

IN THE CIRCUIT COURT
TWENTIETH JUDICIAL CIRCUIT
ST. CLAIR COUNTY, ILLINOIS

KATHLEEN LEE, as Special)
Administrator of the Estate)
Of ROBERT LEE, deceased,)
)
Plaintiff,)

v.) No. 19L0743
)

DIRK RANDAL DE HAAS, M.D.,)
and PROTESTANT MEMORIAL)
MEDICAL CENTER d/b/a MEMORIAL)
HOSPITAL EAST,)
)
Defendants.)

COMPLAINT

COUNT I

(Negligence - Wrongful Death v. Dirk Randal de Haas, M.D.)

COMES NOW Plaintiff, by and through her undersigned
counsel, and for Count I of her Complaint against defendant Dirk
Randal de Haas, M.D., states:

1. That on January 21, 2019 Robert Lee died and his wife,
Kathleen Lee, has been duly appointed administrator of his
estate and brings this action pursuant to the Illinois Wrongful
Death Statute and the Illinois Survival Statute.
2. That at all times herein mentioned the defendant, Dirk
Randal de Haas, was a medical doctor, licensed and practicing in
the State of Illinois and the employee, agent and/or apparent
agent of co-defendant Protestant Memorial Medical Center, d/b/a

Memorial Hospital East, when he and they assumed the care of Robert Lee.

3. That at all times herein mentioned the defendant, Protestant Memorial Medical Center, d/b/a Memorial Hospital East, was a corporation, authorized and doing business in Illinois, when they, by and through their agents, co-agents, apparent agents and employees assumed the care of Robert Lee.

4. That at all times herein mentioned Robert Lee was a citizen and resident of St. Clair County, Illinois, including on January 10, 2019, when he presented to the various defendants herein.

5. That the defendant, individually, and by and through its agents, servants, co-owners, partners, and/or employees, was guilty of one or more of the following negligent acts or omissions:

- a) Negligently and carelessly failed to order a chest x-ray;
- b) Negligently and carelessly failed to order blood work;
- c) Negligently and carelessly failed to swab for Influenza A & B;
- d) Negligently and carelessly failed to diagnose pneumonia;
- e) Negligently and carelessly failed to start antibiotics; and/or
- f) Negligently and carelessly discharged the plaintiff with instructions to simply continue taking over-

the-counter medications, which the Defendant knew -
- or in the exercise of reasonable care should have
known - - were not working, their inefficacy being
why he presented to the emergency room in the first
place.

6. That as a direct and proximate result of one or more of
the foregoing negligent acts or omissions on the part of the
defendant as aforesaid Robert Lee's pneumonia and Legionnaire's
disease went undiagnosed until it was too late, and following
significant complications therefrom died an untimely death on
January 21, 2019. Decedent's next of kin have been permanently
deprived of her love, companionship, society, support, and they
have incurred and become liable for large sums of money in
hospital, medical and related expenses, all to their damage in a
substantial amount.

WHEREFORE, plaintiff demands judgment against the defendant
in an amount greater than SEVENTY FIVE THOUSAND DOLLARS
(\$75,000.00), plus costs.

COUNT II

(Negligence - Wrongful Death v. Memorial Hospital East)

COMES NOW Plaintiff, by and through her undersigned
counsel, and for Count II of her Complaint against defendant
Memorial Hospital East, states:

1.-6. Plaintiff hereby adopts and incorporates the
allegations in paragraphs 1 through and including 6 of Count I

of her Complaint as and for paragraphs 1 through and including 6 of Count II of her Complaint.

WHEREFORE, plaintiff demands judgment against the defendant in an amount greater than SEVENTY FIVE THOUSAND DOLLARS (\$75,000.00), plus costs.

COUNT III
(Survival v. Dirk Randal de Haas, M.D.)

COMES NOW Plaintiff, by and through her undersigned counsel, and for Count III of her Complaint against defendant Dirk Randal de Haas, M.D., states:

1.-5. Plaintiff hereby adopts and incorporates the allegations in paragraphs 1 through and including 5 of Count I of her Complaint as and for paragraphs 1 through and including 5 of Count III of her Complaint.

6. That as a direct and proximate result of one or more of the foregoing negligent acts or omissions on the part of the defendant as aforesaid, Robert Lee's pneumonia and Legionnaire's disease went undiagnosed and untreated, he suffered significant subsequent complications, and he suffered permanent pain, mental anguish, disfigurement, incurred medical bills up until the time of his death, and was permanently prevented from attending to his usual affairs and duties up to the time of his death, all to his damage in a substantial amount.

WHEREFORE, plaintiff demands judgment against the defendant in an amount greater than SEVENTY FIVE THOUSAND DOLLARS (\$75,000.00), plus costs.

COUNT IV
(Survival v. Memorial Hospital East)

COMES NOW Plaintiff, by and through her undersigned counsel, and for Count IV of her Complaint against defendant Memorial Hospital East, states:

1.-6. Plaintiff hereby adopts and incorporates the allegations in paragraphs 1 through and including 6 of Count III of her Complaint as and for paragraphs 1 through and including 6 of Count IV of her Complaint.

WHEREFORE, plaintiff demands judgment against the defendant in an amount greater than SEVENTY FIVE THOUSAND DOLLARS (\$75,000.00), plus costs.

/s/ Thomas Q. Keefe, III
THOMAS Q. KEEFE, III
Ill. Reg. No. 6294376
Attorney for Plaintiff

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