional standard and an appropriate licensed professional has supplied a written statement to the undersigned that there is a basis to conclude that the care, skill or knowledge exercised or exhibited by the other licensed professionals in the treatment, practice or work that is the subject of the Complaint, fell outside acceptable professional standards and that such conduct was a cause in bringing about the harm.
- ☐ expert testimony of an appropriate licensed professional is unnecessary for prosecution of the claim against this Defendant.

KATZ, COHEN & PRICE, P.C.

By:


SAMUEL COHEN

Dated 5/27/03

KATZ, COHEN & PRICE, P.C.
By: SAMUEL COHEN, ESQUIRE
ATTORNEY I.D. NO.: 27544
117 SOUTH 17th STREET
SUITE 2010
PHILADELPHIA, PA 19103
(215) 636-0400

ATTORNEY FOR PLAINTIFF

DENETTE A. DOUTHIT

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

JENNIFER WINEBERG-ZEITLER, M.D.

And

DUBOIS REGIONAL MEDICAL CENTER

And

GEORGE PALMER, JR., M.D.

And

RUSSELL E. CAMERON, M.D.

NO. 2003-00298-CD

PRAECIPE TO SUBSTITUTE VERIFICATION

TO THE PROTHONOTARY:

Kindly substitute Samuel Cohen's Verification with that of Plaintiff's to Plaintiff's
Complaint which was filed with the Court on May 30, 2003.

KATZ, COHEN & PRICE, P.C.

By: 

SAMUEL COHEN

FILED

JUN 19 2003

William A. Shaw
Prothonotary

VERIFICATION

I, Denette A. Douthit verify that I am the Plaintiff named herein and that the averments of fact set forth in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I understand that this Verification is made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.



DENETTE A. DOUTHIT

Dated June 13, 2003

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DENETTE A. DOUTHIT,

Plaintiff,

Vs.

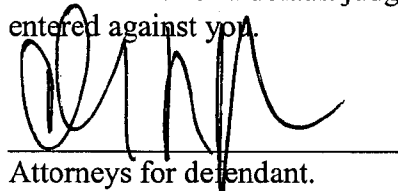
JENNIFER WINEBERG-ZEITLER,
DUBOIS REGIONAL MEDICAL
CENTER, GEORGE PALMER, JR.,
RUSSELL E. CAMERON, M.D.,

Defendants.

NOTICE TO PLEAD:

To: Plaintiff

You are hereby notified to file a written response to the enclosed ANSWER AND NEW MATTER within twenty (20) days of service hereof or a default judgment may be entered against you.


Attorneys for defendant.

CIVIL DIVISION

No. 2003-00298-CD

Issue No.

ANSWER AND NEW MATTER

Code: 007

Filed on behalf of DuBois Regional Medical Center, George Palmer, Jr., D.O., Russell E. Cameron, M.D., three of the defendants.

Counsel of Record for These Parties:

David R. Johnson, Esquire
PA I.D. #26409

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED

JUL 14 2003

William A. Shaw
Prothonotary

ANSWER AND NEW MATTER

NOW COMES, DuBois Regional Medical Center, George Palmer, Jr., D.O., Russell E. Cameron, M.D., three of the defendants, by their attorneys, Thomson, Rhodes & Cowie, P.C., and file the following answer and new matter in response to plaintiff's complaint.

ANSWER

1. Defendants are advised and therefore believe and aver that the Pennsylvania Rules of Civil Procedure do not require them to set forth their answers and defenses except as stated below.

2. If and to the extent that any factual averment in the complaint is not responded to in the paragraphs which follow, said allegation is denied for the reason that, after a reasonable investigation, these defendants lack sufficient information or knowledge upon which to form a belief as to the truth of the averments therein.

3. Each of the paragraphs of this answer should be read so as to incorporate by reference each of the other paragraphs of this answer.

4. The following paragraphs of the complaint are denied for the reason that, after a reasonable investigation, these defendants have insufficient information or

knowledge to form a belief as to the truth of the averments therein: 1, 11, 12, 13, 20, 21, 22, 27, 28, 29.

5. The following paragraphs of the complaint refer solely to other defendants for which reason no response is required: 2, 6, 32.

6. Paragraph 3 of the complaint is admitted in part and denied in part. The first sentence is admitted. With regard to the second sentence it is admitted that plaintiff is making the allegations specified. However, any statement, suggestion or implication that these allegations have merit is denied.

7. Paragraphs 4 and 5 of the complaint are denied as stated. Drs. Palmer and Cameron are emergency room physicians at DuBois Regional Medical Center. It is admitted that plaintiff is asserting a professional liability action, however, any statement, suggestion or implication that the action has any merit whatsoever is denied.

8. Paragraph 7 of the complaint is denied as stated. To the contrary, defendant is a non-profit healthcare institution located at the address specified in the complaint.

9. The following paragraphs of the complaint are admitted: 8, 9, 14, 16, 19, 36, 37, 42.

10. Paragraph 10 of the complaint is denied for the reason that, after a reasonable investigation, these defendants have insufficient information or knowledge to form a belief as to the truth of the averments therein, because the identity of the alleged agents, servants and/or employees of these defendants is not specified or disclosed, except with regard to Drs. Palmer and Cameron. As to Drs. Cameron and Palmer, agency is admitted.

11. Paragraphs 15, 17, 18, 23, 24, 25 and 26 of the complaint are denied for the reason that they incompletely, inaccurately and/or misleadingly describe events which occurred. While these paragraphs to some extent extract or reference words or phrases from the medical records, they do not reflect the context in which the notes were made and they ignore other words and phrases necessary to give fair meaning to the referenced language.

12. Paragraphs 31, 35, 41 of the complaint solely incorporate by reference other paragraphs, for which no separate response is required. However, to the extent that any additional response is deemed necessary, defendants incorporate by reference their answers to those paragraphs which have been incorporated by the plaintiff.

13. Paragraphs 33 (including sub-paragraphs (a) through (f)) and 34 (including sub-paragraphs (a) through (f)), pertain to another defendant, for which reason no response is required. However, if any response is deemed necessary, these paragraphs and sub-paragraphs are denied for the reason that, after a reasonable investigation, this

defendant has insufficient information or knowledge to form a belief as to the truth of the averments therein.

14. Paragraph 38 of the complaint constitutes a conclusion of law to which no further response is required.

15. Paragraphs 39 (including sub-paragraphs (a) through (f)), 40 (including sub-paragraphs (a) through (f)), 43 (including sub-paragraphs (a) through (f)), 44 (including sub-paragraphs (a) through (f)) of the complaint constitute conclusions of law to which no further response is required. However, if any response is deemed necessary, these paragraphs and sub-paragraphs are denied.

WHEREFORE, plaintiff's complaint should be dismissed and judgment should be entered in favor of these defendants.

NEW MATTER

16. In the absence of a special contract in writing, a healthcare provider is neither a warrantor nor a guarantor of a cure. This provision is pleaded as an affirmative defense insofar as there was no special contract in writing in this case.

17. These defendants plead the applicability of the Pennsylvania Comparative Negligence Statute as an affirmative defense.

18. While denying all negligence and all liability, these defendants aver that if they are found to have been negligent in any respect, any liability resulting therefrom would be diminished or barred by operation of the Pennsylvania Comparative Negligence Statute.

19. Plaintiff's complaint fails to state any cause of action against these defendants.

20. Defendants plead the doctrines of intervening and superseding causes as affirmative defenses.

21. Defendants plead "payment" as an affirmative defense to the extent that any amount less than the amount billed for medical services to the plaintiff after the alleged incident was accepted as payment in full.

22. Defendants are not liable for any pre-existing medical conditions which caused the claimed injuries and/or damages.

23. To the extent that evidence develops during discovery to demonstrate the application of the two schools of thought doctrine, defendants plead that doctrine as providing a complete defense for any alleged negligence and/or malpractice.

24. These defendants raise all affirmative defenses set forth or available as a result of the provisions of House Bill 1802 which became Pennsylvania law in 2002.

25. To the extent plaintiffs base their claim in whole or in part on any act occurring more than two years prior to the filing of the lawsuit, the claims are barred by the applicable statute of limitations, which is pleaded as an affirmative defense.

26. Defendants plead all applicable statutes of limitations as affirmative defenses.


27. If and to the extent that plaintiff's claims were not filed within the time limitations imposed by law, said lawsuit is barred by the applicable statutes of limitations.

WHEREFORE, plaintiff's complaint should be dismissed and judgment should be entered in favor of these defendants.

JURY TRIAL DEMANDED.

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.

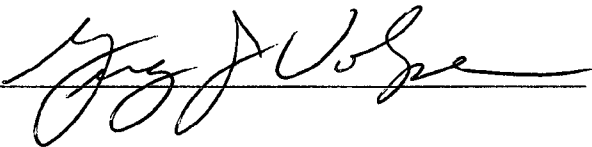
A handwritten signature in black ink, appearing to read 'DR Johnson', written over a horizontal line.

David R. Johnson, Esquire
Attorneys for DuBois Regional Medical Center,
George Palmer, Jr., D.O., Russell E. Cameron,
M.D., three of the defendants.

VERIFICATION

I, Greg J. Volpe in the capacity of
Director Risk Management at DuBois Regional Medical Center, have read the
foregoing ANSWER AND NEW MATTER. The statements therein are correct to the
best of my personal knowledge or information and belief.

This statement and verification is made subject to the penalties of 18 Pa. C.S.
§4904 relating to unsworn falsification to authorities, which provides that if I make
knowingly false averments I may be subject to criminal penalties.

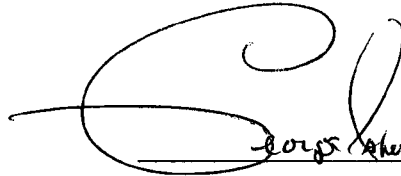


Date: 6.18.03

VERIFICATION

I, George Palmer, Jr., D.O., have read the foregoing ANSWER AND NEW MATTER. The statements therein are correct to the best of my personal knowledge or information and belief.

This statement and verification is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.


George Palmer, Jr.

Date: 6-16-03

VERIFICATION

I, Russell E. Cameron, M.D., have read the foregoing ANSWER AND NEW MATTER. The statements therein are correct to the best of my personal knowledge or information and belief.

This statement and verification is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.



Date: 6/16/03

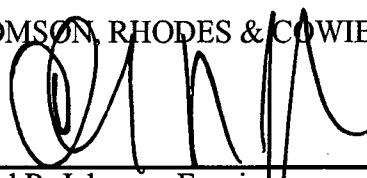
CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within ANSWER AND NEW
MATTER has been served upon the following counsel of record and same placed in the
U.S. Mails on this 17th day of July, 2003:

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 South 17th Street
Philadelphia, PA 19103-5020

Edward D. Klym, Esquire
Edward D. Klym & Associates
180 Fort Couch Road
Suite 265
Pittsburgh, PA 15241

THOMSON, RHODES & COWIE, P.C.



David R. Johnson, Esquire
Attorneys for DuBois Regional Medical
Center, George Palmer, Jr., D.O., Russell E.
Cameron, M.D., three of the defendants.

KATZ, COHEN & PRICE, P.C.
By: SAMUEL COHEN
ATTORNEY I.D. NO.: 27544
117 SOUTH 17th STREET
SUITE 2010
PHILADELPHIA, PA 19103
(215) 636-0400

ATTORNEY FOR PLAINTIFFS

DENETTE A. DOUTHIT
VS

JENNIFER WINEBERG-ZEITLER etal

: COURT OF COMMON PLEAS
:
:
: CLEARFIELD COUNTY
: PENNSYLVANIA
:
: No.: 2003-00298-CD
:
:

PLAINTIFF'S REPLY TO NEW MATTER OF DEFENDANTS DUBOIS
REGIONAL MEDICAL CENTER, GEORGE PALMER, Jr., D.O. and RUSSELL E.
CAMERON

16-27. Denied. The averments contained in these paragraphs constitute conclusions of law for which no response is required under and pursuant to the Pennsylvania Rules of Civil Procedure.

WHEREFORE, Plaintiff prays this honorable court deny the New Matter of

FILED

AUG 18 2003

William A. Shaw
Prothonotary/Clerk of Courts

Defendants and enter judgement in her favor and against Defendants.

KATZ, COHEN & PRICE

A handwritten signature in black ink, appearing to be 'S. Cohen', written over a horizontal line.

BY: SAMUEL COHEN

VERIFICATION

I, SAMUEL COHEN, verify that I am the attorney for Plaintiff, Denette A. Douthit, named herein, and that the averments of fact set forth in the foregoing **PLAINTIFF'S REPLY TO NEW MATTER OF DEFENDANTS DUBOIS REGIONAL MEDICAL CENTER, GEORGE PALMER, Jr., D.O. and RUSSELL E. CAMERON** are true and correct to the best of my knowledge, information and belief. I understand that this Verification is made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.



SAMUEL COHEN

Date: 8/25/03

CERTIFICATION OF SERVICE

I, Samuel Cohen, certify that a true and correct copy of the within **PLAINTIFF'S**
REPLY TO NEW MATTER OF DEFENDANTS DUBOIS REGIONAL MEDICAL
CENTER, GEORGE PALMER, Jr., D.O. and RUSSELL E. CAMERON was

forwarded via regular mail through the United States Postal Service on August 15, 2003 to:

David R. Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, Pennsylvania 15219-3499

Edward D. Klym, Esquire
Edward D. Klym & Associates
180 Fort Couch Road
Suite 265
Pittsburgh, PA 15241

KATZ, COHEN & PRICE, P.C.


A handwritten signature in black ink, appearing to read 'S. Cohen', is written over a horizontal line.

SAMUEL COHEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

DENETTE A. DOUTHIT,

Plaintiff,

v.

JENNIFER WINEBERG-ZEITLER, M.D.;
DUBOIS REGIONAL MEDICAL CENTER;
GEORGE PALMER, JR., M.D.; and
RUSSELL E. CAMERON, M.D.,

Defendants.

CIVIL DIVISION

No. 2003-00298-CD

ANSWER TO PLAINTIFF'S COMPLAINT

JURY TRIAL DEMANDED

Filed on behalf of Defendant,
Jennifer Wineberg-Zeitler, M.D.

Counsel of record for this party:

Edward D. Klym, Esquire
PA ID 29923

EDWARD D. KLYM & ASSOCIATES
180 Fort Couch Road, Suite 265
Pittsburgh, PA 15241-1041

Telephone: (412) 835-4020
Fax: (412) 835-1251

FILED

NOV 24 2003

William A. Shaw
Prothonotary/Clerk of Courts

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA**

DENETTE A. DOUTHIT,)	CIVIL DIVISION
)	
<i>Plaintiff,</i>)	No. 2003-00298-CD
v.)	
)	
JENNIFER WINEBERG-ZEITLER, M.D.;)	
DUBOIS REGIONAL MEDICAL CENTER;)	
GEORGE PALMER, JR., M.D.; and)	
RUSSELL E. CAMERON, M.D.,)	
)	
<i>Defendants.</i>)	

ANSWER TO PLAINTIFF'S COMPLAINT

AND NOW, comes the Defendant, Jennifer Wineberg-Zeitler, M.D., by and through her attorneys, Edward D. Klym, Esquire and EDWARD D. KLYM & ASSOCIATES, and files the following Answer to Plaintiff's Complaint:

1. The allegations of Paragraphs 6 and 32 are admitted.
2. In answer to Paragraphs 11, 14, 15, 16, 17, 18, 19, 23, 24, 25 and 30, after reasonable investigation, this Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained therein, and accordingly, the same are denied with strict proof thereof demanded at the time of trial.
3. In answer to Paragraphs 12, 13, 20, 21, 22, 27, 28 and 29, said paragraphs are denied as stated for the reason that they incompletely describe events which occurred. While these paragraphs may, to some extent, extract or

reference words from the medical records, they do not reflect the context in which the notes were made and ignore other words and phrases necessary to give fair meaning to the reference language.

4. In answer to Paragraphs 33 and 34, this Defendant is advised and believes that all allegations of negligence, causation of injury and damages are deemed denied by the virtue of the Pennsylvania Rules of Civil Procedure. It is further averred that this Defendant provided proper treatment within the applicable standard of care at all times.

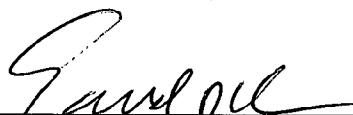
5. In answer to Paragraphs 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44, this Defendant is advised that said paragraphs apply to the Co-Defendants, and accordingly, they are denied by this Defendant.

WHEREFORE, Defendant, Jennifer Wineberg-Zeitler, M.D., denies liability to the Plaintiff and requests that this Honorable Court enter judgment in her favor and against Plaintiff.

Respectfully submitted,

EDWARD D. KLYM & ASSOCIATES

By:



Edward D. Klym, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

DENETTE A. DOUTHIT,

Plaintiff,

v.

JENNIFER WINEBERG-ZEITLER, M.D.;
DUBOIS REGIONAL MEDICAL CENTER;
GEORGE PALMER, JR., M.D.; and
RUSSELL E. CAMERON, M.D.,

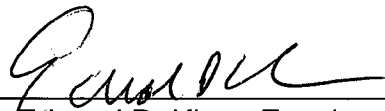
Defendants.

) CIVIL DIVISION
)
) No. 2003-00298-CD
)
)
)
)
)
)
)

VERIFICATION

I, Edward D. Klym, Esquire, counsel for Defendant, Jennifer Weinberg-Zeitler, M.D., state that the averments of fact set forth in the foregoing Answer to Plaintiff's Complaint are true and correct to the best of my knowledge, information and belief.

I understand that the statements therein are made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities.



Edward D. Klym, Esquire

Date: _____

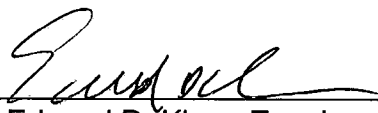
11-20-09

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing ANSWER TO PLAINTIFF'S COMPLAINT has been served upon counsel as listed below via first class, United States mail, postage prepaid at Pittsburgh, Pennsylvania, this 20th day of November, 2003.

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 S. 17th Street
Philadelphia, PA 19103
(Counsel for Plaintiff)

David Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, PA 15219-3499
(Counsel for Defendants, DuBois Regional Medical Center; George Palmer, M.D.; and Russell E. Cameron, M.D.)



Edward D. Klym, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

DENETTE A. DOUTHIT,

Plaintiff,

v.

JENNIFER WINEBERG-ZEITLER, M.D.;
DUBOIS REGIONAL MEDICAL CENTER;
GEORGE PALMER, JR., M.D.; and
RUSSELL E. CAMERON, M.D.,

Defendants.

CIVIL DIVISION

No. 2003-00298-CD

**NOTICE OF SERVICE OF
INTERROGATORIES DIRECTED
TO PLAINTIFF**

JURY TRIAL DEMANDED

Filed on behalf of Defendant,
Jennifer Wineberg-Zeitler, M.D.

Counsel of record for this party:

Edward D. Klym, Esquire
PA ID 29923

EDWARD D. KLYM & ASSOCIATES
180 Fort Couch Road, Suite 265
Pittsburgh, PA 15241-1041

Telephone: (412) 835-4020
Fax: (412) 835-1251

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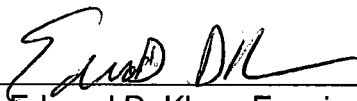
William A. Shaw
Prothonotary/Clerk of Courts

NOTICE OF SERVICE OF INTERROGATORIES DIRECTED TO PLAINTIFF

TO: William A. Shaw, Prothonotary
Clearfield County Courthouse
P. O. Box 549
Clearfield, PA 16830

PLEASE TAKE NOTICE that Interrogatories Directed to Plaintiff were mailed by first class United States mail, postage prepaid at Pittsburgh, Pennsylvania to Plaintiff's counsel, Samuel Cohen, Esquire, Katz, Cohen & Price, P.C., Suite 2010, 117 S. 17th Street, Philadelphia, PA 19103, this 5 day of December, 2003.

EDWARD D. KLYM & ASSOCIATES

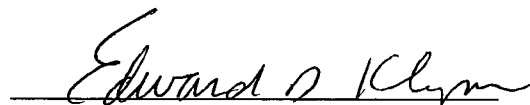
By: 
Edward D. Klym, Esquire

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Notice of Service of Interrogatories Directed to Plaintiff has been served upon counsel as listed below via first class, United States mail, postage prepaid at Pittsburgh, Pennsylvania, this 5th day of December, 2003.

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 S. 17th Street
Philadelphia, PA 19103
(Counsel for Plaintiff)

David Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, PA 15219-3499
(Counsel for Defendants, DuBois Regional Medical Center; George Palmer, M.D.; and Russell E. Cameron, M.D.)


Edward D. Klym, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DENETTE A. DOUTHIT,

Plaintiff,

vs.

JENNIFER WINEBERG-ZEITLER,
DUBOIS REGIONAL MEDICAL
CENTER, GEORGE PALMER, JR.,
RUSSELL E. CAMERON, M.D.,

Defendants.

CIVIL DIVISION

No. 2003-00298-CD

Issue No.

REQUEST TO PLAINTIFF FOR
PRODUCTION OF EXPERT REPORTS

Code: 007

Filed on behalf of DuBois Regional Medical
Center, George Palmer, Jr., D.O., Russell E.
Cameron, M.D., three of the defendants.

Counsel of Record for These Parties:

David R. Johnson, Esquire
PA I.D. #26409

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED

APR 26 2004

ml/1:201w
William A. Shaw
Prothonotary
w/c C/L

REQUEST TO PLAINTIFF FOR PRODUCTION OF EXPERT REPORTS

NOW COME DuBois Regional Medical Center, George Palmer, Jr., D.O., Russell E. Cameron, M.D., three of the defendants, by their attorneys, Thomson, Rhodes & Cowie, P.C., and file the following requests to plaintiff for production of expert reports required by Rule 1042.28(a)(1) of the Pennsylvania Rules of Civil Procedure.

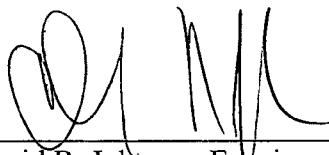
TO: Denette A. Douthit

FROM: DuBois Regional Medical Center, George Palmer, Jr., D.O., Russell E. Cameron, M.D.

Pursuant to Pennsylvania Rule of Civil Procedure 1042.28(b) you are requested within 180 days of service of this request to furnish to me, attorney for the defendants above named, expert reports summarizing the expert testimony that you will offer to support the claims of professional negligence that you have made against the defendants above named. You are required to serve copies of all expert reports on all other parties.

Dated: _____

4/23/04



David R. Johnson, Esquire

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within REQUEST TO
PLAINTIFF FOR PRODUCTION OF EXPERT REPORTS has been served upon the
following counsel of record and same placed in the U.S. Mails on this 23rd day of

Jan., 2004:

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 South 17th Street
Philadelphia, PA 19103-5020

Edward D. Klym, Esquire
Edward D. Klym & Associates
180 Fort Couch Road
Suite 265
Pittsburgh, PA 15241

THOMSON, RHODES & COWIE, P.C.



David R. Johnson, Esquire
Attorneys for DuBois Regional Medical
Center, George Palmer, Jr., D.O., Russell E.
Cameron, M.D., three of the defendants.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

DENETTE A. DOUTHIT,

Plaintiff,

v.

JENNIFER WINEBERG-ZEITLER, M.D.;
DUBOIS REGIONAL MEDICAL CENTER;
GEORGE PALMER, JR., M.D.; and
RUSSELL E. CAMERON, M.D.,

Defendants.

CIVIL DIVISION

No. 2003-00298-CD

**REQUEST TO PLAINTIFF FOR
PRODUCTION OF EXPERT REPORTS**

JURY TRIAL DEMANDED

Filed on behalf of Defendant,
Jennifer Wineberg-Zeitler, M.D.

Counsel of record for this party:

Edward D. Klym, Esquire
PA ID 29923

EDWARD D. KLYM & ASSOCIATES
180 Fort Couch Road, Suite 265
Pittsburgh, PA 15241-1041

Telephone: (412) 835-4020
Fax: (412) 835-1251

FILED

MAY 03 2004

William A. Shaw
Prothonotary/Clerk of Courts

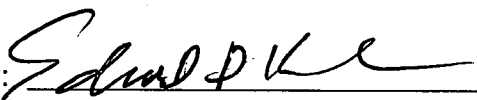
REQUEST TO PLAINTIFF FOR PRODUCTION OF EXPERT REPORTS

AND NOW, comes the Defendant, Jennifer Wineberg-Zeitler, M.D., by and through her attorneys, Edward D. Klym, Esquire and Edward D. Klym & Associates, and files the following request to Plaintiff for production of expert reports required by Rule 1042.28(a)(1) of the Pennsylvania Rules of Civil Procedure.

TO: Denette A. Douthit
FROM: Jennifer Wineberg-Zeitler, M.D.

Pursuant to Pennsylvania Rule of Civil Procedure 1042.28(b), you are requested within 180 days of service of this request to furnish to me, attorney for Defendant, Jennifer Wineberg-Zeitler, M.D., above named, expert reports summarizing the expert testimony that you will offer to support the claims of professional negligence that you have made against Defendant, Jennifer Wineberg-Zeitler, M.D. You are required to serve copies of all expert reports on all other parties.

EDWARD D. KLYM & ASSOCIATES

By: 
Edward D. Klym, Esquire
Attorneys for Defendant,
Jennifer Wineberg-Zeitler, M.D.

Dated: 4-29-04

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

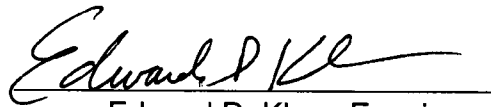
DENETTE A. DOUTHIT,)	CIVIL DIVISION
)	
Plaintiff,)	No. 2003-00298-CD
)	
v.)	
JENNIFER WINEBERG-ZEITLER, M.D.;)	
DUBOIS REGIONAL MEDICAL CENTER;)	
GEORGE PALMER, JR., M.D.; and)	
RUSSELL E. CAMERON, M.D.,)	
)	
Defendants.)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Request to Plaintiff for Production of Expert Reports has been served upon counsel as listed below via first class, United States mail, postage prepaid at Pittsburgh, Pennsylvania, this 29th day of April, 2004.

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 S. 17th Street
Philadelphia, PA 19103
(Counsel for Plaintiff)

David R. Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, PA 15219-3499
(Counsel for Defendants, DuBois Regional Medical Center; George Palmer, Jr., D.O.; and Russell E. Cameron, M.D.)


Edward D. Klym, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

DENETTE A. DOUTHIT,

Plaintiff,

v.

JENNIFER WINEBERG-ZEITLER, M.D.;
DUBOIS REGIONAL MEDICAL CENTER;
GEORGE PALMER, JR., M.D.; and
RUSSELL E. CAMERON, M.D.,

Defendants.

CIVIL DIVISION

No. 2003-00298-CD

NOTICE OF DEPOSITION OF PLAINTIFF

JURY TRIAL DEMANDED

Filed on behalf of Defendant,
Jennifer Wineberg-Zeitler, M.D.

Counsel of record for this party:

Edward D. Klym, Esquire
PA ID 29923

EDWARD D. KLYM & ASSOCIATES
180 Fort Couch Road, Suite 265
Pittsburgh, PA 15241-1041

Telephone: (412) 835-4020
Fax: (412) 835-1251

FILED

MAY 24 2004

William A. Shaw
Prothonotary/Clerk of Courts

NOTICE OF DEPOSITION OF PLAINTIFF

TO: Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 S. 17th Street
Philadelphia, PA 19103

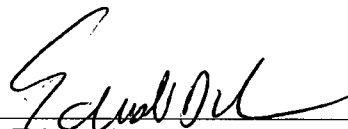
David R. Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, PA 15219-3499

TAKE NOTICE that the deposition of Plaintiff, Denette A. Douthit, will be taken for the purpose of discovery, pursuant to applicable Rules of Civil Procedure, before a Notary Public authorized by law to administer oaths, on the 19th day of August, 2004 at 10:00 a.m., at the DuBois Regional Medical Center, 100 Hospital Avenue, DuBois, PA 15801, at which time and place you are invited to appear and take such part as shall be fitting and proper.

The scope and purpose of this deposition is to inquire into the facts, causes and results of the incident in suit, including the identity and whereabouts of witnesses.

EDWARD D. KLYM & ASSOCIATES

By: _____



Edward D. Klym, Esquire
Attorneys for Defendant,
Jennifer Wineberg-Zeitler, M.D.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

DENETTE A. DOUTHIT,)	CIVIL DIVISION
)	
<i>Plaintiff,</i>)	No. 2003-00298-CD
)	
v.)	
JENNIFER WINEBERG-ZEITLER, M.D.;)	
DUBOIS REGIONAL MEDICAL CENTER;)	
GEORGE PALMER, JR., M.D.; and)	
RUSSELL E. CAMERON, M.D.,)	
)	
<i>Defendants.</i>)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Notice of Deposition of Plaintiff has been served upon counsel as listed below via first class, United States mail, postage prepaid at Pittsburgh, Pennsylvania, this 20th day of May, 2004.

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 S. 17th Street
Philadelphia, PA 19103
(Counsel for Plaintiff)

David R. Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, PA 15219-3499
(Counsel for Defendants, DuBois Regional Medical Center; George Palmer, Jr., D.O.; and Russell E. Cameron, M.D.)



Edward D. Klym, Esquire

68

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA**

CIVIL DIVISION

DENETTE A. DOUTHIT

VS

JENNIFER WINEBERG-ZEITLER etal

No.: 2003-00298-CD

Type of Action: Civil

Type of Pleading: Motion for Establishment
of Case Management
Deadlines Pursuant to
Pennsylvania Rule of
Civil Procedure 1042.26

Filed on Behalf of: Denette A. Douthit
(Plaintiff)

Counsel of Record for this Party:
Samuel Cohen ID# 27544
Katz, Cohen & Price, P.C.
Suite 2010
117 S. 17th Street
Philadelphia, PA 19103
(215) 636-0400

FILED No
m/ja:881 cc
JUL 19 2004
William A. Shaw
Prothonotary/Clerk of Courts

KATZ, COHEN & PRICE, P.C.
By: SAMUEL COHEN
ATTORNEY I.D. NO.: 27544
117 SOUTH 17th STREET
SUITE 2010
PHILADELPHIA, PA 19103
(215) 636-0400

ATTORNEY FOR PLAINTIFFS

DENETTE A. DOUTHIT : COURT OF COMMON PLEAS
VS :
: CLEARFIELD COUNTY
JENNIFER WINEBERG-ZEITLER etal : PENNSYLVANIA
: No.: 2003-00298-CD

ORDER

AND NOW to WIT, this 20th day of *July*, 2004, a Case Management
Deadline is hereby ENTERED in this matter providing that the expert reports of Plaintiff
shall be due within 180 days after the deposition of the last of the 3 named Defendants herein.

BY THE COURT:

Frederick J. Ammerman
AMMERMAN, P. J.

FILED

JUL 20 2004 *(File)*

William A. Shaw
Prothonotary/Clerk of Courts

KATZ, COHEN & PRICE, P.C.
By: SAMUEL COHEN
ATTORNEY I.D. NO.: 27544
117 SOUTH 17th STREET
SUITE 2010
PHILADELPHIA, PA 19103
(215) 636-0400

ATTORNEY FOR PLAINTIFFS

DENETTE A. DOUTHIT
VS

: COURT OF COMMON PLEAS
:
:
:
: CLEARFIELD COUNTY
: PENNSYLVANIA
:
: No.: 2003-00298-CD

JENNIFER WINEBERG-ZEITLER etal

MOTION FOR ESTABLISHMENT OF CASE MANAGEMENT DEADLINES

PURSUANT TO PENNSYLVANIA RULE OF CIVIL PROCEDURE 1042.26

COMES NOW, Plaintiff Denette Douthit by her counsel, Katz, Cohen & Price, and desiring to have the Court enter an ORDER establishing Case Management Deadlines in accordance with Pennsylvania Rule of Civil Procedure 1042.26 avers in support thereof the following:

1. The within matter involves a claim for personal injuries sustained as a result of alleged professional medical negligence.

2. On or about April 23, 2004, counsel for Defendants George Palmer Jr., Russell E. Cameron, M.D. and DuBois Regional Medical Center forwarded a request to

Plaintiff for Production of Expert Reports. A true and correct copy of this transmittal letter is attached hereto made part hereof and marked Exhibit "1". A true and correct copy of the Request is attached hereto made part hereof and marked Exhibit "2".

3. Counsel for Defendant Jennifer Wineberg- Zeitler has filed a similar request to Plaintiff for Production of expert reports, however, said counsel has agreed to a reasonable extension of time for the response to the request to Plaintiff for Production of Expert Reports.

4. Immediately upon receipt of the Request for the production of Documents, Counsel for Plaintiff attempted to schedule the depositions of the various Defendants in this matter in an effort to comply with the 180 day time limit.

5. Because of the schedules of counsel and the parties, as well as various other matters the various depositions were scheduled for August 18 and 19, 2004. A true and correct copy of a letter from counsel for Defendant Jennifer Wineberg-Zeitler dated April 27, 2004 is attached hereto made part hereof and marked Exhibit "3" which reflects the fact that counsel for Plaintiff attempted to schedule the deposition of the mailing of the Request for Production of Documents and further reflecting the scheduling problems of counsel for Defendant Jennifer Weinberg-Zeitler.

6. The first dates available for Dr. Wineberg-Zeitler to be deposed are August 18 or August 25, 2004. A true and correct copy of the letter dated May 4, 2004 from counsel

for Plaintiff reflecting same is attached hereto, made part hereof and marked Exhibit "4".

7. After scheduling the deposition of Defendant Wineberg-Zeitler and Plaintiff for August 18 and 19, 2004 as reflected in correspondence dated May 19, 2004 from counsel for said Defendant, a true and correct copy of which is attached hereto, made part hereof and marked Exhibit "5", counsel for the remaining Defendants wrote to counsel for Plaintiff on June 2, 2004 and indicated that he was not available to attend depositions on one of the dates selected.

8. These depositions are necessary in order to secure the expert reports which are the subject of the Request for the Production of Documents, however, the depositions have not yet been scheduled despite the best efforts of counsel for Plaintiff.

9. Counsel for Plaintiff has diligently attempted to schedule the depositions of the Defendants in this matter, however, he has been unsuccessful to date.

10. Plaintiff will be greatly prejudiced if the Deadlines are not extended by the Court, however, no prejudice will inure to Defendants if the deadline is extended because this matter has not been certified to the Trial List.

11. Plaintiff requests that the 180 day requirement for a Response for Production of Documents not commence until all of the Defendants are produced for Deposition.

12. Pennsylvania Rule of Civil Procedure 1042.26 provides that the Court has the power to enter a Case Management Order which would alter the deadlines established. Pennsylvania Rule of Civil Procedure for the service of an expert report within 6 months after

a request is made pursuant to Rule 1042.28.

13. Plaintiff respectfully suggests to the Court that the 180 days begins to run after the last of the 3 named Defendant physicians are deposed.

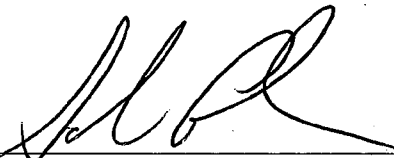
14. Counsel for Plaintiff represents to the Court that all good faith efforts have been are being and will be made to schedule the Defendants' depositions at the earliest possible date and further represents that he will make his principal available for deposition.

15. Plaintiff believes that the proposed Case Management Order will permit this matter to proceed expeditiously while at the same time permitting courtesies to be extended to all parties and counsel.

WHEREFORE, Plaintiff prays this Honorable Court enter the attached Order pursuant to Pennsylvania Rule of Civil Procedure 1042.26.

KATZ, COHEN & PRICE

BY:



SAMUEL COHEN

DATED: 7/15/04

EXHIBIT "1"

THOMSON, RHODES & COWIE, P.C.

Attorneys At Law

TWO CHATHAM CENTER, TENTH FLOOR
PITTSBURGH, PENNSYLVANIA 15219-3499

Facsimile (412) 232-3498
www.trc-law.com

Writer's Direct Dial
(412) 316-8662

E-mail: drj@trc-law.com

David R. Johnson

April 23, 2004

Denette A. Douthit v. Jennifer Wineberg-Zeitler, DuBois Regional Medical Center, George Palmer, Jr., Russell E. Cameron, M.D. In the Court of Common Pleas of Clearfield County, Pennsylvania. Civil Division No. 2003-00298-CD. Our File No. 13127.

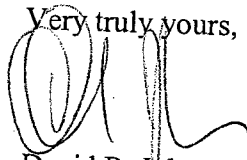
Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 South 17th Street
Philadelphia, PA 19103-5020

Dear Mr. Cohen:

Enclosed is request to plaintiff for production of expert reports, the original of which is being filed with the Prothonotary.

Thank you.

Very truly yours,



David R. Johnson

DRJ/pko
Enclosure

cc: Edward D. Klym, Esquire
(w/enclosure)

EXHIBIT "1"

EXHIBIT "2"

REQUEST TO PLAINTIFF FOR PRODUCTION OF EXPERT REPORTS

NOW COME DuBois Regional Medical Center, George Palmer, Jr., D.O., Russell E. Cameron, M.D., three of the defendants, by their attorneys, Thomson, Rhodes & Cowie, P.C., and file the following requests to plaintiff for production of expert reports required by Rule 1042.28(a)(1) of the Pennsylvania Rules of Civil Procedure.

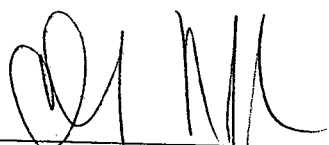
TO: Denette A. Douthit

FROM: DuBois Regional Medical Center, George Palmer, Jr., D.O., Russell E. Cameron, M.D.

Pursuant to Pennsylvania Rule of Civil Procedure 1042.28(b) you are requested within 180 days of service of this request to furnish to me, attorney for the defendants above named, expert reports summarizing the expert testimony that you will offer to support the claims of professional negligence that you have made against the defendants above named. You are required to serve copies of all expert reports on all other parties.

Dated: _____

4/23/04



David R. Johnson, Esquire

EXHIBIT "3"

EDWARD D. KLYM & ASSOCIATES

April 27, 2004

VIA FACSIMILE TRANSMISSION
AND FIRST CLASS MAIL

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 S. 17th Street
Philadelphia, PA 19103

Re: Denette A. Douthit v. Jennifer Wineberg-Zeitler, M.D.;
DuBois Regional Medical Center; George Palmer, M.D.;
and Russell E. Cameron, M.D.
Court of Common Pleas of Clearfield County, Pennsylvania
Docket No. 2003-00298-CD
Your File No. 5401
Our File No. 2513 K

Dear Mr. Cohen:

Thank you for your fax of April 27, 2004. I would like to arrange for the depositions you suggested as well as scheduling the deposition of the Plaintiff.

However, I have a very lengthy trial scheduled to begin on May 3, 2004 in Pittsburgh. In addition, I have two additional medical malpractices cases scheduled for trial for May 25 and June 15. Therefore, it is impossible for me to commit to any of the dates in May or June suggested in your letter.

I will get in touch with Dr. Weinberg-Zeitler and attempt to provide you with dates in July or August for her deposition. Hopefully, we can get together and schedule the three depositions that you have requested plus the Plaintiff's deposition as well.

I will be in touch with you and Mr. Johnson very shortly.

Very truly yours,



Edward D. Klym

EDK:veb

cc: David R. Johnson, Esquire

EXHIBIT "3"

EXHIBIT "4"

LAW OFFICES

KATZ, COHEN & PRICE, P.C.

SUITE 2010

117 S. 17TH STREET

PHILADELPHIA, PA 19103

215-636-0400

FAX 215-636-0403

E-MAIL KCPATTORNEYS@AOL.COM

123A WEST CLEMENTS BRIDGE ROAD

BARRINGTON, N.J. 08007

856-547-4201

FAX 856-547-1710

SAMUEL COHEN

MICHAEL G. PRICE*

*PA AND NJ BAR

SAMUEL C. KATZ

OF COUNSEL

May 4, 2004

David R. Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, Pennsylvania 15219-3499
Fax: (412) 232-3498

Re: Denette A. Douthit

v

Jennifer Wineberg-Zeitler et al
CCP Clearfield County
No.: 2003-00298-CD

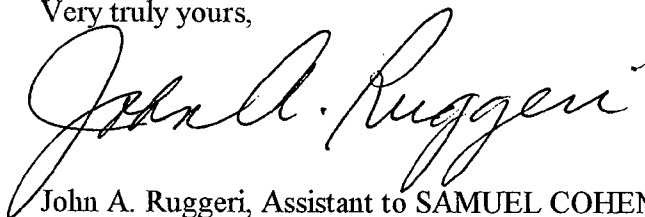
Dear Mr. Johnson:

Our office was informed today by Attorney Klym's office, that Dr. Jennifer Wineberg-Zeitler is available to be deposed on either Wednesday August 18, 2004 or August 25, 2004 commencing at 10:00a.m. We were further advised that it would be convenient to hold these depositions at DuBois Regional Medical Center.

Please check with your principals and kindly advise our office if they are also available on the dates, times and locations proposed. These dates and times are currently available for Mr. Cohen.

Thank you for your cooperation.

Very truly yours,



John A. Ruggeri, Assistant to SAMUEL COHEN

JAR/jar

cc: Edward D. Klym, Esquire via Fax: (412) 835-1251.

EXHIBIT "4"

EXHIBIT "5"

EDWARD D. KLYM & ASSOCIATES

May 19, 2004

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
117 S. 17th Street, Suite 2010
Philadelphia, PA 19103

Re: Denette A. Douthit v. Jennifer Wineberg-Zeitler, M.D.;
DuBois Regional Medical Center; George Palmer, M.D.;
and Russell E. Cameron, M.D.
Court of Common Pleas of Clearfield County, Pennsylvania
Docket No. 2003-00298-CD
Your File No. 5401
Our File No. 2513 K

Dear Mr. Cohen:

I am writing in follow-up to our recent telephone conversation regarding the above matter. As we discussed, we will plan to take the deposition of Dr. Jennifer Wineberg-Zeitler on Wednesday, August 18 at 10:00 a.m. We can use Dr. Wineberg-Zeitler's office if you like, or she would also be willing to give her deposition at the DuBois Hospital.

In addition, I am enclosing a Notice of Deposition scheduling the deposition of Plaintiff, Denette Douthit, for Thursday, August 19 at 10:00 a.m. at the hospital.

As we discussed, we will save the afternoon of Wednesday, August 18, for the possible scheduling of the Co-Defendants' depositions, if that is acceptable with Mr. Johnson. If Mr. Johnson or his clients have a problem with that date, I would like to take the Plaintiff's deposition on the afternoon of August 18. I assume that your client will be flexible in this regard. By copy of this letter, I am advising Mr. Johnson of our discussions, and hopefully we will accomplish some depositions on August 18 and 19.

I would request that you or Mr. Johnson contact me should you have any questions.

Very truly yours,


Edward D. Klym

EDK:veb
Enclosure

cc: David R. Johnson, Esquire

EXHIBIT "5"

KATZ, COHEN & PRICE, P.C.
By: SAMUEL COHEN
ATTORNEY I.D. NO.: 27544
117 SOUTH 17th STREET
SUITE 2010
PHILADELPHIA, PA 19103
(215) 636-0400

ATTORNEY FOR PLAINTIFFS

DENETTE A. DOUTHIT	:	COURT OF COMMON PLEAS
VS	:	
	:	CLEARFIELD COUNTY
JENNIFER WINEBERG-ZEITLER etal	:	PENNSYLVANIA
	:	
	:	No.: 2003-00298-CD

MEMORANDUM OF LAW

I-STATEMENT OF FACTS

The within Matter involves a claim for personal injuries sustained by Plaintiff Denette Douthit as a result of alleged professional negligence on the parts of the various Defendants. Defendant Jennifer Wineberg-Zeitler was the Plaintiff's family physician at the time of the incident and Defendants Palmer and Cameron saw Plaintiff in the emergency room of Defendants DuBois Regional Medical Center. The principal allegations of negligence against the various Defendants is a failure to promptly and properly diagnose the Plaintiff's medical condition, meningitis.

On April 23, 2004, counsel for Defendants forwarded to counsel a Request for

Production of Expert Reports in accordance with Pennsylvania Rule Civil Procedure 1042-28(b). (Please see Exhibits "1" and "2").

Counsel for Plaintiff immediately attempted to schedule the depositions of the Defendants in this matter, however, he received a letter dated April 27, 2004 from counsel for Defendant Jennifer Wineberg-Zeitler indicating that he was unavailable for deposition in May or June. Counsel for Plaintiff has a preplanned prepaid trip scheduled from July 21, 2004 through August 11, 2004 to China as part of his teaching work at Drexel University in Philadelphia and is unavailable for depositions during that time.

An effort was made to schedule depositions on August 18 and 19, 2004, however, counsel for Defendants DuBois Regional Medical Center, George Palmer, MD. and Russell E. Cameron, MD was unavailable.

Dr. Jennifer Wineberg-Zeitler has indicated that because of her professional responsibilities, she is only available on Wednesdays for deposition.

Because of the various scheduling conflicts, the depositions have still not been scheduled.

Plaintiff and counsel for Plaintiff recognize the importance of the work of the various Defendants and do not wish to compel them to appear for deposition at a time which might conflict with their professional obligations. Thus, Plaintiff files this Motion seeking to have the Court enter a Management Order which will accommodate the parties and assure that all parties will have their rights protected.

II-LEGAL ARGUMENT

On March 29, 2004, the Supreme Court of Pennsylvania promulgated a number of new rules pertaining to medical professional liability actions. Among the new rules is Rule 1042.28 which permits a Defendant to serve upon a Plaintiff a Request for Production of an Expert Report within 180 days after service:

(a) (1) A defendant against whom a claim of professional negligence has been made may serve on a plaintiff making that claim a Defendant's Request to Plaintiff for Production of Expert Reports. The request shall be substantially in the form prescribed by Rule 1042.36...

(b) A plaintiff to whom a request has been made under subdivision (a) shall, within one hundred eighty days after service of the request, furnish to the requesting party expert reports summarizing the expert testimony that will be offered by that plaintiff to support the claims of professional negligence made by that plaintiff against the requesting party.

Pennsylvania Rule of Civil Procedure 1042.31 provides that the Court may extend the time in which Plaintiff is required to provide a report if the Plaintiff is acting with "reasonable diligence":

(a) A party who has not received an expert report required to be produced under these rules may upon motion obtain a court order compelling the production of the report. In ruling on the motion, the court shall consider the complexity of the case, the diligence of the parties in making and responding to discovery requests, and other relevant factors. A party who has proceeded with reasonable diligence shall be given a reasonable time in which to complete necessary discovery and to produce an expert report.

In the case at bar, Plaintiff has attempted to act with due diligence as set forth above.

Within a few days of receiving Defendants' Requests for Production of the Expert Reports, counsel for Plaintiff began attempting to schedule the depositions of the various Defendants. Despite numerous telephone calls and considerable correspondence, those depositions have not been scheduled because of the calendars of the various Defendants and counsel. Under the circumstances, it would be reasonable for the court to extend the time for Plaintiff to provide the required expert report(s).

Pennsylvania Rule of Civil Procedure 1042.26 provides a mechanism under which the court can manage the cases under its jurisdiction. Pennsylvania Rule of Civil Procedure 1042.26 (b) provides:

(b) The rules of this chapter are applicable only in those jurisdictions where the court has not established case management deadlines by court order or otherwise.

Official Note: These rules do not apply if the court has set different times for the production of expert reports, whether those times are established before or after a party has initiated a proceeding under this chapter by filing of a request for expert reports.

Counsel for Plaintiff is continuing to attempt to schedule the depositions of the Defendants in this matter which are necessary in order to secured the required expert reports. It is respectfully suggested that the Court enter the attached Order which will require the Plaintiff to produce expert reports within 180 days of the deposition of the last of the named Defendants. By entering such an Order, the court will assure that the matter continues to move forward while allowing counsel to extend professional courtesies to each other and to

the parties. All counsel in this matter have busy trial schedules at are subject to frequent attachment for trial by the Courts. By allowing the flexibility provided in the proposed Order, discovery in this matter and the production of reports can proceed in an orderly but unforced fashion allowing counsel to attend to their trials and other professional obligations.

Because all of the rules cited herein were adopted on March 29, 2004, there is no legal authority which is binding upon the Court. It is respectfully requested that the Court exercise its discretion and grant the relief requested herein.

KATZ, COHEN & PRICE

BY:


SAMUEL COHEN

DATED: 7/15/04

CERTIFICATION OF SERVICE

I, Samuel Cohen, certify that a true and correct copy of the within Plaintiff's **Motion for Establishment of Case Management Deadlines Pursuant to Pennsylvania Rule of Civil Procedure 1042.26** was forwarded via regular mail through the United States Postal Service on July 16, 2004 to:

David R. Johnson, Esquire
THOMSON. RHODES & COWIE, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, Pennsylvania 15219-3499

Edward D. Klym, Esquire
EDWARD D. KLYM & ASSOCIATES
180 Fort Couch Road, Suite 265
Pittsburgh, PA. 15241-1041

KATZ, COHEN & PRICE

BY:

A handwritten signature in black ink, appearing to be 'S. Cohen', written over a horizontal line.

SAMUEL COHEN

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DENETTE A. DOUTHIT,)	CIVIL DIVISION
)	
Plaintiff,)	No. 2003-00298-CD
)	
vs.)	
)	
JENNIFER WINEBERG-ZEITLER,)	
DUBOIS REGIONAL MEDICAL)	
CENTER, GEORGE PALMER, JR.,)	
RUSSELL E. CAMERON, M.D.,)	
)	
Defendants.)	

ORDER OF COURT

AND NOW on this 10th day of October, 2006, it is hereby ORDERED, ADJUGED and DECREED that oral argument on the motion to compel filed by DuBois Regional Medical Center, George Palmer, Jr., D.O., and Russell E. Cameron, M.D., three of the defendants, is scheduled for the 22nd day of November, 2006, at 9:30 a.m./~~p.m.~~ before Judge Ammerman in Courtroom No. 1 of the Clearfield County Courthouse.

BY THE COURT:

 J.

FILED

9/11:35 am

OCT 10 2006

ICC Atty Oliver

CR

William A. Shaw
Prothonotary/Clerk of Courts

10-10-2006

10-10-2006

10-10-2006

FILED

OCT 10 2006

William A. Shaw
Prothonotary/Clerk of Courts

10-10-2006

☒ You are responsible for serving all appropriate parties.

☐ The Prothonotary's office has provided service to the following parties:

☐ Plaintiff(s) ☐ Plaintiff(s) Attorney ☐ Other

☐ Defendant(s) ☐ Defendant(s) Attorney

☐ Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DENETTE A. DOUTHIT,

Plaintiff,

vs.

JENNIFER WINEBERG-ZEITLER,
DUBOIS REGIONAL MEDICAL
CENTER, GEORGE PALMER, JR.,
RUSSELL E. CAMERON, M.D.,

Defendants.

CIVIL DIVISION

No. 2003-00298-CD

Issue No.

MOTION TO COMPEL

Code: 007

Filed on behalf of DuBois Regional Medical
Center, George Palmer, Jr., D.O., and Russell
E. Cameron, M.D., three of the defendants.

Counsel of Record for These Parties:

David R. Johnson, Esquire
PA I.D. #26409Jeanette E. Oliver, Esquire
PA I.D. #201336THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED
m 11:37 AM
OCT 06 2006
cc
Any
CRWilliam A. Shaw
Prothonotary/Clerk of Courts

MOTION TO COMPEL

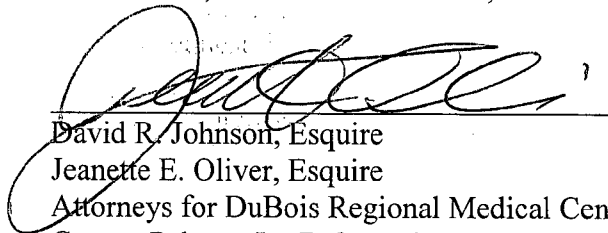
NOW COME DuBois Regional Medical Center, George Palmer, Jr., D.O., and Russell E. Cameron, M.D., three of the defendants, by their attorneys, Thomson, Rhodes & Cowie, P.C., and file the following motion to compel and, in support thereof, state as follows:

1. On May 27, 2005, defendants served upon plaintiff's counsel a second set of interrogatories and second request for production of documents.
2. By letter to plaintiff's counsel dated August 31, 2006, counsel for these defendants inquired as to the status of these discovery responses and asked that answers be submitted within thirty days.
3. To date, no responses have been received.
4. Plaintiff's responses to these defendants' second set of interrogatories and requests for production of documents are necessary to prepare this case for trial.

WHEREFORE, these defendants respectfully request this Honorable Court issue an order directing plaintiff to provide answers to second set of interrogatories and responses to second request for production of documents, within twenty (20) days or suffer such sanctions as this court may impose.

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.



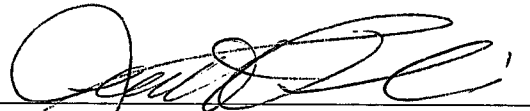
David R. Johnson, Esquire
Jeanette E. Oliver, Esquire
Attorneys for DuBois Regional Medical Center,
George Palmer, Jr., D.O., and
Russell E. Cameron, M.D., three of the defendants.

DISCOVERY MOTION CERTIFICATE PURSUANT TO LOCAL RULE W208.2(e)

NOW COMES Thomson, Rhodes & Cowie, P.C., attorneys for DuBois Regional Medical Center, George Palmer, Jr., D.O., and Russell E. Cameron, M.D., three of the defendants, and hereby certifies that they have conferred with plaintiff's counsel, by letter dated August 31, 2006, regarding outstanding discovery responses in an attempt to resolve this matter without the action of this Honorable Court.

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.

A handwritten signature in black ink, appearing to read 'David R. Johnson', is written over a horizontal line.

David R. Johnson, Esquire
Jeanette E. Oliver, Esquire
Attorneys for DuBois Regional Medical Center,
George Palmer, Jr., D.O., and
Russell E. Cameron, M.D., three of the defendants.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DENETTE A. DOUTHIT,

CIVIL DIVISION

Plaintiff,

No. 2003-00298-CD

vs.

Issue No.

JENNIFER WINEBERG-ZEITLER,
DUBOIS REGIONAL MEDICAL
CENTER, GEORGE PALMER, JR.,
RUSSELL E. CAMERON, M.D.,

Defendants.

ORDER OF COURT

AND NOW, on this ____ day of _____, 2006, it is hereby ORDERED,
ADJUDGED and DECREED that these defendants' motion to compel is hereby GRANTED.
Plaintiff shall provide answers to second set of interrogatories and responses to second request
for production of documents, within twenty (20) days or suffer such sanctions as this court may
impose.

BY THE COURT:

J.

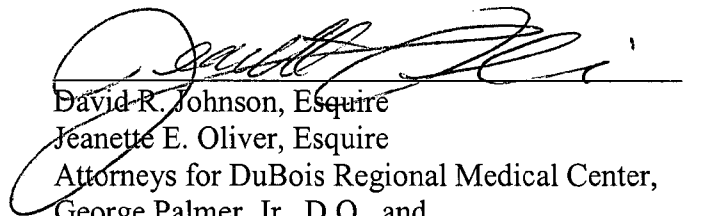
CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within document has been served upon the following counsel of record and same placed in the U.S. Mails on this 4th day of Oct, 2006:

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 South 17th Street
Philadelphia, PA 19103-5020

Edward D. Klym, Esquire
Edward D. Klym & Associates
180 Fort Couch Road
Suite 265
Pittsburgh, PA 15241

THOMSON, RHODES & COWIE, P.C.


David R. Johnson, Esquire
Jeanette E. Oliver, Esquire
Attorneys for DuBois Regional Medical Center,
George Palmer, Jr., D.O., and
Russell E. Cameron, M.D., three of the defendants.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DENETTE A. DOUTHIT,

Plaintiff,

vs.

JENNIFER WINEBERG-ZEITLER,
DUBOIS REGIONAL MEDICAL
CENTER, GEORGE PALMER, JR.,
RUSSELL E. CAMERON, M.D.,

Defendants.

CIVIL DIVISION

No. 2003-00298-CD

Issue No.

AFFIDAVIT OF SERVICE

Code: 007

Filed on behalf of DuBois Regional Medical
Center, George Palmer, Jr., D.O., and Russell
E. Cameron, M.D., three of the defendants.

Counsel of Record for These Parties:

David R. Johnson, Esquire
PA I.D. #26409

Jeanette E. Oliver, Esquire
PA I.D. #201336

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED *no cc*
OCT 16 2003

William A. Shaw
Prothonotary/Clerk of Courts


AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared Jeanette E. Oliver, Esquire, who, being duly sworn, deposes and says that a true and correct copy of the Judge Ammerman's October 10, 2006, Scheduling Order, along with a true and correct copy the Motion to Compel in the above-captioned case was served upon the following United States, first class, postage pre-paid mail on October 12, 2006:

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 South 17th Street
Philadelphia, PA 19103-5020

Edward D. Klym, Esquire
Edward D. Klym & Associates
180 Fort Couch Road
Suite 265
Pittsburgh, PA 15241


THOMSON, RHODES & COWIE, P.C.



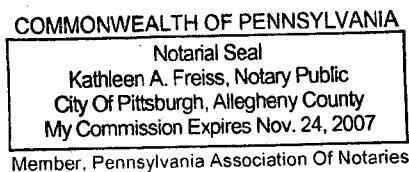
Jeanette E. Oliver, Esquire

Sworn to and subscribed before me

this 12 day of October, 2006.



Notary Public



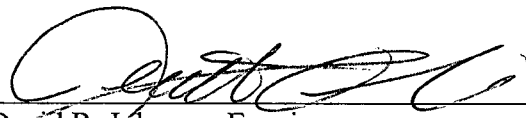
CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within document has been served upon the following counsel of record and same placed in the U.S. Mails on this 12th day of Oct, 2006:

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 South 17th Street
Philadelphia, PA 19103-5020

Edward D. Klym, Esquire
Edward D. Klym & Associates
180 Fort Couch Road
Suite 265
Pittsburgh, PA 15241

THOMSON, RHODES & COWIE, P.C.



David R. Johnson, Esquire
Jeanette E. Oliver, Esquire
Attorneys for DuBois Regional Medical Center,
George Palmer, Jr., D.O., and
Russell E. Cameron, M.D., three of the defendants.

03-298-CD

CERTIFICATION OF SERVICE

I, Samuel Cohen, certify that a true and correct copy of the **PLAINTIFF'S ANSWERS TO INTERROGATORIES OF DEFENDANTS -SECOND SET** and **PLAINTIFF'S RESPONSE TO DEFENDANTS' REQUEST FOR PRODUCTION OF DOCUMENTS - SECOND REQUEST** was forwarded via regular mail through the United States Postal Service on October 12, 2006 to:

David R. Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, Pennsylvania 15219-3499

Edward D. Klym, Esquire
Edward D. Klym & Associates
80 Fort Couch Road
Suite 265
Pittsburgh, PA 15241

KATZ, COHEN & PRICE, P.C.

BY:


SAMUEL COHEN

FILED

mt 11:30 AM
OCT 23 2006

no cc
(initials)

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

DENETTE A. DOUTHIT

-VS-

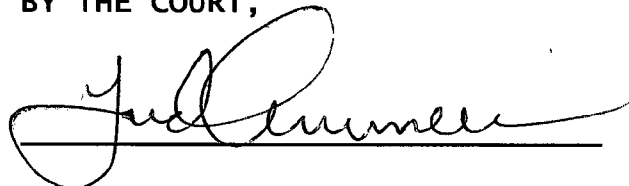
No. 03-298-CD

JENNIFER WINEBERG-ZEITLER,
DUBOIS REGIONAL MEDICAL
CENTER, GEORGE PALMER, JR.,
RUSSELL E. CAMERON, M.D.

O R D E R

NOW, this 22nd day of November, 2006, this being the date and time set for argument on the Motion to Compel filed by the Defendants on October 10, 2006; the Court noting that no one has appeared for either the Defendants or Plaintiff; therefore, it is the ORDER of this Court that the said Motion to Compel be and is hereby dismissed.

BY THE COURT,



President Judge

FILED

NOV 28 2006

William A. Shaw
Prothonotary/Clerk of Courts

100A#ys:
S. Cohen
E. Klym
D. Johnson

GR

FILED

NOV 28 2006

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 11/28/06

____ You are responsible for serving all appropriate parties.

X The Prothonotary's office has provided service to the following parties:

____ Plaintiff(s) X Plaintiff(s) Attorney ____ Other

____ Defendant(s) X Defendant(s) Attorney

____ Special Instructions:



) CIVIL DIVISION

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E

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DATE: 12/8/06

X You are responsible for serving all appropriate parties.

____ The Probondary's office has provided service to the following parties:

____ Plaintiff(s) ____ Plaintiff(s) Attorney ____ Other

____ Defendant(s) ____ Defendant(s) Attorney

____ Special Instructions:

FILED

DEC 08 2006

William A. Shaw
Prothonotary/Clerk of Courts

FILED NoCC.
M/2:00 am
DEC 07 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DENETTE A. DOUTHIT,

Plaintiff,

vs.

JENNIFER WINEBERG-ZEITLER,
DUBOIS REGIONAL MEDICAL
CENTER, GEORGE PALMER, JR.,
RUSSELL E. CAMERON, M.D.,

Defendants.

CIVIL DIVISION

No. 2003-00298-CD

Issue No.

MOTION TO COMPEL MORE SPECIFIC
RESPONSES TO INTERROGATORIES

Code: 007

Filed on behalf of DuBois Regional Medical
Center, George Palmer, Jr., D.O., and Russell
E. Cameron, M.D., three of the defendants.

Counsel of Record for These Parties:

David R. Johnson, Esquire
PA I.D. #26409

Jeanette E. Oliver, Esquire
PA I.D. #201336

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

MOTION TO COMPEL

NOW COME DuBois Regional Medical Center, George Palmer, Jr., D.O., and Russell E. Cameron, M.D., three of the defendants, by their attorneys, Thomson, Rhodes & Cowie, P.C., and file the following motion to compel and, in support thereof, state as follows:

1. On May 27, 2005, defendants served upon plaintiff's counsel a second set of interrogatories and second request for production of documents.
2. On or about October 18, 2006, plaintiff filed a response to defendants' second set of interrogatories and second request for production of documents.
3. Plaintiff failed to provide responses to certain interrogatories, therefore severely prejudicing these defendants' ability to prepare this case for trial. The insufficient responses are, in particular, directed toward interrogatories 9, 10, 13, and 14.
4. Plaintiff's full and complete responses to these specific interrogatories are necessary to prepare this case for trial.

WHEREFORE, these defendants respectfully request this Honorable Court issue an order directing plaintiff to provide full and complete answers to interrogatories 9, 10, 13 and 14, within ten (10) days or suffer such sanctions as this court may impose.

Respectfully submitted,
THOMSON, RHODES & COWIE, P.C.



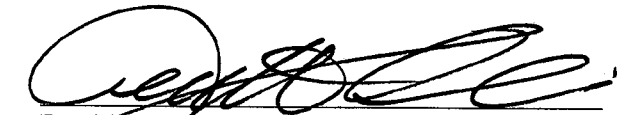
David R. Johnson, Esquire
Jeanette E. Oliver, Esquire
Attorneys for DuBois Regional Medical Center,
George Palmer, Jr., D.O., and
Russell E. Cameron, M.D., three of the defendants.

DISCOVERY MOTION CERTIFICATE PURSUANT TO LOCAL RULE W208.2(e)

NOW COMES Thomson, Rhodes & Cowie, P.C., attorneys for DuBois Regional Medical Center, George Palmer, Jr., D.O., and Russell E. Cameron, M.D., three of the defendants, and hereby certifies that they have conferred with plaintiff's counsel, by letter dated November 3, 2006, regarding these insufficient discovery responses in an attempt to resolve this matter without the action of this Honorable Court.

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.

A handwritten signature in black ink, appearing to read 'David R. Johnson', is written over a horizontal line.

David R. Johnson, Esquire

Jeanette E. Oliver, Esquire

Attorneys for DuBois Regional Medical Center,
George Palmer, Jr., D.O., and
Russell E. Cameron, M.D., three of the defendants.

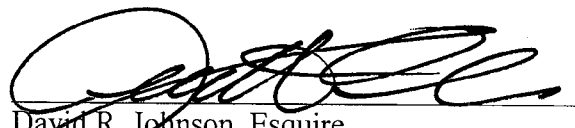
CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within document has been served upon the following counsel of record and same placed in the U.S. Mails on this 5th day of Dec, 2006:

Samuel Cohen, Esquire
Katz, Cohen & Price, P.C.
Suite 2010
117 South 17th Street
Philadelphia, PA 19103-5020

Edward D. Klym, Esquire
Edward D. Klym & Associates
180 Fort Couch Road
Suite 265
Pittsburgh, PA 15241

THOMSON, RHODES & COWIE, P.C.


David R. Johnson, Esquire
Jeanette E. Oliver, Esquire
Attorneys for DuBois Regional Medical Center,
George Palmer, Jr., D.O., and
Russell E. Cameron, M.D., three of the defendants.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DENETTE A. DOUTHIT,

CIVIL DIVISION

Plaintiff,

No. 2003-00298-CD

vs.

Issue No.

JENNIFER WINEBERG-ZEITLER,
DUBOIS REGIONAL MEDICAL
CENTER, GEORGE PALMER, JR.,
RUSSELL E. CAMERON, M.D.,

Defendants.

ORDER OF COURT

AND NOW, on this ____ day of _____, 200__, it is hereby ORDERED,
ADJUDGED and DECREED that these defendants' motion to compel is hereby GRANTED.
Plaintiff shall provide full and complete answers to interrogatories 9, 10, 13 and 14 within ten
(10) days or suffer such sanctions as this court may impose.

BY THE COURT:

_____. J.

THOMSON, RHODES & COWIE, P.C.

Attorneys At Law

TWO CHATHAM CENTER, TENTH FLOOR
PITTSBURGH, PENNSYLVANIA 15219-3499

Direct Dial: 412-316-8653

Facsimile: 412-232-3498

Jeanette E. Oliver

Email: jeo@trc-law.com

December 5, 2006

Denette A. Douthit v. Jennifer Wineberg-Zeitler, DuBois Regional Medical Center, George Palmer, Jr., Russell E. Cameron, M.D. In the Court of Common Pleas of Clearfield County, Pennsylvania. Civil Division No. 2003-00298-CD. Our File No. 13127.

William Shaw, Prothonotary
Clearfield County Courthouse
230 E. Market Street
Clearfield, PA 16830

Dear Mr. Shaw:

Enclosed for filing in the matter above captioned is an original and one copy of the motion to compel, along with a scheduling order. Kindly submit the order to my office once a date has been scheduled for argument.

Thank you.

Very truly yours,


Jeanette E. Oliver

/cah

Enclosures

cc: Samuel Cohen, Esquire
Edward D. Klym, Esquire
(w/enclosure)

KATZ, COHEN & PRICE, P.C.
By: SAMUEL COHEN, ESQUIRE
ATTORNEY I.D. NO.: 27544
117 SOUTH 17th STREET
SUITE 2010
PHILADELPHIA, PA 19103
(215) 636-0400

ATTORNEY FOR PLAINTIFF

DENETTE A. DOUTHIT

vs.

JENNIFER WINEBERG-ZEITLER, M.D.,
ET AL.

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

NO. 2003-00298-CD

ORDER TO DISCONTINUE AND END

TO THE PROTHONOTARY:


Kindly mark the above captioned matter, Discontinued and Ended, upon payment of
your costs.

KATZ, COHEN, & PRICE, P.C.

By:


SAMUEL COHEN, ESQUIRE
Attorney for Plaintiff

FILED 1cc + 1 Cert
4/10/2006 of Disc issued
DEC 22 2006 to Atty Cohen
copy to c/A


William A. Shaw
Prothonotary/Clerk of Courts

SAMUEL COHEN
MICHAEL G. PRICE*
*PA AND NJ BAR

SAMUEL C. KATZ
OF COUNSEL

LAW OFFICES
KATZ, COHEN & PRICE, P.C.
SUITE 2010
117 S. 17TH STREET
PHILADELPHIA, PA 19103
215-636-0400
FAX 215-636-0403
E-MAIL: KCPATTORNEYS@AOL.COM

123A WEST CLEMENTS BRIDGE ROAD
BARRINGTON, N.J. 08007
856-547-4201
FAX 856-547-1710

PLEASE RESPOND TO PHILA OFFICE

December 20, 2006

William A. Shaw, Prothonotary
Clearfield County Courthouse
One North Second Street, P. O. Box 549
Clearfield, PA 16830

Re: Denette A. Douthit

vs.

Jennifer Wineberg-Zeitler, M.D., et al
No. 2003-00298-CD
Our File No.: 5401

Dear Mr. Shaw:

Please find enclosed herewith the original and one (1) copy of Order to Discontinue and End the captioned matter.

Would you kindly file the original Order of record and return a time-stamped copy of same to this office in the stamped, self-addressed envelope enclosed for your convenience.

Thank you for your cooperation.

Very truly yours,


SAMUEL COHEN

SC:mgw
Enclosures

cc - David R. Johnson, Esquire
Edward D. Klym, Esquire

For the captioned matter:

Please find enclosed herewith the original and one (1) copy of Order to Discontinue and

cc - DA 5401

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA**

CIVIL DIVISION

COPY

Denette A. Douthit

Vs.

No. 2003-00298-CD

**Jennifer Wineberg-Zeitler
DuBois Regional Medical Center
George Palmer Jr.
Russell E. Cameron MD**

CERTIFICATE OF DISCONTINUATION


Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on December 22, 2006, marked:

Discontinued and Ended

Record costs in the sum of \$85.00 have been paid in full by Richard Milgrub Esq..

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 22nd day of December A.D. 2006.



William A. Shaw, Prothonotary