

SAMPLE

**NOTICE OF INTENT**

January 1, 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Pleasant Dreams Hospital  
1000 E. Medical Drive  
Pleasantville, Utah

Save A. Stick, M.D.  
1000 E. Medical Drive  
Pleasantville, Utah

Risk A. Lott, M.D.  
1000 E. Medical Drive  
Pleasantville, Utah

**NOTICE OF INTENT TO COMMENCE ACTION**

TO: Each of the above named health care providers.

PLEASE TAKE NOTICE, pursuant to Title 78b-3-412 of the Utah Code Annotated 1953, as amended, the undersigned intends to commence an action on behalf of the Petitioner, Jane Doe, against each of you as health care providers.

**NATURE OF CLAIM**

This is an action in malpractice in providing medical and surgical treatment to the Petitioner by the above named health care providers and their employees and agents.

**PERSONS INVOLVED**

The persons involved are the above named health care providers and Jane Doe, who resides at 555 N. 35000 East, Pleasantville, Utah.

### **DATE, TIME AND PLACE OF OCCURRENCE**

The occurrences complained of took place between approximately July 30, 2003 and August 6, 2003 at Pleasant Dreams Hospital, 1000 Medical Drive, Pleasantville, Utah.

### **CIRCUMSTANCES**

The Petitioner was admitted to the Pleasant Dreams Hospital after experiencing a history of chronic knee pain for a number of years. Medication for pain and physical therapy were not effective. Complaints included severe pain, nausea, vomiting and immobility. She was admitted for a knee replacement procedure. Following surgery she experienced severe blood loss and became shocky as well as experiencing sever pain. She had a drop in hematocrit requiring several units of blood and two further surgical procedures. Subsequent surgery disclosed a large amount of blood in her leg and a pulsating artery was found to have been partially improperly sutured. A total of three surgical procedures were undertaken.

### **SPECIFIC ALLEGATIONS OF MISCONDUCT**

The specific allegations of misconduct, which are believed to be below the standards of medical care for this community, include, but are not limited to,

- (a) Failure to explore other alternatives to surgery, such as other medications.
- (b) Improper technique in performing a knee replacement and in not controlling bleeding.
- (c) Failure to properly note and diagnose the medical problem or blood loss and the source of loss.
- (d) Other deficiencies which may be noted after proper discovery.

## NATURE OF INJURIES AND OTHER DAMAGES

The nature of the injuries include, but may not be limited to,

(a) Subjecting the Petitioner to the unnecessary risk of two additional surgical procedures, including the administration of total anesthesia.

(b) The unnecessary need for several blood transfusions and the risks associated with such transfusions.

(c) Possible future knee and leg problems associated with severe loss of blood also adhesions, infections, and immobility.

(d) Additional weakening of the knee and leg and the presence of scar formation on the patient's knee.

(e) The necessity of a prolonged convalescence and debilitating period following surgery, which includes persisting loss of energy and stamina.

(f) Loss of employment time and a continuing possibility of actual loss of her employment.

(g) Psychological damage and the disruption of her family status.

(h) Extensive and severe pain.

The Petitioner will file a request for a pre-litigation hearing within the time specified by law.

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Name (*of petitioner or attorney*)  
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