

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

MARIA PEREZ LUGO

Plaintiff,

vs.

GRUPO HIMA-SAN PABLO INC. d/b/a Hospital Hima-San Pablo Fajardo; DR. ANIBAL FELICIANO DELIZ, DR. FELICIANO'S CONJUGAL PARTNERSHIP WITH JANE ZOE- FELICIANO; DR. EDUARDO RAMON VILLARONGA, DR. RAMON'S CONJUGAL PARTNERSHIP WITH JANE ROE-RAMON, DR. JUAN F. AMADOR LOPEZ, DR AMADOR'S CONJUGAL PARTNERSHIP WITH JANE COE-AMADOR, DR. DIMAS FERRER TORRES, DR. FERRER'S CONJUGAL PARTNERSHIP WITH JANE FOE-FERRER, SIMED, ABC INSURANCE COMPANIES; JAMES ROE JOINT TORT FEASORS, AND DEF INSURANCE COMPANIES.

Defendants

CIVIL NO. 11-2162 (PG)

TORT ACTION FOR MEDICAL MALPRACTICE.

TRIAL BY JURY DEMANDED

AMENDED COMPLAINT

TO THE HONORABLE COURT:

_____ **APPEAR NOW** the Plaintiff in this action, through the undersigned attorneys, and respectfully state, allege and pray as follows:

JURISDICTIONAL BASIS AND VENUE

1. MARIA PEREZ LUGO, is a domiciliary and resident of the state of Florida.
2. All defendants are domiciled, incorporated or with principle place of business in Puerto Rico or in a state other than Florida.
3. The matter in controversy exceeds the sum of Seventy Five Thousand Dollars (\$75,000), exclusive of interest and costs, vesting jurisdiction on this Honorable Court pursuant to 28 U.S.C. § 1332.
4. Puerto Rico is the proper venue since it is where a substantial part of the events or omissions giving rise to the claim occurred.

THE PARTIES

5. Plaintiff, **MARIA PEREZ LUGO**, is the daughter of patient Ruth M. Lugo Rosario.
6. Co-Defendant, **GRUPO HIMA-SAN PABLO INC.** is a corporation with its principal place of business in Puerto Rico which operates under the name of Hospital HIMA San Pablo Fajardo.
7. Co-Defendant Grupo Hima-San Pablo Inc., doing business as Hospital HIMA San Pablo Fajardo (hereinafter “HIMA Fajardo”) operates a hospital with emergency facilities in Fajardo, Puerto Rico, wherein it also provides its patients with full service hospital and medical services.
8. Defendant Sindicato de Aseguradores para la Suscripción Conjunta de Seguros de Responsabilidad Profesional Médico-Hospitalaria (hereinafter “**SIMED**”) is an insurance company that insures all named physicians defendants.
9. Defendant Dr. Anibal Feliciano Deliz (hereinafter **Dr. Feliciano**) is a physician, practicing

internal medicine in Puerto Rico, who was assigned to be Ruth Lugo's attending physician by HIMA Fajardo on February 15, 2011.

10. Upon information and belief Dr. Felciano was married Ms. Jane Zoe-Felciano prior to February 14, 2011.
11. Upon information and belief, at the time of the incident, Dr. Felciano was married to Mr. Jane Zoe-Felciano without marriage capitulations and together formed a conjugal partnership.
12. Defendant Dr. Eduardo Ramón Villaronga (hereinafter **Dr. Ramón**) is a physician, who specializes in general medicine in Puerto Rico and provided emergency medical treatment to Ruth Lugo at HIMA Fajardo on February 18, 2011.
13. Upon information and belief Dr. Ramón married Ms. Jane Roe-Ramón prior to February 14, 2011.
14. Upon information and belief at the time of the incident, Dr. Ramón was married to Ms. Jane Roe-Ramón without marriage capitulations and together formed a conjugal partnership.
15. Defendant Dr. Juan F. Amador López (hereinafter **Dr. Amador**) is a physician with a specialty in radiology, practicing medicine in Puerto Rico, who provided radiologic services to Ruth Lugo at HIMA Fajardo in February 2011.
16. Upon information and belief Dr. Amador was married Ms. Jane Coe-Amador prior to February 18, 2011.
17. Upon information and belief at the time of the incident, Dr. Amador was married to Ms. Jane Coe-Amador and together formed a conjugal partnership.

18. Defendant Dimas Ferrer Torres (hereinafter **Dr. Ferrer**) is a pulmonologist practicing in Puerto Rico, who treated Ruth Lugo during her stay at HIMA Fajardo.
19. Upon information and belief Dr. Ferrer was married Ms. Jane Foe-Ferrer prior to February 18, 2011.
20. Upon information and belief at the time of the incident, Dr. Ferrer was married to Ms. Jane Foe-Ferrer and together formed a conjugal partnership.
21. Defendants ABC are insurance companies whose names are presently unknown; they are insurance companies organized, existing, and with their principal places of business in P.R. or a state or territory other than Florida, which insure defendants and/or known joint tortfeasors.
22. Defendants James Roe, 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 may be therefore liable to Plaintiff in whole or in part for the actions herein described and the damages suffered by Plaintiff. DEF insurance companies insure the presently unknown joint tortfeasors.

GENERAL ALLEGATIONS

23. Pursuant to 26 L.P.R.A. §2001 (1976), a Direct Action may be brought in the Commonwealth of Puerto Rico against a casualty or liability insurance carrier for the negligence or fault of its insured.
24. Pursuant to 26 L.P.R.A. §2003 (1976), an action against an insurer may be brought separately or may be joined with an action against its insured.
25. 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.

26. On February 14, 2011, Ruth Lugo, a 60 year old woman, was rushed by ambulance to HIMA Fajardo's emergency room due to acute abdominal pain. Ms. Lugo had a normal oxygen saturation of 95%.
27. On February 15, 2011, Ruth Lugo was admitted to the hospital at HIMA Fajardo with the chief complaint of abdominal pain under the care of Anibal Feliciano Deliz.
28. While Ms. Lugo was waiting to be operated on for her gallstones, she was not adequately treated for her diabetes, hypertension, cardiac condition or the condition she later developed, breathing insufficiency.
29. Physicians as well as respiratory technicians were absent and often unavailable to care for Ms. Lugo.
30. Ms. Lugo continued to physically deteriorate and eventually required intubation and admission to intensive care.
31. Ms. Lugo recovered and was eventually extubated.
32. Medical and hospital nursing staff failed to regularly monitor and control the hypertension and blood sugar in this diabetic patient, so patient's family brought their own equipment and began monitoring their mother.
33. Ms. Lugo's daughters would alert the medical and nursing staff of the abnormal levels in blood sugar and pressure.
34. Neither the doctors nor the nurses provided adequate treatment and Ms. Lugo eventually required respiratory assistance which was provided late or not at all. Neither her respiratory

therapist Dr. DeJesús nor her pulmonologist Dr. Ferrer were available at this time, and did not provide patient Lugo with adequate care.

35. Once again, respiratory specialist or technicians were unavailable and Ms. Lugo's condition deteriorated until she needed to be intubated for a second time.
36. Dr. Ramón eventually answered the call for intubation and proceeded to intubate Ms. Lugo.
37. Dr. Ramón was visibly upset and complained that Ms. Lugo's attending, pneumologist and other physicians did not come to treat her on a timely basis.
38. Dr. Ramón failed to correctly intubate Ms. Lugo and put the tube too far into the right lung.
39. Dr. Ramón failed to examine or correctly read the x-ray to verify the tube was correctly placed.
40. Dr. Ramón failed to follow up on the reading of the x-ray by radiologist.
41. Approximately three (3) hours after Ms. Lugo was intubated, she arrested and died.
42. Dr. Amador was the radiologist on call for emergency readings.
43. Dr. Amador examined the X-ray and determined the respiratory tube was improperly placed.
44. Dr. Amador was the radiologist in charge of reading the X-ray and reporting back any emergency findings to the treating and/or emergency room physicians.
45. Dr. Amador did not report the findings in the X-ray until after the patient Ms. Lugo had died.
46. Dr. Amador did not report back in time and Dr. Ramón did not find out that he had not placed the respiratory tube in correctly, thereby allowing his patient to die.
47. At all times material hereto, Defendant Dr. Ramón was a physician allowed to practice medicine in Puerto Rico and specifically at HIMA Fajardo's facility.

48. At all times material hereto, Dr. Ramón was emergency doctor in charge at HIMA Fajardo on the night of February 27-28, 2011.
49. Defendants failed to evaluate and treat moderate to large left pleural effusion.
50. Defendants failed to evaluate and treat the intermittent and severe pulmonary edema, as to cause.
51. Defendants failed to properly evaluate and treat the patient after the initial intubation and arrest.
52. Defendants failed to set forth a reasonable working diagnosis and a treatment plan, thereby condemning the patient to re-arrest, requiring re-intubation.
53. Defendants failed to timely and adequately treat their patient after the initial arrest and the subsequent re-arrest.
54. Defendants failed to order and obtain heart catheterization and CT scans.
55. Defendants failed to rule out pulmonary embolic for acute coronary lesion and intermittent severe hypertension.

FIRST CAUSE OF ACTION AGAINST CO-DEFENDANT HIMA FAJARDO

56. The preceding allegations are included herein as if restated in full.
57. Co-Defendant HIMA Fajardo in Rio Grande, received patient through its emergency department and assigned the care of patient Lugo to the defendant doctors.
58. Defendant doctors provided substandard medical care to patient leading unnecessarily to patient's death and Plaintiff's damages.
59. Co-Defendant HIMA Fajardo, through its acts or omissions caused damage to Plaintiff

through fault or negligence in violation of 31 L.P.R.A. §5141-42.

60. Co-Defendant HIMA Fajardo failed to provide Ruth Lugo 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 Lugo from physical, mental or emotional harm while he was in their care.
61. Co-Defendant HIMA Fajardo, through the negligent acts or omissions of its doctors, nurses and hospital staff, breached its duty to provide Lugo with acceptable health care, including access to prompt medical/nursing evaluation and treatment while in their facilities, as measured by the standards of the profession, and to protect her from physical, mental, and emotional harm while he was in their care.
62. At all times herein pertinent, Co-Defendant HIMA Fajardo, and its employees were negligent in failing to provide the proper selection, supervision of Co-Defendant doctors, and also the nursing and administrative personnel it employs or contracts, and otherwise failing to exercise due medical care, treatment and caution to prevent Lugo' death and plaintiff's damages.
63. Co-Defendant HIMA Fajardo contracted the services of Co-Defendant doctors and respiratory, x-ray technicians to provide Lugo with timely nursing, respiratory therapy and medical services and, thus is liable for any and all negligent acts committed by the physician, nursing and its medical technicians and non medical personnel.
64. Co-Defendant HIMA Fajardo not only failed to adequately select its nursing, respiratory, xray and other technicians and medical providers, but permitted the use of its facilities,

allowing, encouraging and condoning the negligent care and improper treatment of Lugo, directly causing and/or contributing to her death and Plaintiff's pain and damages.

65. HIMA Fajardo offered medical services to its patients 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 also failed to staff its hospital with the adequate medical personnel and equipment to appropriately monitor and timely treat patient Lugo.
66. In so doing, HIMA Fajardo misled those who sought full hospital treatment into thinking that they would be appropriately treated.
67. As a direct and proximate result of the negligent acts or omissions of Co-Defendant HIMA Fajardo, through its agents, Lugo did not receive adequate medical, nursing, or respiratory treatment or care, including, but not limited to, adequate evaluation and adequate administration of prompt respiratory care, monitoring patient's condition and obtaining timely intervention by other medical specialists.
68. The inadequate medical, nursing, x-ray and respiratory technicians' treatment and care from Co-Defendant HIMA Fajardo was a direct and proximate cause of Lugo's death and Plaintiff's damages.
69. The nursing staff employed by HIMA Fajardo delayed inordinately in offering adequate and prompt treatment by technicians and physicians. They waited too long to contact the doctors in charge of patient Lugo's care. They additionally delayed in contacting the ER for emergency medical care. These negligent acts directly and proximately contributed to Lugo's death and Plaintiff's damages. Co-Defendant HIMA Fajardo is responsible for the negligent acts of its nursing, technical staff, department heads as its agents.

SECOND CAUSE OF ACTION AGAINST CODEFENDANT DR. FELICIANO

70. Co-defendant Dr. Feliciano's evaluation, monitoring and treatment of patient Ruth Lugo were beneath the standard of care required for medical professionals. His actions directly caused or contributed to Ms. Lugo's death.
71. Co-defendant Dr. Feliciano had Ms. Lugo in his care, and as such was obligated to ensure that she received proper care by himself, technical and the nursing staff.
72. Co-defendant Dr. Feliciano was Ruth Lugo's attending physician, and as such was responsible for ensuring timely consultation with appropriate specialist doctors and ensuring she was being adequately treated by them.
73. Co-defendant Dr. Feliciano was Ruth Lugo's attending physician, failed to adequately treat his patient, allowing her condition to deteriorate to the extent that she needed to be promptly intubated, otherwise she would suffer respiratory arrest and death.
74. Co-defendant Dr. Feliciano knew or should have known that patient Ruth Lugo's condition was delicate and that she should have been monitored constantly.
75. Co-defendant Dr. Feliciano failed to timely and adequately treat Ms. Lugo. Dr. Feliciano
76. Co-defendant Dr. Feliciano failed to make himself available when nurse would call him.
77. Co-defendant Dr. Feliciano's absence was a factor that contributed to his negligence in failing to timely care for, provide follow-up medical care, and properly intubate patient Lugo and/or ensure that she was adequately intubated while under his care at HIMA Fajardo.
79. Dr. Feliciano was not available to his patient at critical moments and thus failed to ensure treatment under the established standard of care.
80. Co-defendant Dr. Feliciano knew or should have known that if he was unable or unwilling

to perform the intubation, he was responsible ensuring it was done safely and correctly. By failing to do so, he was a direct and proximate cause of the damages suffered by Plaintiff, as described herein.

THIRD CAUSE OF ACTION AGAINST THE CONJUGAL PARTNERSHIP COMPRISED BETWEEN CO-DEFENDANT DR. FELICIANO AND HIS WIFE, MRS. FELICIANO

81. The preceding allegations are included herein as if restated in full.
82. The activities by which Co-Defendant Dr. Feliciano caused Lugo and Plaintiff's damages were activities which benefitted Co-Defendant Conjugal Partnership comprised by Dr. Feliciano and his wife, Mrs. Jane-Foe Feliciano, referred to herein as such for lack of information as to her real/complete name.
83. As such, this Conjugal Partnership and Mrs. Jane Foe-Feliciano are jointly and severally liable to Plaintiff for the damages caused by Co-Defendant Dr. Feliciano.

FOURTH CAUSE OF ACTION AGAINST CODEFENDANT DR. RAMON

84. The preceding allegations are included herein as if restated in full.
85. Co-defendant Dr. Ramón's treatment of patient Ruth Lugo was below the required medical standard of care for medical professionals and as such directly caused and/or contributed to causing Lugo's condition to worsen by incorrectly performing an intubation, which led to patient Lugo's death.
86. Dr. Ramón's intubation of Ms. Lugo was inserted too far into the right lung, impairing Ms. Lugo's ability to breathe. Dr. Ramón prevented his patient from receiving the full benefit of a correctly placed intubation and even potentially over inflating and damaging the right lung.
87. Dr. Ramón had hours after performing the intubation to correct his mistake, as it showed up

clearly on the intubation's chest x-rays, which were taken at 4:15 a.m., and Ms. Lugo died around 6:40 a.m.

88. In so doing, Co-Defendant Dr. Ramón committed professional negligence, including lack of expertise, fault and malpractice, which directly and proximately caused the pain and suffering of Lugo before she died, as well as Plaintiff's pain and suffering.

FIFTH CAUSE OF ACTION AGAINST THE CONJUGAL PARTNERSHIP COMPRISED BETWEEN CO-DEFENDANT DR. RAMON AND HIS WIFE, MRS. RAMON

89. The preceding allegations are included herein as if restated in full.
90. The activities by which Co-Defendant Dr. Ramón caused Lugo and Plaintiff's damages were activities which benefitted Co-Defendant Conjugal Partnership comprised by Dr. Ramón and his wife, Mrs. Jane Roe-Ramón, referred to herein as such for lack of information as to her real name.
91. As such, this Conjugal Partnership and Mrs. Jane Roe-Ramón are jointly and severally liable to Plaintiff for the damages caused by Co-Defendant Dr. Ramón.

SIXTH CAUSE OF ACTION AGAINST DR. FERRER

92. The preceding allegations are included herein as if restated in full.
93. Co-defendant Dr. Ferrer failed to treat patient Ruth Lugo under the standard required for medical personnel according to the exigencies of modern means and communication.
94. Co-defendant Dr. Ferrer failed to properly assess, monitor and treat patient's medical and pulmonary condition, which he was bound to do as her pneumologist.
95. Co-defendant Dr. Ferrer knew or should have known that if left untreated, patient would suffer pulmonary arrest and die. In failing to intervene in a timely manner he incurred in

negligence and his actions are a direct and proximate cause of patient's death and Plaintiff's suffering.

96. Co-defendant Dr. Ferrer was negligent in his treatment of Ms. Lugo as he was part of her medical and respiratory team, yet did not assist her on the day she arrested and died as a result of an faulty intubation

97. Co-defendant Dr. Ferrer was negligent in his treatment of Ms. Lugo as he was part of her medical and respiratory team, yet did not promptly attend to his patient and/or correct the faulty intubation resulting in Ms. Lugo's death.

SEVENTH CAUSE OF ACTION AGAINST THE CONJUGAL PARTNERSHIP COMPRISED BETWEEN CO-DEFENDANT DR. FERRER AND HIS WIFE, MRS. FERRER

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

99. The activities by which Co-Defendant Dr. Ferrer caused Lugo and Plaintiff's damages were activities which benefitted Co-Defendant Conjugal Partnership comprised by Dr. Ferrer and his wife, Mrs. Jane Foe-Ferrer, referred to herein as such for lack of information as to her real name.

100. As such, this Conjugal Partnership and Mrs. Jane Foe-Ferrer are jointly and severally liable to Plaintiff for the damages caused by Co-Defendant Dr. Ferrer.

EIGHTH CAUSE OF ACTION AGAINST DR. AMADOR

____ 101. ____ The preceding allegations are included herein as if restated in full.

____ 102. Co-defendant Dr. Amador failed to timely read and report the findings of the x-ray he performed of Lugo's intubation. By not doing so, he was negligent and his actions were a direct and proximate cause of patient's death and Plaintiff's suffering.

103. Co-defendant Dr. Amador knew or should have known that the incorrect placement of the tube by about 3 cm into the right lung qualified as an emergency finding.
104. Co-defendant Dr. Amador failed in his duty to immediately notify to the emergency room doctor or attending physicians so that they could rectify the emergency situation.
105. Co-defendant Dr. Amador failed to promptly and effectively notify these findings and did so only after Lugo's death.
106. As such, Dr. Amador is jointly and severally liable to Plaintiff for the damages caused to plaintiffs due to his negligence in the treatment his patient Ms. Lugo.

NINTH CAUSE OF ACTION AGAINST THE CONJUGAL PARTNERSHIP COMPRISED BETWEEN CO-DEFENDANT DR. AMADOR AND HIS WIFE, MRS. AMADOR

107. The preceding allegations are included herein as if restated in full.
108. The activities by which Co-Defendant Dr. Amador caused Lugo and Plaintiff's damages were activities which benefitted Co-Defendant Conjugal Partnership comprised by Dr. Amador and his wife, Mrs. Jane Coe-Amador, referred to herein as such for lack of information as to her real name.
109. As such, this Conjugal Partnership and Mrs. Jane Coe-Amador are jointly and severally liable to Plaintiff for the damages caused by Co-Defendant Dr. Amador.

TENTH CAUSE OF ACTION AGAINST CO-DEFENDANT SIMED AS INSURER FOR DEFENDANT DOCTORS

110. Defendant, Sindicato de Aseguradores para la Suscripción Conjunta de Seguro de Responsabilidad Profesional Médico-Hospitalaria, known as SIMED, issued an insurance policy covering Dr. Feliciano, Dr. Ramón, Dr. Amador, and Dr. Ferrer for this type of claim of medical negligence.

111. Pursuant to 26 P.R. Laws Ann. §2001, an insurance company is liable for the negligence or fault of its insured.
112. 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.
113. Therefore, Co-Defendant SIMED is jointly and severally liable to Plaintiff for the damages caused to them by Co-Defendants Dr. Feliciano, Dr. Ramón, Dr. Amador, and Dr. Ferrer.

**ELEVENTH CAUSE OF ACTION AGAINST ABC INSURANCE COMPANIES AS INSURER
FOR HIMA FAJARDO OR OTHER KNOWN JOINT TORTFEASORS**

114. The preceding allegations are included herein as if restated in full.
115. Co-Defendant ABC Insurance Companies on behalf of Co-Defendant HIMA Fajardo were, at all times herein pertinent, insurance company authorized to do business as such in the Commonwealth of Puerto Rico which issued public liability and/or malpractice insurance policies.
116. Pursuant to 26 P.R. Laws Ann. §2001, an insurance company is liable for the negligence or fault of its insured.
117. 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.
118. Therefore, Co-Defendants ABC Insurance Companies are jointly and severally liable to Plaintiff for the damages caused to him by Co-Defendants HIMA Fajardo and known joint tortfeasors.

**TWELFTH CAUSE OF ACTION AGAINST JAMES ROE- UNKNOWN JOINT
TORTFEASORS AND THEIR DEF INSURANCE COMPANIES**

119. The preceding allegations are included herein as if restated in full.
120. Co-Defendants James Roe, fictitiously named for any unknown joint tortfeasors acted, or failed to act, negligently in carrying out their duties and functions in providing medical care to Ms. Lugo, as professionals, technicians, owners, suppliers, administrators, or subcontractors, thereby affecting the medical services offered and supplied by Co-Defendants.
121. Their fault and negligence contributed to the negligent and inadequate services given to Plaintiff, which in turn caused the damages herein specified to him, and are thus jointly and severally liable to Plaintiff.
122. Co-Defendant DEF Insurance Companies on behalf of Jane Roe, James Roe and any unknown joint tortfeasors were, at all times herein pertinent, insurance companies authorized to do business as such in the Commonwealth of Puerto Rico, which issued public liability and/or malpractice insurance policies.
123. 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.
124. Therefore, Co-Defendants DEF Insurance Companies are jointly and severally liable to Plaintiff for the damages caused to them by Co-Defendants Jane Roe, James Roe and any unknown joint tortfeasors.

DAMAGES

125. The preceding allegations are included herein as if restated in full.
126. As a direct and proximate result of the acts or omissions of all the Defendants, Plaintiff suffered knowing how her mother Ruth Lugo suffered an extremely painful ordeal,

essentially slowly suffocating to her death.

127. As a direct and proximate result of the acts or omissions of all the Defendants, Plaintiff has suffered damages, including but not limited to, mental anguish and ongoing pain and suffering for the loss of her mother, Ruth Lugo.
128. As a direct and proximate result of the acts or omissions of Defendants, Plaintiff has lost her mother Ruth Lugo, whom she loved very much, was very close to and who she kept in contact with regularly.
129. As a direct and proximate result of the acts or omissions of Defendants, Plaintiff has been deprived of the irreplaceable pleasure and value of Ruth's love, companionship, advice and will continue to experience that loss each and every day for the rest of her life.
130. As a direct and proximate result of the acts or omissions of Defendants, Plaintiff has been deprived of the joy Ruth brought her and is haunted knowing that her suffering and death were totally preventable if the adequate medical treatment had been timely executed.
131. Plaintiff's past, present and future damages for the loss of her mother Ruth Lugo have reasonable value of not less than **One Million Dollars (\$1,000,000.00)**.
132. As a direct result of the acts or omissions of all Defendants, Plaintiff has been deprived of the joy Ruth brought her and is haunted knowing that her untimely death was totally preventable had the correct procedures been carefully executed.
133. As a direct and proximate result of the negligence of all Defendants, Ruth suffered many days in agony and eventually a painful death by suffocation
134. As a direct and proximate result of the negligence of all Defendants, Ruth suffered knowing and fearing that the poor treatment she was receiving would eventually cause her death.

135. Ms. Lugo's suffering is a separate set of damages and an independent cause of action which plaintiff María Perez inherits as one of Ruth's heirs under Puerto Rico law.

136. Plaintiff María Perez's claims for her mother's pain and suffering which has a reasonable value of no less than One Million Dollars (\$1,000,000).

TRIAL BY JURY DEMANDED

137. Plaintiff hereby demands trial by jury.

WHEREFORE, Plaintiff demands judgment against Defendants jointly and severally, in the amount of no less than **TWO MILLION DOLLARS (\$2,000,000.00)** 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 12th day of March, 2012.

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