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KEVIN STOCK
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6 SUPERIOR COURT OF THE STATE OF WASHINGTON
7 IN AND FOR PIERCE COUNTY

8 R.O., individually

9 Plaintiff,

10 v.

11 MULTICARE HEALTH SYSTEM, INC., a
12 Washington corporation,

13 Defendant.

NO.

COMPLAINT

14 **I. INTRODUCTION**

15 COMES NOW the above-named Plaintiff, by and through his attorneys of record, Jack
16 Connelly, Amanda M. Searle, and Jackson Pahlke of Connelly Law Offices, PLLC, and by
17 way of claim avers and alleges on personal knowledge as to his own actions, and on
18 information and belief as to all other matters, as follows:

19 **II. PARTIES**

20 1. Defendant MULTICARE HEALTH SYSTEM ("MultiCare") is a Washington
21 nonprofit corporation with offices located in Pierce County, including Good Samaritan
22 Hospital in Puyallup, Washington.

23 2. Plaintiff, R.O., is a married man and resident of Puyallup, WA. Washington.

1 emergency department who refused pain medications. Despite this, Good Samaritan did
2 nothing to investigate a potential issue of drug diversion on the part of Nurse Weberg.

3 8. Plaintiff, R.O., came in need of medical care and treatment on or about
4 December 21, 2017, for kidney stones and was admitted to the Emergency Department at
5 Good Samaritan Hospital in Puyallup, Washington.

6 9. Because of his kidney stones, R.O. spent a few days at Good Samaritan before
7 being discharged home.

8 10. On or about April 23, 2018, R.O. presented to his primary care physician for a
9 routine physical and underwent lab tests.

10 11. Later in the week, R.O.'s primary care physician informed him that he had
11 elevated enzymes that caused her concern for his kidney function.

12 12. Additional testing revealed that R.O. tested positive for Hepatitis C.

13 13. The same week that he tested positive, R.O. received a letter from Good
14 Samaritan informing him that a nurse suspected of stealing injectable drugs and infecting at
15 least two patients with Hepatitis C may have affected him as well and urging him to get
16 tested.

17 14. Good Samaritan Hospital has subsequently published a public safety alert,
18 indicating that an internal investigation revealed a link between two patients diagnosed with
19 Hepatitis C and Nurse Cora Weberg. The public safety alert urged 2,600 patients who
20 received treatment from Nurse Weberg between August 2017 and March of 2018 to get
21 tested.

22 15. R.O. contacted Good Samaritan Hospital and the Center for Disease Control
23 and is presently undergoing treatment for Hepatitis C.

1 16. R.O. has incurred lost wages, pain, suffering, humiliation, loss of enjoyment of
2 life, and other general and special damages in an amount to be proven at trial.

3 **V. FIRST CAUSE OF ACTION – NEGLIGENCE**

4 17. Defendant MultiCare, through its agents and ostensible agents, owed a duty of
5 care to Plaintiff R.O.

6 18. Defendant MultiCare breached that duty when its agents and ostensible agents
7 violated the standard of care and failed to properly train, investigate and monitor Nurse
8 Weberg – as set forth herein, and in other respects as well.

9 19. Defendant MultiCare breached that duty when, among other things, its agents
10 and ostensible agents failed to properly vet Nurse Weberg for employment in the emergency
11 department at Good Samaritan Hospital.

12 20. Defendant MultiCare breached that duty when, among other things, its agents
13 and ostensible agents failed to recognize that medication was being diverted in the emergency
14 department over a period of six months.

15 21. Defendant MultiCare breached that duty of care when, among other things, its
16 employees, agents, and ostensible agents failed to take appropriate action to investigate Nurse
17 Weberg until it was too late, and she had infected patients with Hepatitis C.

18 22. Defendant MultiCare breached that duty of care when, among other things, its
19 employees, agents, and ostensible agents failed to recognize the seriousness of Nurse
20 Weberg's drug diversion and failed to timely take disciplinary measures.

21 23. Defendant MultiCare breached that duty of care when, among other things, it
22 failed to have and follow proper policies and procedures regarding medication management.
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