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KAEDE OTA, M.D.
530 S. 2nd Street
Philadelphia, PA 19147

Plaintiff,

v.

THE CHILDREN'S HOSPITAL OF
PHILADELPHIA
3401 Civic Center Blvd.
Philadelphia, PA 19104

and

THE PERELMAN SCHOOL OF MEDICINE/
THE TRUSTEES OF THE UNIVERSITY OF
PENNSYLVANIA
3451 Walnut Street
Philadelphia, PA 19104

and

ROBERT W. DOMS, MD, PhD
3401 Civic Center Blvd
Philadelphia, PA 19104

and

SUZANNE ROSE, MD, MSED
Perelman School of Medicine
University of Pennsylvania
3400 Civic Center Blvd
Building 421
Philadelphia, PA 19104

THIS IS NOT AN ARBITRATION CASE
AN ASSESSMENT OF DAMAGES IS
REQUIRED

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JURY TRIAL IS DEMANDED

Attorneys for Plaintiff

PHILADELPHIA COUNTY
COURT OF COMMON PLEAS

TRIAL DIVISION

NOVEMBER TERM 2019

NO: 190701795

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internally of Dr. Doms' discriminatory and retaliatory conduct and ultimately filed a complaint in the United States District Court for the Eastern District of Pennsylvania alleging violations of state and federal law in connection with her employment with Defendants CHOP and Penn. Dr. Ota was the second woman in her reporting chain to file a federal court complaint against Defendant CHOP alleging discriminatory and retaliatory conduct toward women by Defendant Doms. Defendant CHOP accepted judgement against it and in favor of Dr. Ota on the claims alleged in her complaint that included specific details of discriminatory and retaliatory conduct by Defendant Doms, in the amount of \$500,000.

Subsequently, Defendants CHOP, Penn, Doms, and Defendant Dr. Suzanne Rose, Senior Vice Dean for Medical Education, Perelman School of Medicine ("Defendant Rose"), engaged in concerted and sustained efforts to damage Dr. Ota's reputation and professional standing within the CHOP and Penn organization and the broader medical community in order to bolster Defendant Doms' reputation at Dr. Ota's expense. In order to damage Dr. Ota's reputation as a physician, Defendants relied upon intentionally false and defamatory statements (both written and verbal) and relayed information (both written and verbal) with a disregard for the falsity of the statements they were disseminating. Defendants CHOP, Penn, Doms and Rose encouraged medical students, including without limitation, Defendant Elizabeth Duckworth ("Defendant Duckworth") to publish false and defamatory statements about Dr. Ota to serve their purpose of damaging Dr. Ota's reputation and professional standing. Defendants' efforts to besmirch Dr. Ota culminated in an email from

Defendant Duckworth sent on April 10, 2019 to the entire student body of Defendant Penn's medical college containing false and defamatory information about Dr. Ota, including a false statement that Dr. Ota was a risk to patient safety while employed by Defendants CHOP and Penn. Plaintiff, by way of this Complaint, seeks damages against Defendant and in support thereof avers as follows:

I. **PARTIES**

1. Plaintiff is an adult individual residing at 530 South Second Street, Philadelphia, PA 19147.

2. Plaintiff is a physician and former employee of Defendants CHOP and Penn.

3. Defendant CHOP is a non-profit hospital, organized and existing under the laws of the Commonwealth of Pennsylvania and with a principal place of business located at 3401 Civic Center Boulevard, Philadelphia, PA 19104.

4. At all relevant times, Defendant CHOP acted by and through its agents, apparent agents, ostensible agents, officers and employees, all of whom were acting on behalf of CHOP with actual, apparent and/or ostensible authority, and within the course and scope of their agency relationship.

5. Defendant Penn is a non-profit corporation, organized and existing under the laws of the Commonwealth of Pennsylvania, with a principal place of business at 3451 Walnut Street, Philadelphia, PA 19104. The University of Pennsylvania, including the Perelman School of Medicine is an operating arm of Defendant Penn.

6. At all relevant times, Defendant Penn acted by and through its agents, apparent agents, ostensible agents, officers and employees, all of whom were acting on behalf of Defendant Penn with actual, apparent and/or ostensible authority, and within the course and scope of their agency relationship.

7. Defendant Doms is an adult individual who is believed to maintain an office and place of business on the premises of Defendant CHOP at 3401 Civic Center Boulevard, Philadelphia, PA 19104. Defendant Doms is an employee of both Defendant CHOP and Defendant Penn.

8. Defendant Rose is an adult individual who is believed to maintain an office and place of business on the premises of Defendant Penn at 3400 Civic Center Boulevard, Philadelphia, PA 19104. Defendant Rose is an employee of Defendant Penn.

9. Defendant Duckworth is an adult individual who is believed to be a medical student/resident physician with an office located at 3400 Civic Center Boulevard, Philadelphia, PA 19104. Defendant Duckworth is believed to be a student enrolled with Defendant Penn and at all material times served as the President of medical student government.

II. JURISDICTION AND VENUE

10. Jurisdiction over the parties in the Courts of the Commonwealth of Pennsylvania is proper pursuant to the provisions of 42 Pa.C.S.A. § 5301 *et seq.* Defendants and their agents and employees are citizens of the Commonwealth, transact business in the Commonwealth and/or have purposefully directed activities at

Pennsylvania residents and have purposefully availed themselves of the privileges of conducting activities within Pennsylvania.

11. Venue in Philadelphia County is proper pursuant to Pa.R.C.P. 2179(a)(2) and Pa R.C.P. 1006(2) in that Defendants regularly conduct business within Philadelphia County.

III. FACTUAL ALLEGATIONS

12. Plaintiff is an accomplished physician and microbiologist who worked for Defendants CHOP and Penn for nearly six years. From in or about 2012 to in or about 2015, Plaintiff served as the Director of the Clinical Microbiology Laboratory at Defendant CHOP and was an Assistant Professor of Medicine for Defendant Penn.

13. Plaintiff's employment with Defendants CHOP and Penn ended on or about June 30, 2016 when Plaintiff resigned.

14. Plaintiff's resignation followed months of discriminatory and retaliatory treatment at the hands of Defendants CHOP, Penn and Doms.

15. On or about April 12, 2016, prior to her resignation, Plaintiff filed a Complaint with the Pennsylvania Human Relations Commission ("PHRC") against Defendants CHOP and Penn alleging that she was treated in a discriminatory and retaliatory manner because of her sex and in violation of state and federal law. The PHRC Complaint was cross-filed with the EEOC.

16. On or about December 19, 2016, Plaintiff filed an EEOC Charge of Discrimination with the Equal Employment Opportunity Commission ("EEOC") against

Defendants CHOP and Penn alleging acts of discrimination and retaliation on the basis of sex, *inter alia*. The EEOC Charge was cross filed with the PHRC.

17. On or about April 19, 2018, Plaintiff filed a Complaint in the United States District Court for the Eastern District of Pennsylvania complaining of acts of discrimination and retaliation, *inter alia*, as detailed in the PHRC Complaint and the EEOC Charge.

18. On May 30, 2018, Defendant CHOP accepted Judgment against it for the claims asserted against it in Plaintiff's Complaint filed in the United States District Court for the Eastern District of Pennsylvania ("Federal Court Complaint"), including unlawful sex discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964.

19. The Judgment accepted against it by Defendant CHOP was in the amount of \$500,000.

20. Nearly a year later, on or about May 2, 2019, Plaintiff was contacted by a physician employed by Defendant Penn and told of an email widely circulating among the community of Defendant Penn in which false and defamatory statements about Plaintiff were made, putting her in a negative light and harming her reputation as a physician.

21. On or about May 10, 2019 Plaintiff was given a copy of the email.

22. The email was sent by Defendant Elizabeth Duckworth ("Defendant Duckworth") in her capacity of as "President MSG" or the student governing body of Defendant Penn's medical school.

23. The email was dated April 10, 2019 and sent to MS3@lists.upenn.edu. (“April 10th Email” or “the email”).

24. “MS3@lists.upenn.edu” indicates that the email was sent to the more than five hundred (500) medical students enrolled at Defendant Penn. The email did not contain any admonishment that the contents were confidential or not to be further disseminated and, as evidenced by the fact that Dr. Ota was contacted by a physician of Defendant Penn (and not a medical student), the email was in fact circulated beyond the more than five hundred (500) medical students.

25. The April 10th Email purported to memorialize a meeting that took place on April 9, 2019 (“April 9th Meeting”). The April 9th Meeting took place after medical students of Defendant Penn expressed concern about the appropriateness of Defendant Doms continuing to teach medical students following CHOP’s acceptance of judgment against it for a complaint that alleged that Defendant Doms treated a female physician reporting to him in a sex based discriminatory and retaliatory manner. The email stated in part:

a. “On April 9th, members of the MS1 class, MS1 course reps, and MSG met with Dr. Doms, Dean Rose, Anna Delaney and members of the CHOP pathology faculty to discuss the articles published in Philadelphia Magazine [sic] about Dr. Doms and his former employee, Dr. Kaede Ota.”

b. “Our goal with this email is to accurately convey the information that was presented at this meeting about both the article and the administration’s response to them.”

c. "Dr. Ota displayed a pattern of behavior that raised concern about her ability to maintain inter-professional relationships as well as concerns about patient safety, which led to Dr. Ota's eventual demotion and departure."

26. The statement in paragraph 25(c) is false, without limitation.

27. Dr. Ota resigned after being subjected to discriminatory and retaliatory conduct at the hands of Defendant Doms. At no time, was Dr. Ota a risk to patient safety. In fact, even Defendant Doms, who routinely subjected her to unwarranted criticism acknowledged in performance review(s) that she deserved "full credit" for metrics related to safety.

28. At no time has disciplinary action ever been taken against Dr. Ota's medical license or practice privileges in any jurisdiction or health care facility. Dr. Ota has not been the subject of a single civil malpractice lawsuit.

29. Various state and federal regulations, as well as rules and regulations of various credentialing bodies that Defendants CHOP and Penn are governed by/subject to, require immediate reporting of any physician thought to be of risk to patient safety. At no time, has Dr. Ota been reported to any entity.

30. The April 10th Email did not contain any details from Dr. Ota's Federal Court Complaint, including, without limitation that Dr. Doms had subjected her to ongoing discriminatory and retaliatory conduct amid Defendant CHOP and Penn's refusal to take remedial measures to cure same, leading to her tendering her resignation.

31. The email similarly was void of any details about other complaints by employees implicating conduct of Defendant Doms as being discriminatory toward

women and/or retaliatory toward those who complained of sex discrimination. At all times material hereto, Defendant Doms knew that other employee(s) had made complaints to Defendants Penn and/or CHOP about his conduct toward them because of their sex and/or his conduct toward other female employees because of their sex.

32. At no time, did Defendant Duckworth contact Dr. Ota to ensure that the details contained in the email were accurate.

33. Defendant Duckworth was aware of Dr. Ota's Federal Court Complaint and Defendant CHOP's acceptance of Judgment against it regarding same when she sent the email.

34. In sending the email, Defendant Duckworth engaged in negligent conduct with respect to the falsity of the statements that she was transmitting.

35. As a medical student, and future doctor, Defendant Duckworth knew or should have known of the damage to Dr. Ota's professional standing of any statement suggesting that patients were at risk as a result of her conduct.

36. Before sending the email to Defendant Penn's medical students, Defendant Duckworth sent a copy of the email to Defendant Rose and Anna Delaney ("Delaney"), Chief Operating Officer of Defendant Penn's medical education program for approval.

37. At the same time, Defendant Duckworth sent to Defendant Rose and Delaney detailed minutes of the April 9th Meeting and proposed enclosing the meeting minutes with the email to the entire student body.

38. The minutes indicated that Defendant Rose and Defendant Doms both led the meeting. The minutes further stated/evidenced:

- a. Defendant Doms told the group that concerns about Dr. Ota's "impact" on patient safety existed "throughout" her tenure at CHOP;
- b. Defendant Doms told the group that Dr. Ota accused five separate colleagues of harassment, resulting in seven investigations;
- c. Dr. Doms told the group that he "encouraged" Dr. Ota to take maternity leave;
- d. Dr. Doms told the group that actions by Dr. Ota resulted in a "patient mistake"; and,
- e. Defendant CHOP made the decision to "settle" with "no admission of guilt."

39. Each of the statements above by Defendant Doms is false.

40. Defendant Doms knew and/or should have known that the statements he was making were false and misleading and Defendant Doms knew that the statements would harm Dr. Ota's reputation as a physician.

41. Further, Defendants CHOP, Penn and Rose knew and/or should have known that the statements made by Doms were false and misleading and that they would harm Dr. Ota's reputation as a physician.

42. The minutes do not include any evidence that Defendant Doms shared information with the medical students explaining or admitting that Dr. Ota is not the first

employee of Defendants CHOP and/or Defendants Penn to accuse Defendant Doms of engaging in sex discriminatory and/or retaliatory behavior.

43. Defendant Rose gave Defendant Duckworth permission to send the email after being sent a copy in advance.

44. Defendant Rose told Defendant Duckworth not to include detailed minutes of the April 9th Meeting.

45. Defendant Rose wrote to Defendant Duckworth via email about the meeting minutes on April 10, 2019 and stated, "I think Dr. Doms trusted the students and shared a lot, not realizing what might be in writing to 100s of people.....I don't think you want an outcome that would cause him more heartache."

46. Defendant Duckworth sent the email with Defendant Rose's permission.

47. Defendants¹ knew that stating that Dr. Ota was a risk to patient safety would harm her reputation as a physician and in the medical community.

48. Defendants, and specifically Defendant Doms, intended to harm Plaintiff's reputation in the medical community and within Defendant CHOP and Defendant Penn's organizations.

49. Defendants CHOP, Penn, Doms and Rose took further steps to continue spreading the false and defamatory message that Dr. Ota had left Defendant CHOP and Penn's employ because of concerns about patient safety by hosting additional gatherings with members of the CHOP and Penn communities, including office hours,

¹ Any reference to "Defendants" without limitation or reference to any individual named Defendant refers to all Defendants appearing on the caption.

“Town Hall” meetings, and emails from Defendant Doms and his subordinates, including without limitation, Erin Graf, PhD (“Graf”) to others.

50. Defendant Rose, in response to reading Defendant Duckworth’s meeting minutes, suggested that conversations were the best method of conveying the false and defamatory information contained within the minutes rather than in writing.

51. As a result of Defendants’ defamatory statements and implications related to same about Plaintiff, she has suffered damages, including damage to her professional reputation and standing, economic loss, humiliation, embarrassment, mental anguish and suffering, and loss of standing in the community and in her profession.

52. As a result of Defendants’ defamatory statements about Plaintiff, her existing and prospective economic advantage and professional relations have been harmed.

53. Defendants’ intentional, malicious and reckless disregard of the falsity of the statements described herein warrants the imposition of punitive damages.

54. Plaintiff is now suffering and will continue to suffer irreparable injury and monetary damages as a result of all Defendants’ acts, unless and until this Court grants the relief requested herein.

55. No previous application has been made for the relief requested herein.

COUNT I: DEFAMATION (PER SE) (Defendants CHOP, Penn and Doms)

56. Plaintiff incorporates herein by reference paragraphs 1 through 55 above, as if set forth herein in their entirety.

57. The statements made by Defendants CHOP, Penn and Doms during the April 9th Meeting falsely stated and/or implied that Plaintiff was a danger to patient safety and that her conduct had led to a negative patient outcome. The statements further stated and/or implied that Plaintiff's complaints against Defendant Doms were simply the last in a series of "serial" complaints of harassment against colleagues by Plaintiff. Further, the statements falsely stated and/or implied that Plaintiff was demoted and left Defendants CHOP and Penn because of patient safety issues and not because of the discriminatory and retaliatory conduct of Defendant Doms.

58. Defendants CHOP, Penn and Doms' defamatory statements during the April 9th Meeting described herein constitute defamation *per se* because the false statements, both directly and through implication, impugn Plaintiff's professional character and/or standing.

59. Defendants CHOP, Penn and Doms made the false and defamatory *per se* statements as set forth in detail herein and the suggestions, implications, innuendoes, insinuations and inferences arising therefrom with the knowledge of their falsity and/or with reckless and/or negligent disregard as to their truth or falsity and with malicious, intentional, reckless or negligent disregard for the injury to the name and reputation of Plaintiff.

60. Defendants' statements, misstatements, suggestions, implications, innuendoes, insinuations, and inferences set forth herein are defamatory *per se*, injurious to Plaintiff's reputation, exposed Plaintiff to contempt, ridicule, loss of goodwill and confidence felt toward her by others and injured her in her profession.

61. The false and defamatory *per se* statements set forth herein were disseminated and received by persons, including persons in Philadelphia County, who understood the statements to be concerning Plaintiff and understood those statements to be harmful to Plaintiff's professional reputation.

62. The false and defamatory *per se* statements, misstatements, suggestions, implications, innuendoes, insinuations and inferences issued by Defendants CHOP, Penn and Doms have severely besmirched Plaintiff's reputation, and falsely ascribe to her professional misconduct.

63. As a result of Defendants CHOP, Penn and Doms' defamatory statements, Plaintiff has suffered and is entitled to recover such damages as will compensate her for the injury to her reputation, as well as for any and all damages available to her resulting from Defendants' false and defamatory *per se* publications., including without limitation, lost earnings and other financial losses and expenses, compensatory damages to compensate her for mental anguish and humiliation, punitive damages and attorneys' fees and costs.

COUNT II: DEFAMATION (PER SE) (All Defendants)

64. Plaintiff incorporates herein by reference paragraphs 1 through 63 above as if set forth herein in their entirety.

65. The statements made by Defendants in the April 10th Email falsely stated and/or implied that Plaintiff was a danger to patient safety. Further, April 10th Email falsely stated and/or implied that Plaintiff was demoted and left Defendants CHOP and

Penn because of patient safety issues and not because of the discriminatory and retaliatory conduct of Defendant Doms.

66. Defendants defamatory statements in the April 10th Email as set forth in detail herein constitute defamation *per se* because the false statements, both directly and through implication, impugn Plaintiff's professional character and/or standing.

67. The Defendants made the false and defamatory *per se* statements as set forth herein and the suggestions, implications, innuendoes, insinuations and inferences arising therefrom with the knowledge of their falsity and/or with reckless and/or negligent disregard as to their truth or falsity and with malicious, intentional, reckless or negligent disregard for the injury to the name and reputation of Plaintiff.

68. Defendants' aforementioned statements, misstatements, suggestions, implications, innuendoes, insinuations, and inferences are defamatory *per se*, injurious to Plaintiff's reputation, exposed Plaintiff to contempt, ridicule, loss of goodwill and confidence felt toward her by others and injured her in her profession (trade or business).

69. The false and defamatory *per se* statements set forth herein were disseminated and received by persons, including persons in Philadelphia County who understood the statements to be concerning Plaintiff and understood those statements to be harmful to Plaintiff's professional reputation.

70. The false and defamatory *per se* statements, misstatements, suggestions, implications, innuendoes, insinuations and inferences issued by Defendants' have

severely besmirched Plaintiff's reputation, and falsely ascribe to her professional misconduct.

71. As a result of Defendants' defamatory statements, Plaintiff has suffered and is entitled to recover such damages as will compensate her for the injury to her reputation, as well as for any and all damages available to her resulting from Defendants' false and defamatory *per se* publications., including without limitation, lost earnings and other financial losses and expenses, compensatory damages to compensate her for mental anguish and humiliation, punitive damages and attorneys' fees and costs.

COUNT III: INTENTIONAL DEFAMATION (ALL DEFENDANTS)

72. Plaintiff incorporates herein by reference paragraphs 1 through 71 above as if set forth herein in their entirety.

73. At all times material hereto, Plaintiff was a private figure who, at all times material hereto, did not thrust herself into any public controversy as defined by prevailing law.

74. Defendants made false and defamatory statements as set forth in detail herein and the suggestions, implications, innuendoes, insinuations and inferences arising therefrom with malice, knowledge of their falsity and/or reckless disregard as to their truth or falsity and with malicious, intentional or reckless disregard for the injury to the name and reputation of Plaintiff.

75. Defendants' aforementioned statements, misstatements, suggestions, implications, innuendoes, insinuations and inferences are defamatory, injurious to

Plaintiff's reputation, exposed Plaintiff to hatred, contempt, ridicule, a loss of good will and confidence felt toward her by others and had the tendency to injure her in her trade or business (profession).

76. The false and defamatory statements set forth herein were heard, and repeated, by persons in Philadelphia County, the surrounding area and elsewhere, who understood the statements to be concerning Plaintiff and understood those statements to be defamatory.

77. The false and defamatory statements, misstatements, suggestions, implications, innuendoes, insinuations, and inferences published by Defendants have severely besmirched Plaintiff's reputation, and falsely ascribe to her misconduct and incompetence as well as a lack of decency, integrity and responsibility.

78. As a result of Defendants' defamatory statements, Plaintiff has suffered and is entitled to recover such damages as will compensate her for the injury to her reputation, as well as for any and all damages, including lost earnings and other financial losses and expenses resulting from Defendants' false and defamatory publications.

79. Defendants' publication of the false and defamatory statements, misstatements, suggestions, implications, innuendoes, insinuations and inferences warrant an award of punitive damages because Defendants' conduct, in reckless disregard of Plaintiff's interests, was malicious, outrageous and the result of improper motive (to harm Plaintiff) and is therefore entitled to an award of punitive damages.

COUNT IV: NEGLIGENT DEFAMATION (ALL DEFENDANTS)

80. Plaintiff incorporates herein by reference paragraphs 1 to 79 above as if set forth herein in their entirety.

81. In its publication of the statements, misstatements, suggestions, implications, innuendoes, insinuations, and inferences described herein, Defendants failed to exercise due care to determine the truth or falsity of the defamatory statements, misstatements, suggestions, implications, innuendoes, insulations and inferences.

82. Defendants made defamatory statements with knowledge of their falsity and with a high degree of awareness that they were probably false or with serious doubts as to the truth of the statements.

83. Defendants negligent publication of the false and defamatory statements, misstatements, suggestions, implications, innuendoes, insinuations, and inferences described herein had the effect of diminishing the personal esteem, good will, respect and confidence in which Plaintiff was held throughout the community.

84. In its publication Defendants failed to exercise due care in part by failing to acknowledge that Defendant CHOP accepted responsibility in the form of judgment against it and payment of \$500,000 for the allegations contained in Plaintiff's Federal Court Complaint which specifically included allegations that Defendant Doms' had discriminated and retaliated against her. Further, Defendants failed to exercise due care by failing to acknowledge allegations made by Plaintiff, including in her Federal Court Complaint and other witnesses who made similar complaints about Defendant Doms' conduct.

85. As a result of Defendants' defamatory statements, Plaintiff has suffered and is entitled to recover such damages as will compensate her for the injury to her reputation, as well as for any and all damages, including lost earnings and other financial losses and expenses resulting from Defendants' defamatory publications.

COUNT V: FALSE LIGHT (ALL DEFENDANTS)

86. Plaintiff incorporates herein by reference paragraphs 1 through 85 above as if set forth herein in their entirety.

87. The publication by Defendants of those statements described herein portrayed Plaintiff in a false light, which was highly offensive to a reasonable person in that Defendants knowingly, recklessly and/or negligently gave a discrete presentation of information in a fashion which made the statements as a whole susceptible to inferences that Plaintiff appear before the public in an objectionable false light or false position.

88. The publications by Defendants of those statements described herein maliciously implied and suggested, by innuendo, inference, implication and insinuation that Plaintiff engaged in severe misconduct, was a risk to patient safety, was a "serial" complainer about her colleagues and was demoted and forced to leave Defendant CHOP and Penn's employ because of concerns about her risk to patient safety and behavior toward others.

89. Defendants acted negligently, recklessly, maliciously and with knowledge or reckless disregard as to whether Plaintiff would be case in a false light by Defendants in making those statements.

90. The statements, suggestions, misstatements, implications, innuendoes, insinuations and inferences made by Defendants about Plaintiff were issued with reckless disregard as to whether the statements, suggestions, misstatements, implications, innuendoes, insinuations and inferences cast Plaintiff in a false light and with reckless and intentional disregard for the injuries which said statements, suggestions, misstatements, implications, innuendoes, insinuations and inferences would inflict upon Plaintiff.

91. Plaintiff endured injury to her right to privacy, injury to reputation, mental suffering, shame, and humiliation as a result of the publications and Defendants realized, or should have realized, that Plaintiff would be justified in feeling seriously hurt by such publications.

92. As a result of Defendants' conduct, Plaintiff suffered damages and is entitled to recover such damages as will compensate her for the injuries received as a result of the invasion of that privacy, including emotional distress damages, as well as for any and all financial losses and expenses resulting from Defendants' publication of matters placing her in a false light.

93. Defendants' publication of statements placing Plaintiff in a false light warrants an award of punitive damages because Defendants' conduct was outrageous and in reckless disregard of Plaintiff's right to privacy, and was malicious, outrageous and the result of improper motive.

RELIEF

WHEREFORE, Plaintiff, seeks damages and legal and equitable relief in connection with Defendants' unlawful conduct, and specifically prays the Court to grant the following relief to Plaintiff by:

(a) Declaring the acts and practices complained of herein to be in violation of the law;

(b) Enjoining and restraining permanently the violations alleged herein;

(c) Awarding compensatory damages to Plaintiff to make Plaintiff whole for the loss of past and future lost earnings, benefits, bonuses and earning capacity, which Plaintiff has suffered and will suffer as a result of the unlawful conduct of Defendants;

(d) Awarding compensatory damages to Plaintiff for past and future emotional upset, mental anguish, embarrassment, humiliation, loss of life's pleasures, pain and suffering, and harm to reputation;

(e) Awarding Plaintiff punitive damages;


(f) Awarding Plaintiff costs of this action, together with reasonable attorneys' fees;

(g) Awarding Plaintiff such other damages as are just and appropriate;
and

(h) Granting such other and further relief as this Court deems appropriate.

CONSOLE MATTIACCI LAW, LLC

By:



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Philadelphia, PA 19102

(215) 545-7676

*Attorneys for Plaintiff Kaede Ota,
M.D.*

Date: February 18, 2020

VERIFICATION

I, Kaede Ota, M.D., hereby verify that I am the Plaintiff in the above-referenced matter and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. I understand that intentionally false statements are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Kaede Ota
KAEDE OTA, M.D.

DATE: Feb 18, 2020