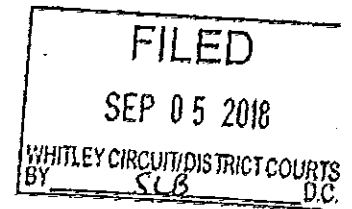


COMMONWEALTH OF KENTUCKY
WHITLEY CIRCUIT COURT
34TH JUDICIAL DISTRICT
CIVIL ACTION NO. 18-CI-00491

Div II



CATHERINE RHODEN COGUEN, AS
EXECUTRIX OF THE ESTATE OF
ROBERT RAYMOND RHODEN, DECEASED
and FAYE RHODEN, INDIVIDUALLY,

PLAINTIFF

VS. COMPLAINT

BAPTIST HEALTHCARE SYSTEMS
d/b/a BAPTIST HEALTH CORBIN
1 Trillium Way
Corbin, KY 40701

Serve:

Janet M. Norton
2701 Eastpoint Highway
Louisville, KY 40223

CHRISTOPHER ALLEN TROXEL, M.D.

Serve:

Christopher Allen Troxel, M.D.
2 Trillium Way
Suite 308
Corbin, KY 40701

DAVID WAYMON DOUGLAS, M.D.

Serve:

David Waymon Douglas, M.D.
1 Trillium Way
Corbin, KY 40701

AMANDA M. BRANDON, PA-C

Serve:

Amanda M. Brandon, PA-C
2 Trillium Way
Suite 306
Corbin, KY 40701

DEFENDANTS.

Comes the Plaintiffs, CATHERINE RHODEN COGUEN, AS
EXECUTRIX OF THE ESTATE OF ROBERT RAYMOND RHODEN,
DECEASED and FAYE RHODEN, INDIVIDUALLY, by counsel, and
for her Complaint against the Defendants, BAPTIST HEALTHCARE
SYSTEMS d/b/a BAPTIST HEALTH CORBIN; CHRISTOPHER
ALLEN TROXEL, M.D.; DAVID WAYMON DOUGLAS, M.D.; and
AMANDA M. BRANDON, PA-C, states as follows:

COUNT I

1. The Plaintiff, CATHERINE RHODEN COGUEN, states that she is
the appointed, qualified, and acting Executrix of the Estate of
Robert Raymond Rhoden, deceased, and that she is the daughter of
the decedent. The Plaintiff's decedent died on September 22, 2017 a
resident of Knox County, Kentucky. The Plaintiff, CATHERINE
RHODEN COGUEN, was appointed Executrix of the Estate of

ROBERT RAYMOND RHODEN, by an Order of the Knox District Probate Court, Case Number: 17-P-000332, on February 12, 2018, and continues to serve in that capacity. A copy of the Order of Appointment is attached as Exhibit A.

2. The Plaintiff, FAYE RHODEN, states that she is the surviving spouse of Robert Raymond Rhoden, deceased, who died on September 22, 2017 a resident of Knox County, Kentucky.
3. The Defendant, BAPTIST HEALTHCARE SYSTEMS d/b/a BAPTIST HEALTH CORBIN, is and at all times applicable hereto, was a Kentucky Corporation with its principle place of business located at 1 Trillium Way, Corbin, Whitley County, Kentucky 40701. The registered agent for service of process is Janet M. Norton, 2701 Eastpoint Highway, Louisville, Kentucky 40223.
4. The Defendant, CHRISTOPHER ALLEN TROXEL, M.D., is and at all times applicable hereto, has been a physician licensed to practice medicine in the Commonwealth of Kentucky and can be served at 2 Trillium Way, Suite 308, Corbin, Kentucky. At all times applicable hereto, Defendant Troxel was an agent, servant, or employee of the Defendant, BAPTIST HEALTHCARE SYSTEMS.

d/b/a BAPTIST HEALTH CORBIN, located at 1 Trillium Way, Corbin, KY 40701.

5. The Defendant, DAVID WAYMON DOUGLAS, M.D., is and at all times applicable hereto, has been a physician licensed to practice medicine in the Commonwealth of Kentucky and can be served at 1 Trillium Way, Corbin, Kentucky 40701. At all times applicable hereto, Defendant Douglas was an agent, servant, or employee of the Defendant, BAPTIST HEALTHCARE SYSTEMS d/b/a BAPTIST HEALTH CORBIN, located at 1 Trillium Way, Corbin, KY 40701.
6. The Defendant, AMANDA MARIE BRANDON, PA-C, is and at all times applicable hereto, has been a Physician Assistant licensed to practice medicine in the Commonwealth of Kentucky and can be served at 2 Trillium Way, Suite 306, At all times applicable hereto, Defendant Brandon, was an agent, servant, or employee of the Defendant, BAPTIST HEALTHCARE SYSTEMS d/b/a BAPTIST HEALTH CORBIN, located at 1 Trillium Way, Corbin, KY 40701.
7. On or about September 20, 2017 and thereafter until his death, Plaintiff's decedent, ROBERT RAYMOND RHODEN, became a patient of the Defendants for the purposes of medical services,

examinations, treatments, diagnoses and medical care as his condition required.

8. In rendering those medical services, examinations, treatments, diagnoses and medical care for Plaintiff's decedent, the Defendants, and through their agents, servants and employees, failed to exercise the degree of care and skill that would be expected of an ordinarily prudent or reasonably competent physician or health care provider under like or similar circumstances.

9. The failure of the Defendants in rendering those medical services, examinations, treatments, diagnoses and medical care for the Plaintiff's decedent, ROBERT RAYMOND RHODEN, was a substantial factor in causing personal injury to and/or the death of ROBERT RAYMOND RHODEN.

9(a) Defendants deviations from the standard of care were gross and wanton and carried out with a flagrant indifference to the rights of the plaintiffs herein and thus warrant the award of punitive damages to deter such future conduct.

10. As a result of the injuries caused to ROBERT RAYMOND RHODEN by the negligence of the Defendants as set forth above, ROBERT

RAYMOND RHODEN incurred medical expenses, reasonable and necessarily related to his condition, suffered severe physical pain and mental anguish, extreme emotional distress, loss of his ability to enjoy life; lost wages; permanent impairment of his power to earn money and funeral expenses, all in an amount in excess of the minimum jurisdictional requirement of this Court.

COUNT II

11. Plaintiff reaffirms and realleges each and every allegation contained in Count I of her Complaint and incorporates same herein by reference.

12. As a result of the negligence of the Defendants, as described above, the Plaintiff, FAYE RHODEN, has been deprived of the society, companionship and services of her husband, ROBERT RAYMOND RHODEN and has otherwise been deprived of his consortium, to her damage in an amount in excess of the minimum jurisdictional requirement of this Court.

WHEREFORE, Plaintiffs demands judgment against the Defendants for the personal injury to and wrongful death of ROBERT RAYMOND RHODEN, for the medical and related expenses, necessary and related

to the care of ROBERT RAYMOND RHODEN's condition, for physical pain and mental anguish suffered, for Plaintiff's decedent's extreme emotional distress, and for permanent and total impairment of the Plaintiff's decedent's power and ability to enjoy life, for lost wages, for impairment of the Plaintiff's decedent's power to earn money, for punitive damages, for funeral expenses and for Plaintiff, FAYE RHODEN's loss of consortium, all in an amount in excess of the minimum jurisdictional requirement of this Court, and for any and all other relief to which Plaintiff may be entitled, including her costs herein expended, a reasonable attorney's fee, pre-judgment and post-judgment interest on all sums awarded, and including TRIAL BY JURY.

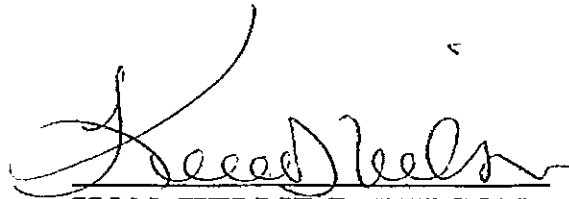
Respectfully submitted,

COUNSEL FOR PLAINTIFF

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HON. KELLIE D. WILSON