

MICHAEL K. JEANES
Clerk of the Superior Court
By Meredith Asuero, Deputy
Date 12/21/2016 Time 13:33:36

Description	Amount
CASE# CV2016-004255	
CIVIL NEW COMPLAINT	319.00 D
TOTAL AMOUNT	0.00
Receipt# 25644439	

1 Thomas M. Wright
Charlotte Wright
2 30150 North 129th Glen
Peoria AZ 85383
3 1 (623) 374-6271
tomwright411@gmail.com
4 Plaintiffs in Pro Per

5
6 SUPERIOR COURT OF ARIZONA
7 MARICOPA COUNTY

8 THOMAS M. WRIGHT and CHARLOTTE
9 WRIGHT, husband and wife,

10 Plaintiffs,

11 vs.

12 JONATHAN HOTT, M.D., and JANE DOE
HOTT, husband and wife; JOHN C. LINCOLN
13 NORTH MOUNTAIN HOSPITAL, an Arizona
corporation; John Does I-X, Jane Does I-X, ABC
14 Corporations I-X and XYZ Partnerships I-X, and
each of them,

15 Defendants.
16

No. CV2016-004255

COMPLAINT
(Medical Malpractice)

REQUEST FOR
JURY TRIAL

17 Plaintiffs in Pro Se, for their Complaint against defendants, allege as follows:

18 GENERAL ALLEGATIONS

19 1. At all times material hereto, Plaintiffs were residents of Maricopa County, State
20 of Arizona.

21 2. All acts giving rise to this lawsuit occurred in Maricopa County, State of Arizona.

22 3. Plaintiffs are informed and believe and upon such information and belief allege
23 that Defendant Jonathan Hott, M.D., and his wife, if any, Jane Doe Hott, are, and at all times
24 material hereto, were residents of Maricopa County, State of Arizona.

25 4. Plaintiffs are informed and believe and upon such information and belief allege
26 that all times material hereto, Dr. Hott was acting for and in furtherance of the interest of his
27 marital community.
28

5. At all times material hereto, Dr. Hott was a duly licensed physician practicing in the State of Arizona and held himself out to the public and to the plaintiffs as being skilled, careful and diligent in the practice of medicine, and specifically in the practice of neurosurgery.

6. At all times material hereto, Defendant John C. Lincoln North Mountain Hospital (“JCLNM”), was an Arizona business entity doing business in Maricopa County, Arizona, and was a duly licensed health care facility employing staff members who treated Plaintiff Thomas M. Wright and held themselves out to the public and to Ms. Wright as being skilled, careful and diligent in the practice of medicine.

7. Dr. Hott was an agent and/or employee and/or ostensible agent of JCLNM and all at times material hereto Dr. Hott was acting in the scope of his employment and/or agency. Accordingly, JCLNM is vicariously liable for Dr. Hott's negligent acts and omissions.

8. Defendants John Does I-X, Jane Does I-X, ABC Corporations I-X and XYZ Partnerships I-X, whose true identities are not known by plaintiffs at this time, are sued fictitiously until discovery reveals their true identity. The extent of these defendants' liability to plaintiffs for causing and contributing to Plaintiff's injuries is not fully known at this time, but may include causes of action for negligence and malpractice at a later date.

FIRST CLAIM FOR RELIEF

(Medical Malpractice against Defendant Jonathan Hott, M.D.)

9. Plaintiffs reallege and incorporate herein by this reference each and every allegation contained in paragraphs 1 through 8 above as though fully set forth herein.

10. Mr. Wright was a patient at JCLNM from December 23, 2014 to December 25, 2014 and was under the care of Dr. Hott from December 23, 2014 to December 25, 2014

11. Dr. Hott had a duty to exercise reasonable care in evaluating, assessing and treating Mr. Wright. Dr. Hott breached that duty and fell below the standard of care in appropriately evaluating, assessing and treating Mr. Wright's spinal injuries at vertebral levels L-2, L-3, L-4 and L-5. Dr. Hott's negligence includes, but is not limited to, (1) failing to complete the laminectomy procedures, (2) failing to maintain antisepsis at the surgical site and causing Mr.

1 Wright to contract an infection which resulted in meningitis noted in JCLNM's records as caused
2 by a life-threatening staph infection "below the surgery site," and (3) discharging Mr. Wright on
3 December 25, 2014 with a diagnosis of laminectomy at L-2, L-3, L-4 and L-5.

4 15. Dr. Hott's negligence caused serious permanent damage to Mr. Wright's lower
5 back. As a result, Mr. Wright has required two major surgical procedures: (1) the surgical
6 removal of the infected tissue on January 3, 2015 by Dr. Hott at JCLNM with hospitalization at
7 JCLNM from December 26, 2014 to January 9, 2015, and (2) a revision of Dr. Hott's failed
8 laminectomy at levels L-3, L-4, L-5 and S-1 by Christopher Yeung, M.D., at Shea Scottsdale
9 Honor Hospital. Mr. Wright has undergone multiple diagnostic studies, and has participated in
10 extensive physical therapy and rehabilitation at: (1) Sante' Rehab Facility from January 9, 2015
11 to February 14, 2015, undergoing treatment for the meningitis with occupational, inhalation and
12 physical rehabilitation, and (2) Orthopedic Specialty Rehab from approximately February 28,
13 2015 for three months. He has sustained significant memory loss, and required extensive medical
14 treatment and incurred associated bills.

15 16. The Defendants' negligence has caused Mr. Wright to have vocational losses and
16 it is probable Mr. Wright will incur additional vocational losses in the future.

17 17. The Defendants' negligence has caused Mr. Wright to suffer pain, anxiety, loss of
18 enjoyment of life.

19 18. The Defendants' negligence has caused Plaintiffs loss of consortium and those
20 losses will probably continue on a permanent basis.

21 **SECOND CLAIM FOR RELIEF**

22 (Medical Malpractice against Defendant John C. Lincoln North Mountain Hospital)

23 19. Plaintiffs reallege and incorporate herein by this reference each and every
24 allegation contained in paragraphs 1 through 18 above as though fully set forth herein.

25 20. Mr. Wright was an admitted patient at JCLNM from December 23, 2014 to
26 December 25, 2014.

1 21. JCLNM had a duty to exercise reasonable care in evaluating, assessing and
2 treating Mr. Wright. JCLNM breached that duty and fell below the standard of care in
3 appropriately evaluating, assessing and treating Mr. Wright's spinal injuries at vertebral levels L-
4 2, L-3, L-4 and L-5. JCLNM's negligence includes, but is not limited to, (1) failing to supervise
5 Dr. Hott to ensure that he complete the laminectomy procedures, (2) failing to maintain
6 antisepsis at the surgical site and causing Mr. Wright to contract an infection which resulted in
7 meningitis noted in JCLNM's records as caused by a life-threatening staph infection "below the
8 surgery site," and (3) failing to supervise Dr. Hott to ensure that he properly discharged Mr.
9 Wright on December 25, 2014 with a diagnosis of laminectomy at L-2, L-3, L-4 and L-5.

10 15. JCLNM's negligence caused serious permanent damage to Mr. Wright's lower
11 back. As a result, Mr. Wright has required two major surgical procedures: (1) the surgical
12 removal of the infected tissue on January 3, 2015 by Dr. Hott at JCLNM with hospitalization at
13 JCLNM from December 26, 2014 to January 9, 2015, and (2) a revision of Dr. Hott's failed
14 laminectomy at levels L-3, L-4, L-5 and S-1 by Christopher Yeung, M.D, at Shea Scottsdale
15 Honor Hospital. Mr. Wright has undergone multiple diagnostic studies, and has participated in
16 extensive physical therapy and rehabilitation at: (1) Sante' Rehab Facility from January 9, 2015
17 to February 14, 2015, undergoing treatment for the meningitis with occupational, inhalation and
18 physical rehabilitation, and (2) Orthopedic Specialty Rehab from approximately February 28,
19 2015 for three months. He has sustained significant memory loss, and required extensive medical
20 treatment and incurred associated bills.

21 16. The Defendants' negligence has caused Mr. Wright to have vocational losses and
22 it is probable Mr. Wright will incur additional vocational losses in the future.

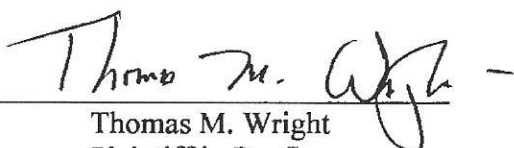
23 17. The Defendants' negligence has caused Mr. Wright to suffer pain, anxiety, loss of
24 enjoyment of life.

25 18. The Defendants' negligence has caused Plaintiffs' loss of consortium and those
26 losses will probably continue on a permanent basis.

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1 WHEREFORE, Plaintiffs' pray for judgment against Defendants', and each of them, as
2 follows:

- 3 1. For general damages in an amount to be determined by a jury;
- 4 2. For the medical expenses incurred and to be incurred in the future;
- 5 3. For Mr. Wright's lost earnings to date and earnings to be lost in the future;
- 6 4. For Plaintiffs' costs of suit; and
- 7 5. For such other and further relief as the Court deems just and proper.

8 Dated: 12/21/2016	9  10 Thomas M. Wright 11 Plaintiff in Pro Se
12 Dated:	13  14 Charlotte Wright 15 Plaintiff in Pro Se

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