

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

MILAGROS RUIZ and JOHN R. DIAZ JR.

Plaintiffs,

v.

PRESBYTERIAN COMMUNITY HOSPITAL, INC.; DR. JELLYTZA MALDONADO RONDON, and the conjugal partnership comprised with her husband; DR. WANDA RAMOS, and the conjugal partnership comprised with her husband; DR. RICARDO JIMENEZ and the conjugal partnership with his wife; DR. HILDA RIVERA, and conjugal partnership comprised with her husband; SIMED; ABC INSURANCE COMPANIES; JOHN DOES I-X, as well as any Other Joint Tortfeasors.

Defendants .

CIVIL NO. 12 - 1584 ()

MEDICAL MALPRACTICE

TRIAL BY JURY DEMANDED

COMPLAINT

APPEAR NOW Plaintiffs, **MILAGROS RUIZ and JOHN R. DIAZ JR.**, through their undersigned attorneys, and hereby state, allege and request as follows:

JURISDICTIONAL BASIS AND VENUE

1. Jurisdiction in this case arises under 28 U.S.C. §1332 (diversity jurisdiction).
2. Diversity jurisdiction is established because Plaintiffs are citizens of and domiciled in the state of New York.
3. All Defendants are either individuals who reside in Puerto Rico or corporations domiciled, incorporated and/or have its principal place of business in Puerto Rico or in a state other than

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 2

New York.

4. The matter in controversy exceeds the sum of **SEVENTY FIVE THOUSAND DOLLARS (\$75,000.00)**, exclusive of interest and costs, thus vesting jurisdiction on this Honorable Court pursuant to 28 U.S.C. §1332.
5. Venue is proper in the District of Puerto Rico pursuant to 28 U.S.C. §1391 since the events or omissions giving rise to this claim occurred in this district.

THE PARTIES

6. Plaintiff Milagros Ruiz (hereinafter referred to as “Millie”) is of legal age, the widow of John Diaz Sr. and a resident of the state of New York.
7. Plaintiff John R. Diaz Jr. (hereinafter referred to as, “John Diaz Jr.”) is of legal age, married, the son of John Diaz Sr. (hereinafter John Diaz), and a resident of the state of New York.
8. Defendant Dr. Jellytza Maldonado Rondón (hereinafter referred to as, “Dr. Maldonado”) is physician with a license to practice medicine in the Commonwealth of Puerto Rico, where she also resides.
9. Defendant Maldonado Conjugal Partnership is comprised of Defendant Dr. Maldonado and her husband and is liable for the negligent actions or omissions of Dr. Ramos which were undertaken as part of activities benefitting the conjugal partnership.
10. Defendant Dr. Wanda Ramos (hereinafter referred to as, “Dr. Ramos”) is a physician with a license to practice medicine in the Commonwealth of Puerto Rico, where she also resides.

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 3

11. Defendant Ramos Conjugal Partnership is comprised of Defendant Dr. Ramos and her husband and is liable for the negligent actions or omissions of Dr. Ramos which were undertaken as part of activities benefitting the conjugal partnership.
12. Defendant Dr. Hilda Rivera (hereinafter referred to as “Dr. Rivera”) is a physician with a license to practice medicine in the Commonwealth of Puerto Rico, where she also resides.
13. Defendant Rivera Conjugal Partnership is comprised of Defendant Dr. Rivera and her husband, and is liable for the negligent actions or omissions of Dr. Rivera which were undertaken as part of activities benefitting the conjugal partnership.
14. Defendant Dr. Ricardo “Ricky” Jiménez (hereinafter referred to as, “Dr. Jiménez”) is a physician with a license to practice medicine in the Commonwealth of Puerto Rico, where he also resides.
15. Defendant Rivera Conjugal Partnership is comprised of Defendant Dr. Jiménez and his wife, and is liable for the negligent actions or omissions of Dr. Jiménez which were undertaken as part of activities benefitting the conjugal partnership.
16. Pursuant to Puerto Rico Law, conjugal partnerships and spouses are liable for the damages caused by the other spouse while engaging in those activities which benefit the conjugal partnership.
17. Defendant Presbyterian Community Hospital, Inc. d/b/a Ashford Presbyterian Community Hospital and/or El Presby (hereinafter referred to as “Ashford Hospital”, “APCH” or

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 4

“hospital”) is a corporation organized under the laws of the Commonwealth of Puerto Rico, with its principal place of business in Puerto Rico.

18. Defendant Sindicato de Aseguradores Para La Suscripcion Conjunta de Seguro de Responsabilidad Profesional Medico-Hospitalaria (hereinafter, “SIMED”) is the insurance carrier who issued a professional liability policy or other applicable insurance policy in favor of Defendants and/or unknown joint tortfeasors and is deemed a citizen of the state of its insured pursuant to 28 U.S.C. §1332(c)(1).
19. Defendant ABC Insurance Companies are companies organized in or operating in and/or under the laws of the Commonwealth of Puerto Rico, which insure the Defendants for the claims made herein including professional liability and/or medical malpractice.
20. Defendants John Doe I-X are unknown joint tortfeasors, fictitiously named herein to be later replaced by their actual names which may become known through further discovery in this litigation, and who are liable to Plaintiffs, in whole or in part, for the actions herein described and the damages suffered by Plaintiffs.

GENERAL ALLEGATIONS

21. On August 1, 2011, Mr. John Diaz arrived in Puerto Rico with his common law wife of over twenty years, Plaintiff Milagros “Millie” Ruiz.
22. On August 4, 2011 in the evening, Mr. John Diaz convulses, vomits, and is assessed by paramedics.

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 5

23. Paramedics take him to Ashford Presbyterian Community Hospital, where he arrives at approximately 9:30 pm.
24. While in the emergency ward, John Diaz was very cold ,on a gurney with only thin sheets that covered him.
25. The next morning at approximately 10:00 am, Dr. Maldonado informs Ms. Ruiz that her husband's blood hemoglobin is only 5.6 and therefore needs an immediate blood transfusion or he will die.
26. Ms. Ruiz is also informed by hospital personnel that the hospital is adequately equipped to provide Mr. John Diaz with dialysis treatment.
27. It takes two hours before blood is drawn and when Ms. Ruiz inquires at 8:30 pm why the blood transfusion has not occurred, she is informed that the blood sample stayed on the hospital desk and never made it to the laboratory.
28. The patient, during the entire time was deprived of food because he was told he would receive the transfusion any minute and could not eat before the transfusion.
29. The patient, John Diaz, had to provide another blood sample and continue waiting for a transfusion.
30. Twenty four hours after arriving at Ashford Hospital, John Diaz is finally taken to a room.
31. After 11 pm, Ms. Ruiz needed to return to hotel and specifically requested that the nurses

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 6

closely monitor her husband since he was disoriented and may fall from the bed.

32. The next morning, August 6, 2011, Ms. Ruiz finds her husband with a cut over his right eye.

33. The companion patient in the semi-private hospital room informed Ms. Ruiz that Mr. Diaz had fallen and, despite calls for help, was not aided by nurses all night.

34. Mr. Diaz suffered various contusions and abrasions from the fall.

35. Mr. Diaz still had not received any blood transfusion or dialysis.

36. Sometime late in the morning of August 6, 2011, Dr. Benitez arrived and ordered Mr. Diaz to be transferred to the Intensive Care Unite "ICU".

37. Mr. Diaz finally begins to receive the blood transfusion on August 6, 2011 in the afternoon.

38. According to the hospital's nursing notes, Mr. Diaz is not physically transported to ICU until 4:21 pm.

39. The nursing notes further reflect that Dr. Benitez was notified by the nursing staff at approximately 10:40pm on August 6, 2011 of Mr. Diaz's cyanotic hand and palm and yet no medical orders were given.

40. In the morning of August 7, 2011, Ms. Ruiz pointed out to nurses that Mr. Diaz right hand was injured and covered in bruises and blood clots.

41. A nurse responded that a doctor had already had seen Mr. Diaz and prescribed Coumadin and

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 7

Dilantin.

42. It is not until the evening of August 7, 2011, Mr. Diaz belatedly received dialysis.
43. On Wednesday August 10, 2011, Mr. Diaz was alert and conscious and expressed he is not satisfied with the deficient medical and hospital treatment at APCH.
44. Mr. Diaz and Ms. Ruiz both insisted on Mr. Diaz being transferred to another institution, even if he had to travel to the mainland U.S.
45. Ms. Ruiz discussed such requests with the hospital medical director who agreed to discharge Mr. Diaz to another institution on the mainland and to made out the discharge letter.
46. Ms. Ruiz was told by APCH's medical director to arrange for patient's transportation from the hospital to the airport, to hospital on the mainland; which she did.
47. The following day, August 11, 2011, Ms. Ruiz arrived at the hospital with transportation awaiting.
48. Mr. Diaz was denied his discharge over the objections of Mr. Diaz and Ms. Ruiz that they need a transfer to a better medical facility.
49. Ms Ruiz and Mr. Diaz again informed the hospital personnel they were not satisfied with the medical treatment received at that hospital and requested immediate transfer elsewhere.
50. A hospital lawyer intervened when Mr. Diaz was denied discharge to another hospital facility.

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 8

51. The hospital lawyer, upon discovering that Mr. Diaz had fallen from his hospital bed, stated that the fact that patient fell in a hospital made it more improbable he would be allowed to be discharged.
52. On August 12, 2011 at 10:07 am, Dr. Maldonado ordered Mr. Diaz to be taken out of ICU and placed in the general ward in a hospital room.
53. Dr. Maldonado issued the transfer order note at 11:26 am.
54. On August 12, 2011 at 5:00 pm, Mr. Diaz went to the bathroom of his room and reported bleeding out the rectum and reported abdominal pain.
55. Ms. Ruiz informed the nurses about the bleeding and requested to see a doctor and the administration of pain medication, but were ignored for hours.
56. For hours the nurses did not come in to see the patient, although they had been told of the bleeding.
57. After hours of having reported the bleeding to APCH's nursing staff, a nurse eventually came in to see the patient and was alarmed at the bleeding.
58. For many hours Ms. Ruiz continued requesting nurses to get a doctor and they stated they had not been able to get the physicians to respond to their calls.
59. On August 13, 2011 at approximately 3:40 am, nurses were not able to get a reading on the patient's blood pressure and notified Defendant Dr. Wanda Ramos.

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 9

60. Dr. Ramos only ordered a CBC test stat at 3:50 am.
61. Mr. Diaz was having an acute cardiac event and there was no close monitoring, response or treatment by nursing or medical personnel.
62. Mr. Diaz experienced an acute myocardial infarction while under the care of the hospital nurses and doctors and nothing was done for his cardiac condition.
63. At 7:00 am on August 13, 2011, Mr. Diaz complained that the pain would take him to his death if he did not receive some relief.
64. At 8:00 am, Mr. Diaz requested that his wife get him some coffee and bread.
65. Mr. Diaz was falling asleep and his wife left to shower and get him something to eat.
66. Upon Ms. Ruiz' return at 11:30 am, she found three (3) nurses in his room who said they were unable to wake him and asked her if he had taken any sleeping medication.
67. Mr. Diaz, when called by his wife, reacted one last time opening his eyes wide.
68. Dr. Hilda Rivera eventually responded requested the EKG machine various times while nurses appeared confused.
69. Dr. Rivera eventually requested a defibrillator, which was provided to her.
70. Dr. Wanda Ramos, the doctor that was on duty, finally arrived and began CPR and asked Ms. Ruiz to leave the room.

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 10

71. Ms. Ruiz saw nurses and doctors entering and leaving the room, some actually laughing.
72. Eventually a doctor came out and informed her that her husband had died.
73. The autopsy on the patient established the cause of death being right coronary artery thrombosis.
74. While Mr. Diaz was under their care, the hospital nurses and physicians failed to adequately examine, monitor and treat Mr. Diaz.
75. Mr. John Diaz Sr. was only sixty nine years old at the time of his death.

FIRST CAUSE OF ACTION

76. The preceding allegations are included herein as if restated in full.
77. Defendant Dr. Maldonado's medical treatment of patient John Diaz Sr. was below the medical standard that satisfies the exigencies generally recognized by the medical profession in light of the modern means of communication and teaching, and as such directly caused and/or contributed to John Diaz Sr.'s death.
78. Defendant Dr. Maldonado was Mr. John Diaz' attending physician, and as such failed to properly treat, monitor and diagnose the patient while hospitalized at APCH.
79. Defendant Dr. Maldonado transferred Mr. John Diaz out of ICU and placed in the hospital ward without ensuring proper monitoring and treatment.
80. Defendant Dr. Maldonado was unavailable to Mr. John Diaz, who was bleeding and having

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 11

an acute cardiac condition, and left her patient in the hands of other negligent physicians to care for him.

81. In so doing, Defendant Dr. Maldonado committed professional negligence, including lack of expertise, fault and malpractice, which directly and proximately caused the pain and suffering of John Diaz Sr. before he finally died, and also the pain and suffering of his wife, Plaintiff Milagros Ruiz, upon seeing her husband's anguish and suffering while he was in pain and deteriorating each and every hour when hospitalized under Dr. Maldonado's services without receiving proper treatment.

82. As a direct and proximate cause of Defendant Dr. Maldonado's negligence in failing to properly monitor, diagnose and treat John Diaz Sr. during his hospitalization at APCH, John Diaz Sr. and Plaintiffs Milagros Ruiz and John Diaz Jr. sustained damages, as described herein.

SECOND CAUSE OF ACTION

83. The preceding allegations are included herein as if restated in full.

84. Co-Defendant Dr. Wanda Ramos' treatment of patient John Diaz Sr. was below the medical standard that satisfies the exigencies generally recognized by the medical profession in light of the modern means of communication and teaching, and as such directly caused and/or contributed to causing John Diaz Sr.'s death.

85. Co-Defendant Dr. Ramos was the physician on duty during the time John Diaz reported

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 12

rectal bleeding and great pain to nurses.

86. Co-defendant Ramos failed to respond to the nurses calls and failed to timely examine, monitor and treat patient John Diaz as such, was negligent intervention and lack of adequate treatment and follow up of John Diaz Sr.'s serious condition during his hospitalization at APCH, all of which contributed and was the direct cause of his death.
87. Co-defendant Ramos failed to appear or treat the patient until it was too late and patient had arrested.
88. By the time co-defendant Ramos appeared belatedly, John Diaz needed cardiopulmonary resuscitation (CPR) and had run out of time.
89. In so doing, Co-Defendant Dr. Ramos committed professional negligence, including lack of expertise, fault and malpractice, which directly and proximately caused the pain and suffering of John Diaz Sr. before he died, and also the pain and suffering of plaintiffs.
90. As a direct and proximate cause of Co-Defendant Dr. Ramos negligence in failing to properly monitor, treat, and diagnose John Diaz Sr. during his hospitalization at APCH Plaintiffs Milagros Ruiz and John Diaz Jr. sustained damages, as described herein.

THIRD CAUSE OF ACTION

91. The preceding allegations are included herein as if restated in full.
92. Co-Defendant Dr. Ricardo 'Ricky' Jiménez' treatment of patient John Diaz Sr. was below the medical standard that satisfies the exigencies generally recognized by the medical profession

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 13

in light of the modern means of communication and teaching, and as such directly caused and/or contributed to causing John Diaz Sr.'s death.

93. Co-Defendant Dr. Jiménez was one of the treating physicians of patient John Diaz, his specialty was gastro-enterology.
94. Co-defendant Dr. Jiménez was the specialist of the gastro-intestinal track when patient John Diaz reported rectal bleeding and great pain to nurses.
95. Codefendant Dr. Jiménez, instead of examining, evaluating, and treating patient John Diaz, ordered a CBC on John Diaz when the patient needed immediate physician intervention to assess his serious condition, prevent further blood loss, prevent severe hypotension and ensuing acute cardiac crisis.
96. Had Dr. Jiménez provided immediate medical attention, the John Diaz would have had a better chance of survival than when the other treating physicians finally appeared.
97. Co-defendant Dr. Jiménez failed to respond to the nurses calls and failed to timely examine, monitor and treat patient John Diaz as such, was negligent intervention and lack of adequate treatment and follow up of John Diaz Sr.'s serious condition during his hospitalization at APCH, all of which contributed and was the direct cause of his death.
98. In so doing, Co-Defendant Dr. Jiménez committed professional negligence, including lack of expertise, fault and malpractice, which directly and proximately caused the pain and suffering of John Diaz Sr. before he died, and also the pain and suffering of Plaintiffs.

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 14

99. As a direct and proximate cause of Co-Defendant Dr. Jiménez committed negligence in failing to properly monitor, treat, and diagnose John Diaz Sr. during his hospitalization at APCH Plaintiffs Milagros Ruiz and John Diaz Jr. sustained damages, as described herein.

FOURTH CAUSE OF ACTION

100. The preceding allegations are included herein as if restated in full.

101. Co-Defendant APCH, through its acts or omissions caused damage to Plaintiffs through fault or negligence in violation of 31 L.P.R.A. §5141.

102. Since John Diaz Sr. was received through the emergency room, Co-Defendant APCH had a duty to provide John Diaz Sr. with a medical attention that satisfied the exigencies generally recognized by the medical profession in light of the modern means of communication and teaching, and acceptable health care, as measured by the standards of the profession, and to protect John Diaz Sr. from further physical, mental or emotional harm while he was in their care.

103. Co-Defendant APCH, through the negligent acts or omissions of its assigned doctors, nurses and staff, breached its duty to provide John Diaz Sr. with acceptable health care, as measured by the standards of the profession, and to protect John Diaz Sr. from further physical, mental, and emotional harm while he was in their care.

104. At all times herein pertinent, Co-Defendant ACPH, and its employees were negligent in failing to provide the proper supervision of Co-Defendants doctors it assigned to patient, and

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 15

also the medical personnel it employs or contracts, and otherwise failing to exercise due medical care, treatment and caution to prevent John Diaz Sr.'s death.

105. Co-Defendant ACPH not only failed to adequately select and supervise Co-Defendants doctors and nurses, but permitted the use of its facilities, allowing, encouraging and condoning the negligent care and improper treatment of John Diaz Sr., proximately and directly causing his death and Plaintiffs' pain and damages.
106. APCH offered medical services to its patients, but failed to staff its hospital with the adequate and competent medical and nursing personnel and equipment to appropriately treat its patients.
107. In so doing, APCH misled those who sought full hospital treatment into thinking that they would be appropriately treated.
108. APCH failed to obtain proper consent to totally restrain Mr. John Diaz and thus committed battery.
109. APCH failed to transfer the patient to a facility that would have provided adequate medical care and instead kept the patient against his express wishes and those of his wife and thus continued committing battery and false imprisonment of John Diaz.
110. As a direct result of the negligent acts or omissions of Co-Defendant APCH, through its agents, John Diaz Sr. did not receive the adequate medical treatment or care, including, but not limited to the following: failure to provide adequate attention ensuring prompt and

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 16

adequate care upon presentation; failure to ensure patient was not harmed by falling out of out of his gurney; failure to provide timely and adequate blood transfusion and dialysis; failure to provide safe and prompt administration of medication to diminish patient's pain; failure to provide competent nursing care to closely monitor, evaluate and alert physicians upon clear signs of patient's downturn; ensure physician's APCH assigned to treat patient, did so promptly and adequately.

111. The inadequate medical treatment and care from Co-Defendant APCH as well as the other tortious conduct was a direct and proximate cause of John Diaz Sr.'s death and Plaintiffs' damages.

FIFTH CAUSE OF ACTION

112. The preceding allegations are included herein as if restated in full.
113. Co-Defendant Dr.Hilda Rivera's treatment of patient John Diaz Sr. was below the medical standard that satisfies the exigencies generally recognized by the medical profession in light of the modern means of communication and teaching, and as such directly caused and/or contributed to causing John Diaz Sr.'s death.
114. Co-Defendant Dr. Rivera was one of the treating physicians of patient John Diaz, her specialty was hematology.
115. Co-defendant Dr. Rivera was the specialist of the blood when patient John Diaz reported rectal bleeding and great pain to nurses.

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 17

116. Codefendant Dr. Rivera, instead of examining, evaluating, and treating patient John Diaz, did not intervene with patient John Diaz until the following day, hours after the patient exhibited bleeding and hypotension.
117. Codefendant Dr. Rivera failed to provide immediate physician intervention to assess patient's condition, prevent further blood loss, prevent severe hypotension and ensuing acute cardiac crisis.
118. Co-defendant Rivera failed to respond to the nurses calls and failed to timely examine, monitor and treat patient John Diaz as such, was negligent intervention and lack of adequate treatment and follow up of John Diaz Sr.'s serious condition during his hospitalization at APCH, all of which contributed and was the direct cause of his death.
119. In so doing, Co-Defendant Dr. Rivera committed professional negligence, including lack of expertise, fault and malpractice, which directly and proximately caused the pain and suffering of John Diaz Sr. before he died, and also the pain and suffering of plaintiffs.
120. As a direct and proximate cause of Co-Defendant Dr. Rivera committed negligence in failing to properly monitor, treat, and diagnose John Diaz Sr. during his hospitalization at APCH Plaintiffs Milagros Ruiz and John Diaz Jr. sustained damages, as described herein.

SIXTH CAUSE OF ACTION- ABC INSURANCE COMPANIES

121. The preceding allegations are included herein as if restated in full.
122. Co-Defendants ABC Insurance Company were at all times herein pertinent insurance

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 18

companies authorized to do business as such in the Commonwealth of Puerto Rico which issued a public liability and/or malpractice insurance policy on behalf of one or more of the defendants.

123. Pursuant to 26 P.R. Laws Ann. §2001, an insurance company is liable for the negligence or fault of its insured.
124. Pursuant to 26 P.R. Laws Ann. §2003, an action against an insurer may be brought separately or may be joined together with an action against its insured.
125. Therefore, Co-Defendants ABC Insurance Companies are jointly and severally liable to Plaintiffs for the damages caused to them by their insured defendant(s).

SEVENTH CAUSE OF ACTION AGAINST SIMED

126. The allegations contained above are incorporated herein by reference as if again fully set forth.
127. Co-Defendant SIMED was at all times herein pertinent, an insurance company authorized to do business as such in the Commonwealth of Puerto Rico which issued a public liability and/or malpractice insurance policy on behalf of all or some of the Co-Defendants.
128. Pursuant to 26 P.R. Laws Ann. § 2001, an insurance company is liable for the negligence or fault of its insured.
129. Pursuant to 26 P.R. Laws Ann. § 2003, an action against an insurer may be brought

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 19

separately or may be joined together with an action against its insured.

130. Co-Defendant SIMED is jointly and severally liable to Plaintiffs for the damages caused to them by any and/or all insured defendants.

EIGHTH CAUSE OF ACTION

131. The preceding allegations are included herein as if restated in full.
132. The activities by which Defendants Dr. Maldonado, Dr. Rivera, Dr. Ramos and Dr. Jiménez caused John Diaz Sr. and Plaintiff's damages were activities which benefitted Defendants' Conjugal Partnerships.
133. As such, these Conjugal Partnerships are jointly and severally liable with the respective married Defendant doctor to Plaintiffs for the damages caused by each Defendant doctor.

NINTH CAUSE OF ACTION

134. The preceding allegations are included herein as if restated in full.
135. Defendants John Doe I-X are unknown joint tortfeasors whose acts or omissions were a cause of the damages suffered by John Diaz Sr. and Plaintiffs.
136. Defendants John Doe I-X are jointly and severally liable to Plaintiffs.

DAMAGES

137. The preceding allegations are included herein as if restated in full.
138. As a direct result of the acts or omissions of all the Defendants, Plaintiffs' husband and father, John Diaz Sr., suffered an extremely physically painful and tragic death.

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 20

139. As a direct result of the acts or omissions of all the Defendants, Plaintiffs have suffered damages, including but not limited to, mental anguish and ongoing emotional pain and suffering, as well as economic damages.
140. As a direct result of the acts or omissions of Defendants, Plaintiffs have lost their husband and father, who they loved very much.
141. As a direct result of the acts or omissions of Defendants, Plaintiffs have been deprived of the irreplaceable pleasures and value of their husband's and father's love, companionship, advice and will continue to experience that loss each day for the rest of their lives.
142. As a direct result of the acts or omissions of Defendants, Plaintiffs have been deprived of the joy John Diaz Sr. brought them and are haunted knowing that his excruciatingly painful death was totally preventable if the adequate medical treatment had been executed.
143. As a direct result of the acts or omissions of Defendants, Plaintiffs have been deprived of the financial support provided by John Diaz Sr. and may be responsible for medicare expenses related to the negligent care provided by Defendants to John Diaz Sr.
144. John Diaz Jr., as his father's sole heir, inherits under Puerto Rico law, John Diaz Sr. pain and suffering he underwent as a result of Defendants' negligence.
145. The physical and emotional pain and suffering of John Diaz Sr. has a reasonable value of no less than **Five Hundred Thousand dollars (\$500,000)**.
146. Plaintiff Milagros Ruiz's past, present and future emotional and mental damages for the loss

Ruiz vs. Presbyterian Community Hospital, Inc.

Complaint

Page 21

of her husband have a reasonable value of not less than **One Million Five Hundred Dollars (\$1,500,000.00)**.

147. Plaintiff John Diaz, Jr.'s past, present and future emotional and mental damages for the loss of his father, whom he loved very much and was very close to, have a reasonable value of not less than **One Million Dollars (\$1,000,000.00)**.

148. As a direct and proximate result of John Diaz Sr.'s death, Plaintiffs have been deprived of the financial support provided by John Diaz Sr.'s income (approximately \$5,000/month) which has a total economic value of no less than **Eight Hundred Forty Thousand Dollars (\$840,000)**.

TRIAL BY JURY DEMANDED

149. Plaintiffs hereby demand trial by jury.

WHEREFORE, Plaintiffs demand judgment against Defendants jointly and severally, in the amount of no less than **THREE MILLION EIGHT HUNDRED FORTY THOUSAND DOLLARS (\$3,840,000.00)** as well as reasonable attorney's fees, and such further relief as to this Honorable Court may deem just and proper under the law.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico this 20th day of July, 2012.

Ruiz vs. Presbyterian Community Hospital, Inc.
Complaint
Page 22

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