

BRUCE G. FAGEL [SBN: 103674]

brucefagel@fagellaw.com

BRENDEN M. LEIB [SBN: 223920]

brendenleib@fagellaw.com

LAW OFFICES OF BRUCE G. FAGEL & ASSOCIATES

9200 West Sunset Boulevard, Suite 670

West Hollywood, California 90069

Tel: (310) 516-9035

Fax: (310) 928-7763

Attorneys for Plaintiffs, AYDEN R. QUIJANO, BROOKLYN E. QUIJANO, DYLAN J. QUIJANO, and WILBERT J. QUIJANO, JR.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE – CENTRAL JUSTICE CENTER

AYDEN R. QUIJANO, a minor, by and through his *Guardian Ad Litem*, WILBERT J. QUIJANO, JR.; BROOKLYN E. QUIJANO, a minor, by and through her *Guardian Ad Litem*, WILBERT J. QUIJANO, JR.; DYLAN J. QUIJANO, a minor, by and through his *Guardian Ad Litem*, WILBERT J. QUIJANO, JR.; and WILBERT J. QUIJANO, JR., individually, and as a Successor-In-Interest of Decedent, JESSICA E. QUIJANO,

Plaintiffs,

vs.

MISSION HOSPITAL REGIONAL MEDICAL CENTER, d.b.a., PROVIDENCE MISSION HOSPITAL MISSION VIEJO, a California Corporation; VISTA SPECIALTY HOSPITAL OF CALIFORNIA LLC, a Limited Liability Company; SOUTHERN CALIFORNIA SPECIALTY CARE, LLC, a Limited Liability Company; POST ACUTE DEVELOPMENT 1 LLC, a Limited Liability Company; KNIGHTS HEALTH HOLDINGS, LLC, a Limited Liability Company; TAUSEEF QURESHI, M.D., an individual; BRIAN FENG, D.O., an individual; MUHAMMAD AZFAR SHAKEEL,

CASE NO: 30-2025-01517956-CU-MM-CJC

[Assigned to Hon. Michael J. Strickroth, Dept. C15]

FIRST AMENDED COMPLAINT FOR DAMAGES FOR:

- 1. WRONGFUL DEATH**
- 2. VIOLATIONS OF ELDER ABUSE AND DEPENDENT ADULT CIVIL PROTECTION ACT [WELF. & INST. CODE § 15600, ET SEQ.]**
- 3. LOSS OF CONSORTIUM**
- 4. SURVIVAL**

Trial Date: None Set

Complaint Filed: October 6, 2025

Law Offices
of
Bruce G. Fagel
&
Associates

1 M.D., an individual; CORRY EDWARD
2 MCDONALD, M.D., an individual; and DOES
1 through 250, inclusive,

3 Defendants.

4
5 **GENERAL ALLEGATIONS**

6 Plaintiffs, AYDEN R. QUIJANO (“AYDEN”), a minor, by and through his *Guardian Ad*
7 *Lite*m, WILBERT J. QUIJANO, JR.; BROOKLYN E. QUIJANO (“BROOKLYN”), a minor, by
8 and through her *Guardian Ad Lite*m, WILBERT J. QUIJANO, JR.; DYLAN J. QUIJANO
9 (“DYLAN”), a minor, by and through his *Guardian Ad Lite*m, WILBERT J. QUIJANO, JR.; and
10 WILBERT J. QUIJANO, JR. (“WILBERT”), individually, as a Successor-In-Interest of Decedent,
11 JESSICA E. QUIJANO (“JESSICA”) (“Decedent”) (collectively “Plaintiffs”) allege, upon
12 information and belief, against the above-named Defendants, and each of them, as follows:

13 1. The true names, identities or capacities, whether individual, associate, corporate or
14 otherwise of Defendants DOES 1 through 200, inclusive, are unknown to Plaintiffs who, therefore,
15 sue said Defendants by such fictitious names. When the true names, identities or capacities of such
16 fictitiously designated Defendants are ascertained, Plaintiffs will ask leave of Court to amend the
17 Complaint to insert said true names, identities and capacities, together with the proper charging
18 allegations.

19 2. Plaintiffs are informed and believe and thereon allege that each of the Defendants
20 sued herein as a DOE is responsible in some manner for the events and happenings herein referred
21 to, thereby legally causing the injuries and damages to the Plaintiffs as herein alleged.

22 3. All the facts, acts, events and circumstances herein mentioned and described
23 occurred in the County of Orange, State of California, and all Defendants are residents of the
24 County of Orange, State of California, and/or doing business in said County, State of California.

25 4. At all times herein mentioned, Defendants, TAUSEEF QURESHI, M.D. (“Dr.
26 Qureshi”); BRIAN FENG, D.O. (“Dr. Feng”); MUHAMMAD AZFAR SHAKEEL, M.D. (“Dr.
27 Shakeel”); CORRY EDWARD MCDONALD, M.D. (“Dr. McDonald”); and DOES 1 through 50,
28 inclusive, were – and now are – physicians and surgeons, holding themselves out as duly licensed

1 to practice their profession under and by virtue of the laws of the State of California and were, and
2 now are, engaged in the practice of their profession in the State of California.

3 5. At all times herein mentioned, Defendants, DOES 51 through 100, inclusive, were
4 – and now are – registered nurses, nurse practitioners, nurse midwives, licensed vocational nurses,
5 practical nurses, physician assistants, aids, technicians, attendants, students or other paramedical
6 personnel, holding themselves out as duly able to practice their profession under and by virtue of
7 the laws of the State of California and were, and now are, engaged in the practice of their
8 profession in the State of California and acting as agents, employees and servants of some or all
9 of the other Defendants within the course and scope of said agency or employment.

10 6. Defendants, MISSION HOSPITAL REGIONAL MEDICAL CENTER d.b.a.
11 PROVIDENCE MISSION HOSPITAL MISSION VIEJO (“PMH”); VISTA SPECIALTY
12 HOSPITAL OF CALIFORNIA LLC (“VSH”) (“Kindred Hospital”); SOUTHERN
13 CALIFORNIA SPECIALTY CARE, LLC (“SCSC”); POST ACUTE DEVELOPMENT 1 LLC
14 (“PAD”); KNIGHTS HEALTH HOLDINGS, LLC (“KHH”) (collectively “Defendants”), and
15 DOES 101 through 150, inclusive, were at all times herein mentioned duly organized California
16 corporations or hospitals or medical and surgical free-standing facilities, existing under and by
17 virtue of the laws of the State of California and other States.

18 7. Said Defendant corporations, or hospitals or medical and surgical free-standing
19 facilities and the remaining Defendants, and each of them, owned, operated, managed, oversaw,
20 and/or controlled a general hospital facility or medical and surgical free standing facilities within
21 the County of Orange, State of California, held out to the public at large and to the Plaintiffs herein,
22 as properly equipped, fully accredited, competently staffed by qualified and prudent personnel and
23 operating in compliance with the standard of due care maintained in other properly equipped,
24 efficiently operated and administered, accredited hospitals or medical and surgical free standing
25 facilities in said community.

26 8. At all times herein mentioned Defendants, DOES 151 through 189, were doing
27 business as a District or County hospital or clinic, and DOES 190-200, a hospital operated by a
28 government entity or medical clinic or hospital, open to the public, or a medical facility or clinic,

operated by a government entity open to the public rendering medical, surgical, hospital, diagnostic, nursing and other care to the general public for compensation.

9. All the acts complained of herein by Plaintiffs against said Defendants were done and performed by said Defendants by and through their duly authorized agents, servants and employees, each of whom and all of whom were at all times mentioned herein acting within the course, purpose, and scope of their said agency, service and employment, and whose conduct was ratified by all Defendants, and each of them.

10. Plaintiffs are informed and believe and upon such information and belief allege that at all times herein mentioned, Defendants and other Defendants named fictitiously, were entities of unknown form unaffiliated with each other within the meaning of *Corporations Code*, § 150, each acting independently and negligently in committing separate acts all to Plaintiffs' injuries and damages.

FACTUAL ALLEGATIONS

11. JESSICA, a 39-year old married housewife and mother of three minor children, AYDEN, BROOKLYN, and DYLAN, ages 16, 10, and 6, was admitted to the Emergency Department at PMH at 03:59 on June 8, 2025, after arrival by paramedic ambulance.

12. The paramedics performed a 12 lead ECG at 3:33 AM, which was abnormal with evidence of an anterior infarct.

13. JESSICA was seen by Triage nurse Abigail Bengel, RN at 04:17 AM with chief complaint of shortness of breath and cough and chest tightness. She was otherwise alert and oriented. Her husband, WILBERT, had remained at home to care for AYDEN, BROOKLYN, and DYLAN.

14. JESSICA's vital signs showed a BP of 173/121. She had no prior history of hypertension. She was placed on cardiac/vital sign monitors which continued to show markedly elevated blood pressure in the range of severe hypertension over the next several hours.

15. At 4:36 AM, JESSICA had an ECG ordered by ER physician, Dr. McDonald, and later interpreted in the ER by Dr. Feng as showing no ST depression.

16. This EKG was later interpreted by a cardiologist on staff at the hospital, confirmed

as an abnormal ECG as showing a septal infarct and inferio-lateral ischemia.

17. A Troponin level at 4:56 AM was elevated.

18. Despite these findings, JESSICA was not diagnosed to treat for her cardiac ischemia or severe hypertension.

19. At 6:43 AM, Dr. Feng ordered a CT angiogram that was performed between 10:12 AM and completed at 10:33 AM, after which JESSICA was returned to the ER. The CT scan ruled out any pulmonary embolus.

20. At or about 11:30 AM, while still in the Emergency Dept., bed 21, JESSICA suffered an unwitnessed complete cardiopulmonary arrest. She had no pulse and was not breathing.

21. A Code Blue was called at 11:35 AM.

22. Dr. Feng responded to CPR in progress.

23. JESSICA's heart rhythm was found to be ventricular fibrillation.

24. Dr. Qureshi also responded and participated in the Code Blue resuscitation.

25. A cardiac defibrillator was applied x 4, and epinephine, calcium chloride, lidocaine, sodium bicarbonate were given.

26. JESSICA was intubated by Dr. Feng at 12:06 PM and then transferred to the Intensive Care Unit.

27. As result of negligent care before during and after her cardiac arrest in the Emergency Dept., JESSICA suffered severe permanent hypoxic-ischemic brain injury.

28. Despite multiple ECG's performed after her cardiac arrest which showed cardiac ischemia, none of the physicians who treated JESSICA, including Dr. Quershi and Dr. Shakeel, diagnosed her cardiac ischemia or requested a cardiology consult.

29. Instead on June 23, 2025, at the specific request of Dr. Qureshi, the Ethics Committee recommended activation of the non-beneficial treatment policy and placed a DNR (Do Not Resuscitate) on JESSICA's chart which was objected to by WILBERT, who was given 5 days to agree to turning off life support or JESSICA's treating doctors would disconnect the ventilator over the objection of WILBERT.

///

1 “Decedent’s Heirs” or “heirs”)

2 37. At all times herein mentioned, JESSICA was in the exclusive control of the
3 Defendants, and each of them, and that at no time prior to the events, conduct, activities, care and
4 treatment herein complained of did the Defendants herein, or any of them, obtain knowledgeable,
5 informed consent for said care, treatment or conduct; that prior to the initiation of or performance
6 of said care, treatment, procedure or conduct no opportunity was afforded to the Decedent’s Heirs
7 or any authorized agent of JESSICA to exercise voluntary, knowledgeable and informed consent
8 to said care, treatment, procedure or conduct.

9 38. Prior to November 25, 2025, the date of JESSICA’s death, the decedent, and her
10 heirs, employed Defendants and each of them, to treat, manage, care, and diagnose JESSICA –
11 before, during, and after her cardiac arrest in the Emergency Department at PMH on June 8, 2025,
12 and to do all things necessary for JESSICA’s medical care and treatment.

13 39. While JESSICA was under the sole and exclusive care and control of the
14 Defendants, and each of them, Defendants, and each of them negligently, carelessly and
15 unskillfully, examined, , treated, triaged, utilized protocols and practices, cared for, diagnosed,
16 operated upon, consented, transferred, performed anesthesia, attended and otherwise handled and
17 controlled JESSICA herein, such that, as a legal result, JESSICA died on November 25, 2025.

18 40. Defendants, 101-150 neglected to adequately select competent medical staff and to
19 periodically review the competency of their medical staff and failed to adequately monitor its staff
20 such that Decedent’s Heirs and JESSICA were caused to and did suffer damages as alleged.

21 41. As a further legal result of the negligence of the Defendants, and each of them,
22 Decedent’s Heirs were compelled to, and did, incur expenses for burial and all costs associated
23 with that burial.

24 42. As a direct and proximate result of the aforesaid negligence, carelessness and
25 unskillfulness of the Defendants, and each of them, and the resultant death of JESSICA,
26 Decedent’s Heirs have suffered the pecuniary loss of the love, affection, comfort, care, society,
27 companionship, protection, solace, moral support, physical assistance in the operation and
28 maintenance of the home, support and right to receive support from JESSICA, all to their damages

1 in a sum in excess of the jurisdiction of the Superior Court.

2 43. Decedent's Heirs first suspected that the death of JESSICA was the result of
3 medical negligence within the first week of the JESSICA's death, which occurred on November
4 25, 2025.

5 **II.**

6 **AYDEN, BROOKLYN, AND DYLAN, MINORS, BY AND THROUGH THEIR**
7 **GUARDIAN AD LITEM, WILBERT, AND WILBERT, INDIVIDUALLY, ALLEGE FOR**
8 **A SEPARATE AND DISTINCT SECOND CAUSE OF ACTION FOR VIOLATIONS OF**
9 **ELDER ABUSE AND DEPENDENT ADULT CIVIL PROTECTION ACT AGAINST**
10 **PMH, VSH, SCSC, PAD, AND KHH, AS FOLLOWS:**

11 44. AYDEN, BROOKLYN, DYLAN, and WILBERT repeat and replead each and
12 every allegation contained in each of the foregoing paragraphs and incorporates the same herein
13 by reference.

14 45. PMH, VSH, SCSC, PAD, KHH, and DOES 101 through 150, inclusive, had a
15 substantial caretaking and/or custodial relationship with JESSICA, involving ongoing
16 responsibility for his fundamental needs, which an able-bodied and fully competent adult would
17 ordinarily be capable of managing without assistance.

18 46. At all relevant times, JESSICA was a "dependent adult" as defined by Welfare &
19 Institutions Code § 15610.23(b). As such, as of June 8, 2025, JESSICA was 38-year-old woman
20 who was admitted as an inpatient to the twenty-four general acute care facilities of PMH, VSH,
21 SCSC, PAD, and KHH.

22 47. PMH, VSH, SCSC, PAD, KHH, and DOES 101 through 150, inclusive, and each
23 of them, constituted "abuse," "neglect," "abandonment," and/or conduct likely to harm a
24 dependent adult within the meaning of Welfare and Institutions Code § 15610 *et seq.* PMH, VSH,
25 SCSC, PAD, KHH, and DOES 101 through 150, inclusive, caused JESSICA physical pain and
26 mental suffering and deprived JESSICA of the medical services and/or care necessary to avoid
27 physical harm or mental suffering.

28 ///

1 48. PMH, VSH, SCSC, PAD, KHH, and DOES 101 through 150, inclusive, and each
2 of them, committed violations of the Elder Abuse Act by failing to provide JESSICA with
3 adequate supervision and assistance to keep her safe and protect her from the negligent failure to
4 appropriately treat, manage, care, and diagnose JESSICA before, during, and after her cardiac
5 arrest in the Emergency Department at PMH on June 8, 2025, failing to provide her with
6 adequate custodial care, and failing to protect her from health and safety hazards while she was in
7 their care and custody, in violation of Welfare and Institutions Code § 15610.57. Defendants
8 negligently failed to exercise the degree of care that a reasonable person in a like position would
9 exercise, pursuant to Welfare and Institutions Code § 15610.57(a)(1).

10 49. PMH, VSH, SCSC, PAD, KHH, and DOES 101 through 150, inclusive, and each
11 of them, committed elder abuse as defined under the Elder Abuse Act by negligent failing to
12 appropriately treat, manage, care, and diagnose JESSICA before, during, and after her cardiac
13 arrest in the Emergency Department at PMH on June 8, 2025.

14 50. PMH, VSH, SCSC, PAD, KHH, and DOES 101 through 150, inclusive, and each
15 of them, pursuant to Welfare and Institutions Code § 15610.63(c), knew or should have known
16 that negligent failing to appropriately treat, manage, care, and diagnose JESSICA before, during,
17 and after her cardiac arrest in the Emergency Department at PMH on June 8, 2025, was likely to
18 produce great bodily injury to JESSICA.

19 51. As a direct result of the abuse of JESSICA by PMH, VSH, SCSC, PAD, KHH, and
20 DOES 101 through 150, inclusive, and each of them, JESSICA suffered fear, anxiety, physical
21 pain and discomfort, and emotional distress, all to his general damages in an amount to be
22 established according to proof.

23 52. As a direct result of the neglect of JESSICA by PMH, VSH, SCSC, PAD, KHH,
24 and DOES 101 through 150, inclusive, and each of them, JESSICA was caused to incur the
25 expense of hospitalization, paramedic response, and/or other medical care, all to her special
26 damages in an amount to be established according to proof.

27 53. The conduct, acts, and omissions of PMH, VSH, SCSC, PAD, KHH, and DOES
28 101 through 150, inclusive, and each of them, as alleged above, are sufficient to show they are

1 guilty of recklessness, oppression, fraud, and/or malice defined in Welfare and Institutions Code
2 § 15657. Each defendant ratified by conduct of the other defendants. The specific facts set forth
3 herein show PMH, VSH, SCSC, PAD, KHH, and DOES 101 through 150, inclusive, and each of
4 them, and their deliberate disregard of the high probability that JESSICA would be injured by their
5 negligent failure to appropriately treat, manage, care, and diagnose JESSICA before, during, and
6 after her cardiac arrest in the Emergency Department at PMH on June 8, 2025.

7 54. In addition to special damages, JESSICA is entitled to an award against PMH, VSH,
8 SCSC, PAD, KHH, and DOES 101 through 150, inclusive, and each of them, of the reasonable
9 attorneys' fees and costs incurred in prosecuting this case, as well as an award for JESSICA's pain
10 and suffering pursuant to Welfare and Institutions Code § 15657(a). JESSICA is also entitled to
11 exemplary or punitive damages, pursuant to Welfare and Institutions Code § 15657(c) and Code
12 of Civil Procedure Section 3294, against PMH, VSH, SCSC, PAD, KHH, and DOES 101 through
13 150, inclusive, and each of them, in an amount to be proven at trial.

14 **III.**

15 **WILBERT ALLEGES FOR A SEPARATE AND DISTINCT THIRD CAUSE OF**
16 **ACTION FOR LOSS OF CONSORTIUM AGAINST DEFENDANTS**

17 **AND EACH OF THEM AS FOLLOWS:**

18 55. WILBERT repeats and repleads each and every allegation contained in all prior
19 paragraphs and incorporates the same herein by reference as to said Defendants and each of them.

20 56. At all times herein mentioned, WILBERT and JESSICA were married and are
21 husband and wife.

22 57. As a direct and proximate result of the aforesaid conduct of Defendants, and each
23 of them and the resultant injuries to his wife, JESSICA, WILBERT has suffered, and is reasonably
24 certain to suffer in the future the loss of consortium, love, companionship, services, comfort,
25 affection, society, solace, moral support, enjoyment of sexual relations and physical assistance in
26 the operation and maintenance of the home, from the relevant period from approximately June 8,
27 2025, to November 25, 2025, causing damages and special damages in a sum in excess of the
28 jurisdiction of the Superior Court.

1 III.

2 **WILBERT, IN HIS CAPACITY AS DECEDENT'S SUCCESSOR-IN-INTEREST**
3 **ALLEGES FOR A SEPARATE AND DISTINCT SECOND CAUSE OF ACTION FOR**
4 **SURVIVAL AGAINST DEFENDANTS – AND EACH OF THEM – AS FOLLOWS:**

5 58. WILBERT repeats and repleads each and every allegation contained in the
6 preceding paragraphs and incorporates the same herein by reference.

7 59. WILBERT is the successor-in-interest of the Decedent, and he brings this cause of
8 action in that capacity pursuant to *Code of Civil Procedure* (“C.C.P.”), §§ 377.10, 377.11, and
9 377.30 et seq. in that he is the Decedent’s widower and rightful heir. WILBERT has executed and
10 filed a declaration under penalty of perjury as required by C.C.P., § 377.32.

11 60. Prior to her death, the Decedent incurred special damages as well as damages for
12 pain and suffering as a direct and proximate result of the acts and/or omissions of the Defendants
13 – and each of them – as herein alleged. The amount of these damages is in excess of the minimum
14 jurisdictional amount of the Superior Court and will be shown according to proof at the time of
15 trial.

16 WHEREFORE, Plaintiffs pray for judgment against the Defendants, and each of them, as
17 follows:

18 **FOR THE FIRST CAUSE OF ACTION FOR WRONGFUL DEATH**

- 19 1. General damages, according to proof;
20 2. All economic, special and funeral and burial expenses, according to proof;
21 3. Costs of suit incurred herein; and
22 4. For such other and further relief as to the Court appears just and proper.

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

**FOR THE SECOND CAUSE OF ACTION FOR VIOLATIONS OF ELDER ABUSE AND
DEPENDENT ADULT CIVIL PROTECTION ACT:**

1. General damages, according to proof;
2. Special damages, according to proof;
3. For reasonable attorneys' fees pursuant to Welfare and Institutions Code § 15657(a) in an amount to be determined by the Court;
4. For punitive damages pursuant to Welfare and Institutions Code § 15657(c) and Code of Civil Procedure Section 3294;
5. Costs of suit incurred herein, and;
6. For such other and further relief as to the Court appears just and proper.

FOR THE THIRD CAUSE OF ACTION FOR LOSS OF CONSORTIUM:

1. General damages, according to proof;
2. Special damages, according to proof;
3. Costs of suit incurred herein; and
4. For such other and further relief as to the Court appears just and proper.

///

///

///

///

///

///

///

///

///

///

///

///

///

1 **FOR THE FOURTH CAUSE OF ACTION FOR SURVIVAL:**

- 2 1. General damages for pre-death pain and suffering, according to proof;
- 3 2. Special damages, according to proof;
- 4 3. Costs of suit incurred herein; and
- 5 4. For such other and further relief as to the Court appears just and proper.

6

7

8 Dated: December 22, 2025

**LAW OFFICES OF DR. BRUCE G. FAGEL &
ASSOCIATES**

9

10

11

12 By: *Bruce G. Fagel*

13 BRUCE G. FAGEL

14 BRENDEN LEIB

15 Attorneys for Plaintiffs,

16

17

18

19

20

21

22

23

24

25

26 Law Offices
27 of
28 Bruce G. Fagel
 &
 Associates