

corporation, ADVOCATE HEALTH AND HOSPITALS CORPORATION d/b/a ADVOCATE GOOD SHEPHERD HOSPITAL (hereinafter ADVOCATE HEALTH”), a corporation, O. BARTOLOMEO, M.D., S.C., d/b/a BARRINGTON FAMILY MEDICINE, S.C. (hereinafter “BFM”), ADVOCATE GOOD SHEPHERD HEALTH PARTNERS, LTD d/b/a ADVOCATE GOOD SHEPHERD PHYSICIAN PARTNERS, LTD. (hereinafter “AGSPP”), and JAMES A. WILCOX, P.C. (hereinafter “WILCOX PC”), a professional corporation, states as follows:

1. On and before January 29, 2015, and at all times mentioned herein, Defendant WILCOX P.C., was an agent of Defendant, AGSPP, acting within the scope of its authority, engaged in activity reasonably contemplated as part of the activity which benefits Defendant, AGSPP.

2. On and before January 29, 2015, and at all times mentioned herein, Defendant, AGSPP, had the right to control the actions of Defendant, WILCOX P.C..

3. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX P.C. was an apparent agent of Defendant AGSPP, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

4. On or about January 29, 2015, and at all times mentioned herein, Defendant AGSPP never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, WILCOX P.C., was not an agent of Defendant, AGSPP.

5. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, neither knew nor should have known that Defendant, WILCOX P.C., was not an agent of Defendant, AGSPP.

6. On and before January 29, 2015, and at all times mentioned herein, Defendant BFM, was an agent of Defendant, AGSPP, acting within the scope of its authority, engaged in activity reasonably contemplated as part of the activity which benefits Defendant, AGSPP.

7. On and before January 29, 2015, and at all times mentioned herein, Defendant, AGSPP, had the right to control the actions of Defendant, BFM.

8. On or about January 29, 2015, and at all times mentioned herein, Defendant BFM was an apparent agent of Defendant AGSPP, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

9. On or about January 29, 2015, and at all times mentioned herein, Defendant AGSPP never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, BFM, was not an agent of Defendant, AGSPP.

10. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, neither knew nor should have known that Defendant, BFM, was not an agent of Defendant, AGSPP.

11. On and before January 29, 2015, and at all times mentioned herein, Defendant WILCOX P.C., was an agent of Defendant, BFM, acting within the scope of its authority, engaged in activity reasonably contemplated as part of the activity which benefits Defendant, AGSPP.

12. On and before January 29, 2015, and at all times mentioned herein, Defendant, BFM, had the right to control the actions of Defendant, WILCOX P.C.

13. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX P.C. was an apparent agent of Defendant BFM, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

14. On or about January 29, 2015, and at all times mentioned herein, Defendant BFM never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, WILCOX P.C., was not an agent of Defendant, BFM.

15. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, neither knew nor should have known that Defendant, WILCOX P.C., was not an agent of Defendant, BFM.

16. On and before January 29, 2015, and at all times mentioned herein, Defendant AGSPP, was an agent of Defendant, ADVOCATE HEALTH, acting within the scope of its authority, engaged in activity reasonably contemplated as part of the activity which benefits Defendant, ADVOCATE HEALTH.

17. On and before January 29, 2015, and at all times mentioned herein, Defendant, ADVOCATE HEALTH, had the right to control the actions of Defendant, AGSPP.

18. On or about January 29, 2015, and at all times mentioned herein, Defendant AGSPP was an apparent agent of Defendant ADVOCATE HEALTH, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

19. On or about January 29, 2015, and at all times mentioned herein, Defendant ADVOCATE HEALTH never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, AGSPP, was not an agent of Defendant, ADVOCATE HEALTH.

20. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, neither knew nor should have known that Defendant, AGSPP, was not an employee of Defendant, ADVOCATE HEALTH.

21. On and before January 29, 2015, and at all times mentioned herein, Defendant AGSPP, was an agent of Defendant, APP, acting within the scope of its authority, engaged in activity reasonably contemplated as part of the activity which benefits Defendant, APP.

22. On and before January 29, 2015, and at all times mentioned herein, Defendant, APP, had the right to control the actions of Defendant, AGSPP.

23. On or about January 29, 2015, and at all times mentioned herein, Defendant AGSPP was an apparent agent of Defendant APP, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

24. On or about January 29, 2015, and at all times mentioned herein, Defendant APP never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, AGSPP, was not an agent of Defendant, APP.

25. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, neither knew nor should have known that Defendant, AGSPP, was not an employee of Defendant, APP.

26. On and before January 29, 2015, and at all times mentioned herein, Defendant ADVOCATE HEALTH, was an agent of Defendant, APP, acting within the scope of its authority, engaged in activity reasonably contemplated as part of the activity which benefits Defendant, APP.

27. On and before January 29, 2015, and at all times mentioned herein, Defendant, APP, had the right to control the actions of Defendant, ADVOCATE HEALTH.

28. On or about January 29, 2015, and at all times mentioned herein, Defendant ADVOCATE HEALTH was an apparent agent of Defendant APP, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

29. On or about January 29, 2015, and at all times mentioned herein, Defendant APP never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, ADVOCATE HEALTH, was not an agent of Defendant, APP.

30. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, neither knew nor should have known that Defendant, ADVOCATE HEALTH, was not an employee of Defendant, APP.

COUNT I – PROFESSIONAL NEGLIGENCE
JAMES A. WILCOX, D.O.

1-30. Plaintiff re-states and re-alleges Paragraphs 1-30 of Plaintiff's Complaint at Law as if fully set-forth herein.

31. On or about January 29, 2015, and at all times mentioned herein, Defendant, WILCOX, was a physician, duly licensed to practice medicine in the State of Illinois, and specializing in Family Medicine.

32. On or about January 29, 2015, and at all times mentioned herein, Defendant, APP, was a duly licensed physician group providing health services through a network of physician and medical groups practicing at hospitals throughout Illinois.

33. On or about January 29, 2015, and at all times mentioned herein, Defendant, ADVOCATE HEALTH was a duly licensed healthcare corporation providing health services to patients through a network of hospitals and medical groups, including, but limited to Defendant, BFM, ADVOCATE and WILCOX, P.C..

34. Specifically, within Illinois, Defendant ADVOCATE HEALTH conducts business at multiple locations within Lake County in the State of Illinois.

35. On or about January 29, 2015, and at all times mentioned herein, Defendant, BFM, was an Illinois corporation providing health care services to patients.

36. On or about January 29, 2015, and at all times mentioned herein, Defendant, WILCOX, P.C., was an Illinois corporation providing health care services to patients.

37. On or about January 29, 2015, and at all times mentioned herein, Defendant, AGSPP, was a duly licensed physician group providing health services through a network of physician and medical groups practicing at hospitals throughout Illinois, BFM, and WILCOX, P.C.

38. On or about January 29, 2015, and at all times mentioned herein, Defendant, WILCOX, was a member of APP.

39. On or about January 29, 2015, Defendant, WILCOX, received a physician report card from APP.

40. On or about January 29, 2015, Defendant, WILCOX was eligible to receive incentive payments from APP.

41. On or about January 29, 2015, Defendant, WILCOX, received incentive payments from APP.

42. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was a duly authorized agent and/or employee of Defendant, APP, acting within the scope of his agency.

43. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was an apparent agent of Defendant APP, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

44. On or about January 29, 2015, and at all times mentioned herein, Defendant APP never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, WILCOX, was not an agent and/or employee of Defendants, BFM or ADVOCATE.

45. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, neither knew nor should have known that Defendant, WILCOX, was not an employee of Defendant, APP.

46. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, did not choose Defendant, WILCOX, for his complete care but relied upon APP to provide his complete care.

47. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was a duly authorized agent and/or employee of Defendant, ADVOCATE HEALTH, acting within the scope of his agency.

48. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was an apparent agent of Defendant ADVOCATE HEALTH, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

49. On or about January 29, 2015, and at all times mentioned herein, Defendant ADVOCATE HEALTH never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, WILCOX, was not an agent and/or employee of Defendant, BFM.

50. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, neither knew nor should have known that Defendant, WILCOX, was not an employee of Defendant, ADVOCATE HEALTH.

51. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, did not choose Defendant, WILCOX, but relied upon Defendant, ADVOCATE HEALTH to provide complete family medical care.

52. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was a duly authorized agent and/or employee of Defendant, BFM, acting within the scope of his agency.

53. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was an apparent agent of Defendant BFM, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

54. On or about January 29, 2015, and at all times mentioned herein, Defendant BFM never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, WILCOX, was not an agent and/or employee of Defendant, BFM.

55. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, neither knew nor should have known that Defendant, WILCOX, was not an employee of Defendant, BFM.

56. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, did not choose WILCOX but relied upon BFM to provide complete family medical care.

57. On or about January 29, 2015, and at all times mentioned herein, Defendant, WILCOX, was a member of AGSPP.

58. On or about January 29, 2015, Defendant, WILCOX, received a physician report card from AGSPP.

59. On or about January 29, 2015, Defendant, WILCOX was eligible to receive incentive payments from AGSPP.

60. On or about January 29, 2015, Defendant, WILCOX, received incentive payments from AGSPP.

61. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was a duly authorized agent and/or employee of Defendant, AGSPP, acting within the scope of his agency.

62. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was an apparent agent of Defendant AGSPP, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

63. On or about January 29, 2015, and at all times mentioned herein, Defendant AGSPP never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, WILCOX, was not an agent and/or employee of Defendants, BFM or ADVOCATE.

64. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, neither knew nor should have known that Defendant, WILCOX, was not an employee of Defendant, AGSPP.

65. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, did not choose Defendant, WILCOX, for his complete care but relied upon AGSPP to provide his complete care.

66. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was a duly authorized agent and/or employee of Defendant, WILCOX PC, acting within the scope of his agency.

67. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was an apparent agent of Defendant WILCOX PC, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

68. On or about January 29, 2015, and at all times mentioned herein, Defendant BFM never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, WILCOX, was not an agent and/or employee of Defendant, WILCOX PC.

69. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult neither knew nor should have known that Defendant, WILCOX, was not an employee of Defendant, WILCOX PC.

70. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, did not choose WILCOX but relied upon WILCOX, P.C. to provide complete family medical care.

71. On June 14, 2014, ANTONIO DeANGELO, a currently disabled adult, presented to a Walgreens HealthCare Clinic in Arlington Heights, Illinois, complaining of a cough with mucus which had persisted for over a week.

72. On June 14, 2014, the Walgreens HealthCare Clinic at the aforementioned location measured ANTONIO DeANGELO's blood pressure as 132/82, leading to a diagnosis of elevated blood pressure. The Clinic recommended Plaintiff follow up with his family care physician to rule in or out hypertension

73. Through his HMO plan, Defendant, ADVOCATE, assigned Defendant, WILCOX, as ANTONIO DeANGELO's primary care physician responsible for directing all of his health care needs.

74. On January 29, 2015, ANTONIO DeANGELO, a currently disabled adult presented to Defendant WILCOX's office at Defendant, BFM, complaining of a persistent cough and difficulty breathing.

75. On January 29, 2015, Defendant, WILCOX, measured ANTONIO DeANGELO's blood pressure at 190/102.

76. On January 29, 2015, Defendant, WILCOX's differential diagnosis included acute bronchitis, elevated blood pressure, tachycardia, and morbid obesity.

77. On January 29, 2015, despite the fact he noted his concern with ANTONIO DeANGELO's elevated blood pressure reading, Defendant, WILCOX, released ANTONIO DeANGELO, a currently disabled adult, from his care, prescribing medication to treat acute bronchitis but nothing for his elevated blood pressure level.

78. On January 29, 2015, at approximately 4:49 pm, Defendant, WILCOX, documented his concern that ANTONIO DeANGELO, a currently disabled adult, was possibly suffering from a pulmonary embolism.

79. On January 29, 2015, at approximately 4:49 pm, Defendant, WILCOX, transcribed a discussion with ANTONIO DeANGELO, a currently disabled adult, where a possible CT scan was discussed, however, Defendant, WILCOX, agreed that such a test was not necessary at that point.

80. On February 6, 2015, at approximately 11:33 am, ANTONIO DeANGELO, a currently disabled adult, called Defendant, WILCOX's office and spoke to KATIE MILLER, complaining of a sore throat, earache, running nose, etc. At this point, Defendant, WILCOX, refilled Plaintiff's Zithromax Z-Pak Tablet but did not re-evaluate him.

81. On March 11, 2015, at approximately 10:53 am, the Franklin Park District Fire Department responded to an emergency call to find ANTONIO DeANGELO, a currently disabled adult, sitting in his car in respiratory distress, noting that he was found non-verbal and attempting to move his right arm with his left.

82. On March 11, 2015, at approximately 11:05 am, ANTONIO DeANGELO, a currently disabled adult was transported emergently to Loyola University Health System. Along the way, his systolic blood pressure (SBP) was measured as high as 290.

83. On March 11, 2015, upon arrival at Loyola University Health System, ANTONIO DeANGELO, a currently disabled adult, underwent a CT scan which revealed a 5.4 x 2.5 x 4.5 cm left basil ganglia hemorrhage (30 cc) with 5 mm in midline shift.

84. On March 11, 2015, ANTONIO DeANGELO, a currently disabled adult, suffered a hemorrhagic stroke.

85. On February 29, 2015, and at all times mentioned herein, Defendant WILCOX had the duty to possess and apply the knowledge and use the skill and care ordinarily used by other reasonably careful physicians under similar circumstances.

86. On February 29, 2015, and thereafter, Defendant WILCOX was professionally negligent in the following ways:

- a. Failed to have Plaintiff admitted to the emergency room although he suspected a possible pulmonary embolism in his differential diagnosis;
- b. Failed to appreciate Antonio's apparent hypertension;
- c. Failed to order appropriate diagnostic testing, including but not limited to CBC, Sed Rate, CRP, d-dimer, Chest Pa and Lat, ECG, CT of Chest, ABG's, PFT's, cardiac enzymes, lipid panel, C-CRP, exhocardiogram, and pulmonary and cardiac consultations;
- d. Failed to appreciate apparent risk factors such as morbid obesity, hypertension, shortness of breath and tachycardia, putting Antonio at particular risk of a vascular event; and
- e. was otherwise careless and/or negligent.

87. As a direct and proximate result of one or more of the aforesaid negligent and careless acts and/or omissions of Defendant, WILCOX, ANTONIO DeANGELO, a currently disabled adult,` sustained injuries of a personal, permanent, and pecuniary nature.

88. Attached to the Complaint at Law is the affidavit of one of Plaintiff's attorneys as well as a physician's report as required by 735 ILCS 5/2-622 of the Illinois Code of Civil Procedure.

WHEREFORE, Plaintiff, JENNIFER DeANGELO, as Plenary Guardian of ANTONIO DeANGELO, a currently disabled adult, demands judgment against Defendant, JAMES A. WILCOX, D.O., in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

**COUNT II – PROFESSIONAL NEGLIGENCE – VICARIOUS LIABILITY
ADVOCATE HEALTH PARTNERS d/b/a ADVOCATE PHYSICIAN PARTNERS**

1-30. Plaintiff re-states and re-alleges Paragraphs 1-30 of Plaintiff's Complaint at Law as if fully set-forth herein.

31. Defendant, APP, does significant business in Cook County, Illinois, at various locations.

32. Pursuant to Illinois Code of Civil Procedure 735 ILCS 5/2-101, based on the information contained in ¶¶ 31, venue for the commencement of this action is properly fixed in Cook County, IL.

33. On or about January 29, 2015, and at all times mentioned herein, Defendant, APP was a duly licensed physician group providing health services to patients through a network of physicians and medical groups throughout Illinois.

34. On or about January 29, 2015, and at all times mentioned herein, Defendant, WILCOX, was a physician, duly licensed to practice medicine in the State of Illinois, and specializing in Family Medicine.

35. On or about January 29, 2015, and at all times mentioned herein, Defendant, WILCOX, was a member of APP.

36. On or about January 29, 2015, Defendant, WILCOX, received a physician report card from APP.

37. On or about January 29, 2015, Defendant, WILCOX was eligible to receive incentive payments from APP.

38. On or about January 29, 2015, Defendant, WILCOX, received incentive payments from APP.

39. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was a duly authorized agent and/or employee of Defendant, APP, acting within the scope of his agency.

40. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was an apparent agent of Defendant APP, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

41. On or about January 29, 2015, and at all times mentioned herein, Defendant AGSPP never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, WILCOX, was not an agent and/or employee of Defendant, APP.

42. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, neither knew nor should have known that Defendant, WILCOX, was not an employee of Defendant, APP.

43. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, did not choose Defendant, WILCOX, for his complete care but relied upon APP to provide his complete care.

44. On June 14, 2014, ANTONIO DeANGELO, a currently disabled adult, presented to a Walgreens HealthCare Clinic in Arlington Heights, Illinois, complaining of a cough with mucus which had persisted for over a week.

45. On June 14, 2014, the Walgreens HealthCare Clinic at the aforementioned location measured ANTONIO DeANGELO's blood pressure as 132/82, leading to a diagnosis of elevated blood pressure. The Clinic recommended Plaintiff follow up with his family care physician to rule in or out hypertension

46. Through his HMO plan, Defendant, AGSPP, assigned Defendant, WILCOX, as ANTONIO DeANGELO's primary care physician responsible for directing all of his health care needs.

47. On January 29, 2015, ANTONIO DeANGELO, a currently disabled adult, presented to Defendant WILCOX's office at Defendant, BFM, complaining of a persistent cough and difficulty breathing.

48. On January 29, 2015, Defendant, WILCOX, measured ANTONIO DeANGELO's blood pressure at 190/102.

49. On January 29, 2015, Defendant, WILCOX's differential diagnosis included acute bronchitis, elevated blood pressure, tachycardia, and morbid obesity.

50. On January 29, 2015, despite the fact he noted his concern with ANTONIO DeANGELO's elevated blood pressure reading, Defendant, WILCOX, released ANTONIO DeANGELO, a currently disabled adult, from his care, prescribing medication to treat his acute bronchitis but nothing for his elevated blood pressure level.

51. On January 29, 2015, at approximately 4:49 pm, Defendant, WILCOX, documented his concern that ANTONIO DeANGELO, a currently disabled adult, was possibly suffering from a pulmonary embolism.

52. On January 29, 2015, at approximately 4:49 pm, Defendant, WILCOX, transcribed a discussion with ANTONIO DeANGELO, a currently disabled adult, where a possible CT scan was discussed, however, Defendant, WILCOX, agreed that such a test was not necessary at that point.

53. On February 6, 2015, at approximately 11:33 am, ANTONIO DeANGELO, a currently disabled adult, called Defendant, WILCOX's office and spoke to KATIE MILLER, complaining of a sore throat, earache, running nose, etc. At this point, Defendant, WILCOX, refilled Plaintiff's Zithromax Z-Pak Tablet but did not re-evaluate him.

54. On March 11, 2015, at approximately 10:53 am, the Franklin Park District Fire Department responded to an emergency call to find ANTONIO DeANGELO, a currently disabled adult, sitting in his car in respiratory distress, noting that he was found non-verbal and attempting to move his right arm with his left.

55. On March 11, 2015, at approximately 11:05 am, ANTONIO DeANGELO, a currently disabled adult, was transported emergently to Loyola University Health System. Along the way, his systolic blood pressure (SBP) was measured as high as 290.

56. On March 11, 2015, upon arrival at Loyola University Health System, ANTONIO DeANGELO, a currently disabled adult, underwent a CT scan which revealed a 5.4 x 2.5 x 4.5 cm left basil ganglia hemorrhage (30 cc) with 5 mm in midline shift.

57. On March 11, 2015, ANTONIO DeANGELO, a currently disabled adult, suffered a hemorrhagic stroke.

58. On February 29, 2015, and at all times mentioned herein, Defendant APP, by and through its actual and/or apparent agent, WILCOX, had the duty to possess and apply the knowledge and use the skill and care ordinarily used by other reasonably careful physicians under similar circumstances.

59. On February 29, 2015, and thereafter, Defendant, APP, by and through its actual and/or apparent agent, WILCOX was professionally negligent in the following ways:

- a. Failed to have Plaintiff admitted to the emergency room although he suspected a possible pulmonary embolism in his differential diagnosis;
- b. Failed to appreciate Antonio's apparent hypertension;
- c. Failed to order appropriate diagnostic testing, including but not limited to CBC, Sed Rate, CRP, d-dimer, Chest Pa and Lat, ECG, CT of Chest, ABG's, PFT's, cardiac enzymes, lipid panel, C-CRP, exhocardiogram, and pulmonary and cardiac consultations;
- d. Failed to appreciate apparent risk factors such as morbid obesity, hypertension, shortness of breath and tachycardia, putting Antonio at particular risk of a vascular event; and
- e. was otherwise careless and/or negligent.

60. As a direct and proximate result of one or more of the aforesaid negligent and careless acts and/or omissions of Defendant, APP, by and through its actual and/or apparent agent, WILCOX, ANTONIO DeANGELO, a currently disabled adult, sustained injuries of a personal, permanent, and pecuniary nature.

61. Attached to the Complaint at Law is the affidavit of one of Plaintiff's attorneys as well as a physician's report as required by 735 ILCS 5/2-622 of the Illinois Code of Civil Procedure.

WHEREFORE, Plaintiff, JENNIFER DeANGELO, as Plenary Guardian of ANTONIO DeANGELO, a currently disabled adult, demands judgment against Defendant, ADVOCATE

HEALTH PARTNERS d/b/a ADVOCATE PHYSICIAN PARTNERS, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

**COUNT III – PROFESSIONAL NEGLIGENCE – VICARIOUS LIABILITY
ADVOCATE HEALTH AND HOSPITALS CORPORATION d/b/a ADVOCATE GOOD
SHEPHERD HOSPITAL**

1-30. Plaintiff re-states and re-alleges Paragraphs 1-12 of Plaintiff's Complaint at Law as if fully set-forth herein.

31. Defendant, APP, does significant business in Cook County, Illinois, at various locations.

32. Pursuant to Illinois Code of Civil Procedure 735 ILCS 5/2-101, based on the information contained in ¶¶ 31, venue for the commencement of this action is properly fixed in Cook County, IL.

33. On or about January 29, 2015, and at all times mentioned herein, Defendant, ADVOCATE HEALTH was a duly licensed healthcare corporation providing health services to patients through a network of hospitals and medical groups, including, but limited to Defendant, BFM, AGSPP and WILCOX, P.C..

34. Specifically, within Illinois, Defendant ADVOCATE HEALTH conducts business at multiple locations within Lake County in the State of Illinois.

35. On or about January 29, 2015, and at all times mentioned herein, Defendant, WILCOX, was a physician, duly licensed to practice medicine in the State of Illinois, and specializing in Family Medicine.

36. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was a duly authorized agent and/or employee of Defendant, ADVOCATE HEALTH, acting within the scope of his agency.

37. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was an apparent agent of Defendant ADVOCATE HEALTH, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

38. On or about January 29, 2015, and at all times mentioned herein, Defendant ADVOCATE HEALTH never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, WILCOX, was not an agent and/or employee of Defendant, BFM.

39. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, neither knew nor should have known that Defendant, WILCOX, was not an employee of Defendant, ADVOCATE HEALTH.

40. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, did not choose Defendant, WILCOX, but relied upon Defendant, ADVOCATE HEALTH to provide complete family medical care.

41. On June 14, 2014, ANTONIO DeANGELO, a currently disabled adult, presented to a Walgreens HealthCare Clinic in Arlington Heights, Illinois, complaining of a cough with mucus which had persisted for over a week.

42. On June 14, 2014, the Walgreens HealthCare Clinic at the aforementioned location measured ANTONIO DeANGELO's blood pressure as 132/82, leading to a diagnosis of elevated blood pressure. The Clinic recommended Plaintiff follow up with his family care physician to rule in or out hypertension

43. Through his HMO plan, Defendant, ADVOCATE, assigned Defendant, WILCOX, as ANTONIO DeANGELO's primary care physician responsible for directing all of his health care needs.

44. On January 29, 2015, ANTONIO DeANGELO, a currently disabled adult, presented to Defendant, BRM, complaining of a persistent cough and difficulty breathing.

45. On January 29, 2015, Defendant, BFM, through its actual and/or apparent agent, WILCOX, measured ANTONIO DeANGELO's blood pressure at 190/102.

46. On January 29, 2015, Defendant, WILCOX's differential diagnosis included acute bronchitis, elevated blood pressure, tachycardia, and morbid obesity.

47. On January 29, 2015, despite the fact he noted his concern with ANTONIO DeANGELO's elevated blood pressure reading, Defendant, ADVOCATE HEALTH, through its actual and/or apparent agent, WILCOX, released ANTONIO DeANGELO, a currently disabled adult, from his care, prescribing medication to treat acute bronchitis but nothing for his elevated blood pressure level.

48. On January 29, 2015, at approximately 4:49 pm, Defendant, WILCOX, documented his concern that ANTONIO DeANGELO, a currently disabled adult, was possibly suffering from a pulmonary embolism.

49. On January 29, 2015, at approximately 4:49 pm, Defendant, WILCOX, transcribed a discussion with ANTONIO DeANGELO, a currently disabled adult, where a possible CT scan was discussed, however, Defendant, WILCOX, agreed that such a test was not necessary at that point.

50. On February 6, 2015, at approximately 11:33 am, ANTONIO DeANGELO, a currently disabled adult, called Defendant, WILCOX's office and spoke to KATIE MILLER, complaining of a sore throat, earache, running nose, etc. At this point, Defendant, WILCOX, refilled Plaintiff's Zithromax Z-Pak Tablet but did not re-evaluate him.

51. On March 11, 2015, at approximately 10:53 am, the Franklin Park District Fire Department responded to an emergency call to find ANTONIO DeANGELO, a currently disabled adult, sitting in his car in respiratory distress, noting that he was found non-verbal and attempting to move his right arm with his left.

52. On March 11, 2015, at approximately 11:05 am, ANTONIO DeANGELO, a currently disabled adult, was transported emergently to Loyola University Health System. Along the way, his systolic blood pressure (SBP) was measured as high as 290.

53. On March 11, 2015, upon arrival at Loyola University Health System, ANTONIO DeANGELO, a currently disabled adult, underwent a CT scan which revealed a 5.4 x 2.5 x 4.5 cm left basil ganglia hemorrhage (30 cc) with 5 mm in midline shift.

54. On March 11, 2015, ANTONIO DeANGELO, a currently disabled adult, suffered a hemorrhagic stroke.

55. On February 29, 2015, and at all times mentioned herein, Defendant ADVOCATE HEALTH, by and through its actual and/or apparent agent, WILCOX had the duty to possess and apply the knowledge and use the skill and care ordinarily used by other reasonably careful physicians under similar circumstances.

56. On February 29, 2015, and thereafter, Defendant ADVOCATE HEALTH, by and through its actual and/or apparent agent, WILCOX, was professionally negligent in the following ways:

- a. Failed to have Plaintiff admitted to the emergency room although he suspected a possible pulmonary embolism in his differential diagnosis;
- b. Failed to appreciate Antonio's apparent hypertension;
- c. Failed to order appropriate diagnostic testing, including but not limited to CBC, Sed Rate, CRP, d-dimer, Chest Pa and Lat, ECG, CT of Chest, ABG's, PFT's, cardiac enzymes, lipid panel, C-CRP, exhocardiogram, and pulmonary and cardiac consultations;

- d. Failed to appreciate apparent risk factors such as morbid obesity, hypertension, shortness of breath and tachycardia, putting Antonio at particular risk of a vascular event; and
- e. was otherwise careless and/or negligent.

57. As a direct and proximate result of one or more of the aforesaid negligent and careless acts and/or omissions of Defendant, ADVOCATE HEALTH, by and through its actual and or apparent agent, WILCOX, ANTONIO DeANGELO, a currently disabled adult, sustained injuries of a personal, permanent, and pecuniary nature.

58. Attached to the Complaint at Law is the affidavit of one of Plaintiff's attorneys as well as a physician's report as required by 735 ILCS 5/2-622 of the Illinois Code of Civil Procedure.

WHEREFORE, Plaintiff, JENNIFER DeANGELO, as Plenary Guardian of ANTONIO DeANGELO, a currently disabled adult, demands judgment against Defendant, ADVOCATE HEALTH AND HOSPITALS CORPORATION d/b/a ADVOCATE GOOD SHEPHERD HOSPITAL, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

**COUNT IV – PROFESSIONAL NEGLIGENCE – VICARIOUS LIABILITY
O. BARTOLOMEO, M.D., S.C., d/b/a BARRINGTON FAMILY MEDICINE, S.C.**

1-30. Plaintiff re-states and re-alleges Paragraphs 1-30 of Plaintiff's Complaint at Law as if fully set-forth herein.

31. On or about January 29, 2015, and at all times mentioned herein, Defendant, BFM, was an Illinois corporation providing health care services to patients.

32. On or about January 29, 2015, and at all times mentioned herein, Defendant, WILCOX, was a physician, duly licensed to practice medicine in the State of Illinois, and specializing in Family Medicine.

33. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was a duly authorized agent and/or employee of Defendant, BFM, acting within the scope of his agency.

34. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was an apparent agent of Defendant BFM, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

35. On or about January 29, 2015, and at all times mentioned herein, Defendant BFM never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, WILCOX, was not an agent and/or employee of Defendant, BFM.

36. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, neither knew nor should have known that Defendant, WILCOX, was not an employee of Defendant, BFM.

37. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, did not choose Defendant, WILCOX, but relied upon Defendant, ADVOCATE HEALTH to provide complete family medical care.

38. On June 14, 2014, ANTONIO DeANGELO, a currently disabled adult, presented to a Walgreens HealthCare Clinic in Arlington Heights, Illinois, complaining of a cough with mucus which had persisted for over a week.

39. On June 14, 2014, the Walgreens HealthCare Clinic at the aforementioned location measured ANTONIO DeANGELO's blood pressure as 132/82, leading to a diagnosis of elevated blood pressure. The Clinic recommended ANTONIO DeANGELO follow up with his family care physician to rule in or out hypertension

40. Through his HMO plan, Defendant, ADVOCATE, assigned Defendant, WILCOX, as ANTONIO DeANGELO's primary care physician responsible for directing all of his health care needs.

41. On January 29, 2015, ANTONIO DeANGELO, a currently disabled adult, presented to Defendant, BRM, complaining of a persistent cough and difficulty breathing.

42. On January 29, 2015, Defendant, BFM, through its actual and/or apparent agent, WILCOX, measured ANTONIO DeANGELO's blood pressure at 190/102.

43. On January 29, 2015, Defendant, WILCOX's differential diagnosis included acute bronchitis, elevated blood pressure, tachycardia, and morbid obesity.

44. On January 29, 2015, despite the fact he noted his concern with ANTONIO DeANGELO's elevated blood pressure reading, Defendant, BFM, through its actual and/or apparent agent, WILCOX, released ANTONIO DeANGELO, a currently disabled adult, from his care, prescribing medication to treat acute bronchitis but nothing for his elevated blood pressure level.

45. On January 29, 2015, at approximately 4:49 pm, Defendant, WILCOX, documented his concern that ANTONIO DeANGELO, a currently disabled adult, was possibly suffering from a pulmonary embolism.

46. On January 29, 2015, at approximately 4:49 pm, Defendant, WILCOX, transcribed a discussion with ANTONIO DeANGELO, a currently disabled adult where a possible CT scan was discussed, however, Defendant, WILCOX, agreed that such a test was not necessary at that point.

47. On February 6, 2015, at approximately 11:33 am, ANTONIO DeANGELO, a currently disabled adult, called Defendant, WILCOX's office and spoke to KATIE MILLER,

complaining of a sore throat, earache, running nose, etc. At this point, Defendant, WILCOX, refilled Plaintiff's Zithromax Z-Pak Tablet but did not re-evaluate him.

48. On March 11, 2015, at approximately 10:53 am, the Franklin Park District Fire Department responded to an emergency call to find ANTONIO DeANGELO, a currently disabled adult, sitting in his car in respiratory distress, noting that he was found non-verbal and attempting to move his right arm with his left.

49. On March 11, 2015, at approximately 11:05 am, ANTONIO DeANGELO, a currently disabled adult, was transported emergently to Loyola University Health System. Along the way, his systolic blood pressure (SBP) was measured as high as 290.

50. On March 11, 2015, upon arrival at Loyola University Health System, ANTONIO DeANGELO, a currently disabled adult, underwent a CT scan which revealed a 5.4 x 2.5 x 4.5 cm left basil ganglia hemorrhage (30 cc) with 5 mm in midline shift.

51. On March 11, 2015, ANTONIO DeANGELO, a currently disabled adult, suffered a hemorrhagic stroke.

52. On February 29, 2015, and at all times mentioned herein, Defendant BFM, by and through its actual and/or apparent agent, WILCOX had the duty to possess and apply the knowledge and use the skill and care ordinarily used by other reasonably careful physicians under similar circumstances.

53. On February 29, 2015, and thereafter, Defendant BFM, by and through its actual and/or apparent agent, WILCOX, was professionally negligent in the following ways:

- a. Failed to have Plaintiff admitted to the emergency room although he suspected a possible pulmonary embolism in his differential diagnosis;
- b. Failed to appreciate Antonio's apparent hypertension;
- c. Failed to order appropriate diagnostic testing, including but not limited to CBC, Sed Rate, CRP, d-dimer, Chest Pa and Lat, ECG, CT of Chest,

ABG's, PFT's, cardiac enzymes, lipid panel, C-CRP, echocardiogram, and pulmonary and cardiac consultations;

- d. Failed to appreciate apparent risk factors such as morbid obesity, hypertension, shortness of breath and tachycardia, putting Antonio at particular risk of a vascular event; and
- e. was otherwise careless and/or negligent.

54. As a direct and proximate result of one or more of the aforesaid negligent and careless acts and/or omissions of Defendant, BFM, by and through its actual and or apparent agent, WILCOX, ANTONIO DeANGELO, a currently disabled adult, sustained injuries of a personal, permanent, and pecuniary nature.

55. Attached to the Complaint at Law is the affidavit of one of Plaintiff's attorneys as well as a physician's report as required by 735 ILCS 5/2-622 of the Illinois Code of Civil Procedure.

WHEREFORE, Plaintiff, JENNIFER DeANGELO, as Plenary Guardian of ANTONIO DeANGELO, a currently disabled adult, demands judgment against Defendant, O. BARTOLOMEO, M.D., S.C., d/b/a BARRINGTON FAMILY MEDICINE, S.C., in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

**COUNT V – PROFESSIONAL NEGLIGENCE – VICARIOUS LIABILITY
ADVOCATE GOOD SHEPHERD HEALTH PARTNERS, LTD, d/b/a
ADVOCATE GOOD SHEPHERD PHYSICIAN PARTNERS, LTD**

1-30. Plaintiff re-states and re-alleges Paragraphs 1-30 of Plaintiff's Complaint at Law as if fully set-forth herein.

31. On or about January 29, 2015, and at all times mentioned herein, Defendant, AGSPP was a duly licensed physician group providing health services to patients through a network of physicians and medical groups throughout Illinois.

32. On or about January 29, 2015, and at all times mentioned herein, Defendant, WILCOX, was a physician, duly licensed to practice medicine in the State of Illinois, and specializing in Family Medicine.

33. On or about January 29, 2015, and at all times mentioned herein, Defendant, WILCOX, was a member of AGSPP.

34. On or about January 29, 2015, Defendant, WILCOX, received a physician report card from AGSPP.

35. On or about January 29, 2015, Defendant, WILCOX was eligible to receive incentive payments from AGSPP.

36. On or about January 29, 2015, Defendant, WILCOX, received incentive payments from AGSPP.

37. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was a duly authorized agent and/or employee of Defendant, AGSPP, acting within the scope of his agency.

38. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was an apparent agent of Defendant AGSPP, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

39. On or about January 29, 2015, and at all times mentioned herein, Defendant AGSPP never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, WILCOX, was not an agent and/or employee of Defendant, AGSPP.

40. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, neither knew nor should have known that Defendant, WILCOX, was not an employee of Defendant, AGSPP.

41. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, did not choose Defendant, WILCOX, for his complete care but relied upon AGSPP to provide his complete care.

42. On June 14, 2014, ANTONIO DeANGELO, a currently disabled adult, presented to a Walgreens HealthCare Clinic in Arlington Heights, Illinois, complaining of a cough with mucus which had persisted for over a week.

43. On June 14, 2014, the Walgreens HealthCare Clinic at the aforementioned location measured ANTONIO DeANGELO's blood pressure as 132/82, leading to a diagnosis of elevated blood pressure. The Clinic recommended Plaintiff follow up with his family care physician to rule in or out hypertension

44. Through his HMO plan, Defendant, AGSPP, assigned Defendant, WILCOX, as ANTONIO DeANGELO's primary care physician responsible for directing all of his health care needs.

45. On January 29, 2015, ANTONIO DeANGELO, a currently disabled adult, presented to Defendant WILCOX's office at Defendant, BFM, complaining of a persistent cough and difficulty breathing.

46. On January 29, 2015, Defendant, WILCOX, measured ANTONIO DeANGELO's blood pressure at 190/102.

47. On January 29, 2015, Defendant, WILCOX's differential diagnosis included acute bronchitis, elevated blood pressure, tachycardia, and morbid obesity.

48. On January 29, 2015, despite the fact he noted his concern with ANTONIO DeANGELO's elevated blood pressure reading, Defendant, WILCOX, released ANTONIO

DeANGELO, a currently disabled adult from his care, prescribing medication to treat acute bronchitis but nothing for his elevated blood pressure level.

49. On January 29, 2015, at approximately 4:49 pm, Defendant, WILCOX, documented his concern that ANTONIO DeANGELO, a currently disabled adult, was possibly suffering from a pulmonary embolism.

50. On January 29, 2015, at approximately 4:49 pm, Defendant, WILCOX, transcribed a discussion with ANTONIO DeANGELO, a currently disabled adult, where a possible CT scan was discussed, however, Defendant, WILCOX, agreed that such a test was not necessary at that point.

51. On February 6, 2015, at approximately 11:33 am, ANTONIO DeANGELO, a currently disabled adult, called Defendant, WILCOX's office and spoke to KATIE MILLER, complaining of a sore throat, earache, running nose, etc. At this point, Defendant, WILCOX, refilled Plaintiff's Zithromax Z-Pak Tablet but did not re-evaluate him.

52. On March 11, 2015, at approximately 10:53 am, the Franklin Park District Fire Department responded to an emergency call to find ANTONIO DeANGELO, a currently disabled adult, sitting in his car in respiratory distress, noting that he was found non-verbal and attempting to move his right arm with his left.

53. On March 11, 2015, at approximately 11:05 am, ANTONIO DeANGELO, a currently disabled adult, was transported emergently to Loyola University Health System. Along the way, his systolic blood pressure (SBP) was measured as high as 290.

54. On March 11, 2015, upon arrival at Loyola University Health System, ANTONIO DeANGELO, a currently disabled adult, underwent a CT scan which revealed a 5.4 x 2.5 x 4.5 cm left basil ganglia hemorrhage (30 cc) with 5 mm in midline shift.

55. On March 11, 2015, ANTONIO DeANGELO, a currently disabled adult, suffered a hemorrhagic stroke.

56. On February 29, 2015, and at all times mentioned herein, Defendant AGSPP, by and through its actual and/or apparent agent, WILCOX, had the duty to possess and apply the knowledge and use the skill and care ordinarily used by other reasonably careful physicians under similar circumstances.

57. On February 29, 2015, and thereafter, Defendant, AGSPP, by and through its actual and/or apparent agent, WILCOX was professionally negligent in the following ways:

- a. Failed to have Plaintiff admitted to the emergency room although he suspected a possible pulmonary embolism in his differential diagnosis;
- b. Failed to appreciate Antonio's apparent hypertension;
- c. Failed to order appropriate diagnostic testing, including but not limited to CBC, Sed Rate, CRP, d-dimer, Chest Pa and Lat, ECG, CT of Chest, ABG's, PFT's, cardiac enzymes, lipid panel, C-CRP, exhocardiogram, and pulmonary and cardiac consultations;
- d. Failed to appreciate apparent risk factors such as morbid obesity, hypertension, shortness of breath and tachycardia, putting Antonio at particular risk of a vascular event; and
- e. was otherwise careless and/or negligent.

58. As a direct and proximate result of one or more of the aforesaid negligent and careless acts and/or omissions of Defendant, AGSPP, by and through its actual and/or apparent agent, WILCOX, ANTONIO DeANGELO, a currently disabled adult, sustained injuries of a personal, permanent, and pecuniary nature.

59. Attached to the Complaint at Law is the affidavit of one of Plaintiff's attorneys as well as a physician's report as required by 735 ILCS 5/2-622 of the Illinois Code of Civil Procedure.

WHEREFORE, Plaintiff, JENNIFER DeANGELO, as Plenary Guardian of ANTONIO DeANGELO, a currently disabled adult, demands judgment against Defendant, ADVOCATE GOOD SHEPHERD HEALTH PARTNERS, LTD, d/b/a ADVOCATE GOOD SHEPHERD PHYSICIAN PARTNERS, LTD, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

COUNT VI – PROFESSIONAL NEGLIGENCE – VICARIOUS LIABILITY
JAMES A. WILCOX, P.C.

1-30. Plaintiff re-states and re-alleges Paragraphs 1-12 of Plaintiff's Complaint at Law as if fully set-forth herein.

31. On or about January 29, 2015, and at all times mentioned herein, Defendant, WILCOX, P.C., was an Illinois corporation providing health care services to patients.

32. On or about January 29, 2015, and at all times mentioned herein, Defendant, WILCOX, was a physician, duly licensed to practice medicine in the State of Illinois, and specializing in Family Medicine.

33. On or about January 29, 2015, and at all times mentioned herein, Defendant, AGSPP was a duly licensed physician group providing health services to patients through a network of physicians and medical groups throughout Illinois, including, but limited to Defendant, WILCOX, P.C..

34. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was a duly authorized agent and/or employee of Defendant, WILCOX PC, acting within the scope of his agency.

35. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX was an apparent agent of Defendant WILCOX PC, upon whom ANTONIO DeANGELO, a currently disabled adult, justifiably and reasonably relied upon.

36. On or about January 29, 2015, and at all times mentioned herein, Defendant WILCOX P.C. never informed ANTONIO DeANGELO, a currently disabled adult, that Defendant, WILCOX, was not an agent and/or employee of Defendant, WILCOX PC.

37. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, neither knew nor should have known that Defendant, WILCOX, was not an employee of Defendant, WILCOX PC.

38. On or about January 29, 2015, and at all times mentioned herein, ANTONIO DeANGELO, a currently disabled adult, did not choose Defendant, WILCOX, but relief upon Defendant WILCOX, P.C. to provide complete family medical care.

39. On June 14, 2014, ANTONIO DeANGELO, a currently disabled adult, presented to a Walgreens HealthCare Clinic in Arlington Heights, Illinois, complaining of a cough with mucus which had persisted for over a week.

40. On June 14, 2014, the Walgreens HealthCare Clinic at the aforementioned location measured ANTONIO DeANGELO's blood pressure as 132/82, leading to a diagnosis of elevated blood pressure. The Clinic recommended Plaintiff follow up with his family care physician to rule in or out hypertension

41. Through his HMO plan, Defendant, ADVOCATE, assigned Defendant, WILCOX, as ANTONIO DeANGELO's primary care physician responsible for directing all of his health care needs.

42. On January 29, 2015, ANTONIO DeANGELO, a currently disabled adult, presented to Defendant WILCOX PC at Defendant, WILCOX's office at Defendant, BFM, complaining of a persistent cough and difficulty breathing.

43. On January 29, 2015, Defendant, WILCOX, measured ANTONIO DeANGELO's blood pressure at 190/102.

44. On January 29, 2015, Defendant, WILCOX's differential diagnosis included acute bronchitis, elevated blood pressure, tachycardia, and morbid obesity.

45. On January 29, 2015, despite the fact he noted his concern with ANTONIO DeANGELO's elevated blood pressure reading, Defendant, WILCOX, released ANTONIO DeANGELO, a currently disabled adult, from his care, prescribing medication to treat acute bronchitis but nothing for his elevated blood pressure level.

46. On January 29, 2015, at approximately 4:49 pm, Defendant, WILCOX, documented his concern that ANTONIO DeANGELO, a currently disabled adult was possibly suffering from a pulmonary embolism.

47. On January 29, 2015, at approximately 4:49 pm, Defendant, WILCOX, transcribed a discussion with ANTONIO DeANGELO, a currently disabled adult, where a possible CT scan was discussed, however, Defendant, WILCOX, agreed that such a test was not necessary at that point.

48. On February 6, 2015, at approximately 11:33 am, ANTONIO DeANGELO, a currently disabled adult, called Defendant, WILCOX's office and spoke to KATIE MILLER, complaining of a sore throat, earache, running nose, etc. At this point, Defendant, WILCOX, refilled Plaintiff's Zithromax Z-Pak Tablet but did not re-evaluate him.

49. On March 11, 2015, at approximately 10:53 am, the Franklin Park District Fire Department responded to an emergency call to find ANTONIO DeANGELO, a currently disabled adult, sitting in his car in respiratory distress, noting that he was found non-verbal and attempting to move his right arm with his left.

50. On March 11, 2015, at approximately 11:05 am, Plaintiff, ANTONIO DeANGELO, was transported emergently to Loyola University Health System. Along the way, his systolic blood pressure (SBP) was measured as high as 290.

51. On March 11, 2015, upon arrival at Loyola University Health System, ANTONIO DeANGELO, a currently disabled adult, underwent a CT scan which revealed a 5.4 x 2.5 x 4.5 cm left basil ganglia hemorrhage (30 cc) with 5 mm in midline shift.

52. On March 11, 2015, ANTONIO DeANGELO, a currently disabled adult, suffered a hemorrhagic stroke.

53. On February 29, 2015, and at all times mentioned herein, Defendant WILCOX PC, by and through its actual and/or apparent agent, WILCOX, had the duty to possess and apply the knowledge and use the skill and care ordinarily used by other reasonably careful physicians under similar circumstances.

54. On February 29, 2015, and thereafter, Defendant WILCOX PC, by and through its actual and/or apparent agent, WILCOX, was professionally negligent in the following ways:

- a. Failed to have Plaintiff admitted to the emergency room although he suspected a possible pulmonary embolism in his differential diagnosis;
- b. Failed to appreciate Antonio's apparent hypertension;
- c. Failed to order appropriate diagnostic testing, including but not limited to CBC, Sed Rate, CRP, d-dimer, Chest Pa and Lat, ECG, CT of Chest, ABG's, PFT's, cardiac enzymes, lipid panel, C-CRP, exhocardiogram, and pulmonary and cardiac consultations;
- d. Failed to appreciate apparent risk factors such as morbid obesity, hypertension, shortness of breath and tachycardia, putting Antonio at particular risk of a vascular event; and
- e. was otherwise careless and/or negligent.

55. As a direct and proximate result of one or more of the aforesaid negligent and careless acts and/or omissions of Defendant, WILCOX PC, by and through its actual and/or

apparent agent, WILCOX, ANTONIO DeANGELO, a currently disabled adult, sustained injuries of a personal, permanent, and pecuniary nature.

56. Attached to the Complaint at Law is the affidavit of one of Plaintiff's attorneys as well as a physician's report as required by 735 ILCS 5/2-622 of the Illinois Code of Civil Procedure.

WHEREFORE, Plaintiff, JENNIFER DeANGELO, as Plenary Guardian of ANTONIO DeANGELO, a currently disabled adult, demands judgment against Defendant, JAMES A. WILCOX, P.C, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

COUNT VII
RESPONDENTS IN DISCOVERY

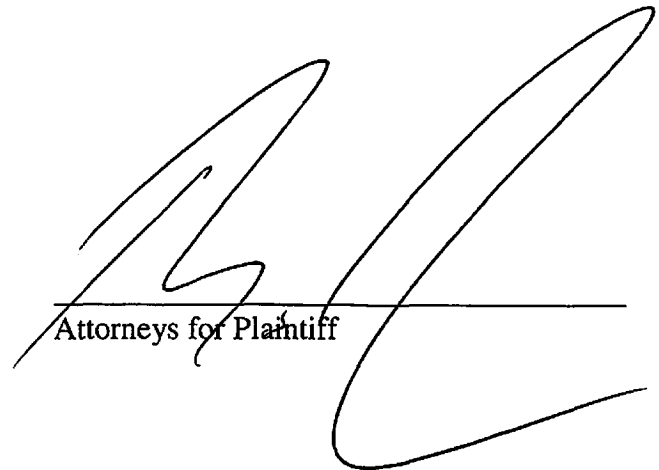
Plaintiff, JENNIFER DeANGELO, as Plenary Guardian of the Estate of ANTONIO DeANGELO, a currently disabled adult, designates as a Respondent in Discovery, KATIE MILLER, as a person Plaintiff believes to have information essential to the determination of who should properly be named as defendants in this action, and states as follows:

1. On February 6, 2015, at approximately 11:33 am, ANTONIO DeANGELO, a currently disabled adult, called Defendant, WILCOX's office and spoke to Respondent in Discovery, KATIE MILLER, complaining of a sore throat, earache, running nose, etc. Respondent in Discovery, KATIE MILLER, relayed this information to Defendant, WILCOX, who refilled Plaintiff's Zithromax Z-Pak Tablet but did not re-evaluate him.

2. After a diligent search, Plaintiff has not been able to identify what position Respondent in Discovery, KATIE MILLER, holds with Defendant, BARRINGTON FAMILY MEDICINE, S.C.

WHEREFORE, Plaintiff, JENNIFER DeANGELO, as Plenary Guardian of the Estate of ANTONIO DeANGELO, a currently disabled adult, names KATIE MILLER as a Respondent in Discovery.

Bradley M. Cosgrove
Marta M. Kowalczyk
CLIFFORD LAW OFFICES, P.C.
120 North LaSalle Street, 31st Floor
Chicago, IL 60602
P (312) 899-9090
F (312) 251-1160
Firm I.D. No.: 32640
bmc@cliffordlaw.com
mmk@cliffordlaw.com



Attorneys for Plaintiff

April 6, 2016

Bradley M. Cosgrove
Clifford Law Offices, P.C.
120 N. LaSalle St., Suite 3100
Chicago, IL 60602
(312) 899-9090

Re: DeAngelo, Antonio

Dear Mr. Cosgrove:

I am a physician licensed to practice medicine in all of its branches. I am knowledgeable in the relevant issues involved in this particular action. I have practiced within the last six years in the same area of healthcare that is at issue in this action and have substantial experience in the practice of medicine. I am qualified by experience and demonstrated competence in the subject of this case.

I have reviewed the medical records of Antonio DeAngelo, including the medical records from the Walgreen's HealthCare Clinic, Loyola University Health System and Barrington Family Medicine. The opinions stated herein are based upon a reasonable degree of medical certainty and based upon my training, experience and my review of the aforesaid materials.

On January 29, 2015, Antonio DeAngelo, age 37, presented to James A. Wilcox, D.O. at Barrington Family Medicine, S.C. with complaints of, "a cough for a couple of months... has gotten worse, and when the cough hits he has a hard time breathing." Dr. Wilcox noted coughing fits, but no shortness of breath. Inexplicably, his medical assistant notated DeAngelo was having a hard time breathing. Dr. Wilcox noted that both of DeAngelo's parents suffered from hypertension. DeAngelo's blood pressure was measured at 190/102. In his assessment, Dr. Wilcox noted DeAngelo was suffering from acute bronchitis and elevated blood pressure. In his plan, Dr. Wilcox expressed that he was very concerned with DeAngelo's blood pressure. Additionally, Dr. Wilcox's differential diagnosis included tachycardia and morbid obesity, which are major risk factors for vascular disease. Instead of having DeAngelo admitted to the ER that day, Dr. Wilcox released him from care. DeAngelo was prescribed Zithromx, a Tessalon Capsule, 200 mg three times per day, Cheratussin AC Syrup, and a Pulmicort Flexhaler Aerosol Powder, 90 MCG/ACT to treat acute bronchitis, but nothing for his severely elevated blood pressure.

In a follow up call later that evening at 4:49 pm, Dr. Wilcox noted that he considered DeAngelo was possibly suffering from a pulmonary embolism. In that note, Dr. Wilcox transcribed that DeAngelo declined a referral for a CT scan at this point, and "I agreed with him." DeAngelo should have been instructed to call 911 and go to the emergency room for a stat chest x-ray and

CT of the chest, pulmonary function studies, and other diagnostic testing. Dr. Wilcox thoughtlessly assessed DeAngelo with acute bronchitis, but pulmonary embolus was in the differential diagnosis. A doctor's first duty is to protect his patient against serious and life-threatening disease.

On March 11, 2015, at 10:53 am, the Franklin Park District Fire Department responded to an emergency call from DeAngelo's co-workers who found DeAngelo sitting in his car in respiratory distress. Upon arrival at 11:02 am, emergency responders noted that DeAngelo suffered a possible stroke. He was non-verbal and attempting to move his right arm with his left. His entire right side was weak. DeAngelo was transported emergently to Loyola University Health System. En route, his SBP was measured in the 290s.

Upon arrival at the emergency department, Loyola's stroke team was activated. On presentation, his blood sugar was 65 and an amp of D5 was given. DeAngelo was unable to speak or provide any history. Per the EMS responders, his SBP ranged from 140-220. The emergency department started him on bisacodyl 10 mg suppository, docusate sodium 100 mg capsule, fentanyl 2500 mcg in total volume 50 ml infusion, milk of magnesia 30 mL oral susp, niCARdipine 20 mg in NaCl 200 ml standard infusion, and propofol 10 mg/ml infusion. An EKG revealed sinus tachycardia, possible left atrial enlargement, left axis deviation, LVH with QRS widening and repolarization abnormality, and prolonged QT/QU interval. The emergency department's assessment indicated DeAngelo had acute intracerebral hemorrhage, likely secondary to hypertension. His ICH score of 2 carried a 26% mortality rate. DeAngelo was sent for a CT scan, which revealed a 5.4 x 2.5 x 4.5 cm left basal ganglia hemorrhage (30cc) with 5mm in midline shift. He suffered a hemorrhagic stroke. Eventually, Mr. DeAngelo was placed on anesthesia and intubated.

Based upon my review of the aforementioned materials, I have determined there is a reasonable and meritorious cause for the filing of an action against James A. Wilcox, D.O., James A. Wilcox, P.C., Barrington Family Medicine, S.C., Advocate Good Shepherd Physician Partners, LTD, and Advocate Health. Advocate Physician Partners and Hospitals Corporation d/b/a Advocate Good Shepherd Hospital. My opinions, based upon a reasonable degree of medical certainty, are that certain acts or omissions of James A. Wilcox, D.O., James A. Wilcox, P.C., Barrington Family Medicine, S.C., Advocate Good Shepherd Physician Partners, LTD and Advocate Health and Hospitals Corporation, breached the appropriate standard of care.

On January 29, 2015, and thereafter, O. Bartolomeo, M.D., S.C., d/b/a Barrington Family Medicine, by and through its actual and/or apparent agent, James A. Wilcox, D.O., was professionally negligent in the following ways:

- a. Failed to have Plaintiff admitted to the emergency room although he suspected a possible pulmonary embolism in his differential diagnosis;
- b. Failed to appreciate Antonio's apparent hypertension;
- c. Failed to order appropriate diagnostic testing, including but not limited to CBC, Sed Rate, CRP, d-dimer, Chest Pa and Lat, ECG, CT of chest, ABG's, PFT's, cardiac enzymes, lipid panel, C-CRP, echocardiogram, and pulmonary and cardiac consultations;

- d. Failed to appreciate apparent risk factors such as morbid obesity, hypertension, shortness of breath and tachycardia, putting Antonio at particular risk of a vascular event; and
- e. was otherwise careless and/or negligent.

On January 29, 2015, and thereafter, James A. Wilcox, P.C., by and through its actual and/or apparent agent, James A. Wilcox, D.O., was professionally negligent in the following ways:

- a. Failed to have Plaintiff admitted to the emergency room although he suspected a possible pulmonary embolism in his differential diagnosis;
- b. Failed to appreciate Antonio's apparent hypertension;
- c. Failed to order appropriate diagnostic testing, including but not limited to CBC, Sed Rate, CRP, d-dimer, Chest Pa and Lat, ECG, CT of chest, ABG's, PFT's, cardiac enzymes, lipid panel, C-CRP, echocardiogram, and pulmonary and cardiac consultations;
- d. Failed to appreciate apparent risk factors such as morbid obesity, hypertension, shortness of breath and tachycardia, putting Antonio at particular risk of a vascular event; and
- e. was otherwise careless and/or negligent.

On January 29, 2015, and thereafter, Advocate Good Shepherd Health Partners, LTD d/b/a Advocate Good Shepherd Physician Partners, LTD., by and through its actual and/or apparent agent, James A. Wilcox, D.O., was professionally negligent in the following ways:

- a. Failed to have Plaintiff admitted to the emergency room although he suspected a possible pulmonary embolism in his differential diagnosis;
- b. Failed to appreciate Antonio's apparent hypertension;
- c. Failed to order appropriate diagnostic testing, including but not limited to CBC, Sed Rate, CRP, d-dimer, Chest Pa and Lat, ECG, CT of chest, ABG's, PFT's, cardiac enzymes, lipid panel, C-CRP, echocardiogram, and pulmonary and cardiac consultations;
- d. Failed to appreciate apparent risk factors such as morbid obesity, hypertension, shortness of breath and tachycardia, putting Antonio at particular risk of a vascular event; and
- e. was otherwise careless and/or negligent.

On January 29, 2015, and thereafter, Advocate Health Partners d/b/a Advocate Physician Partners, by and through its actual and/or apparent agent, James A. Wilcox, D.O., was professionally negligent in the following ways:

- a. Failed to have Plaintiff admitted to the emergency room although he suspected a possible pulmonary embolism in his differential diagnosis;
- b. Failed to appreciate Antonio's apparent hypertension;
- c. Failed to order appropriate diagnostic testing, including but not limited to CBC, Sed Rate, CRP, d-dimer, Chest Pa and Lat, ECG, CT of chest, ABG's, PFT's, cardiac enzymes, lipid panel, C-CRP, echocardiogram, and pulmonary and cardiac consultations;
- d. Failed to appreciate apparent risk factors such as morbid obesity, hypertension, shortness of breath and tachycardia, putting Antonio at particular risk of a vascular event; and
- e. was otherwise careless and/or negligent.

On January 29, 2015, and thereafter, Advocate Health and Hospitals Corporation d/b/a Advocate Good Shepherd Hospital, by and through its actual and/or apparent agent, James A. Wilcox, D.O., was professionally negligent in the following ways:

- a. Failed to have Plaintiff admitted to the emergency room although he suspected a possible pulmonary embolism in his differential diagnosis;
- b. Failed to appreciate Antonio's apparent hypertension;
- c. Failed to order appropriate diagnostic testing, including but not limited to CBC, Sed Rate, CRP, d-dimer, Chest Pa and Lat, ECG, CT of chest, ABG's, PFT's, cardiac enzymes, lipid panel, C-CRP, echocardiogram, and pulmonary and cardiac consultations;
- d. Failed to appreciate apparent risk factors such as morbid obesity, hypertension, shortness of breath and tachycardia, putting Antonio at particular risk of a vascular event; and
- e. was otherwise careless and/or negligent.

The aforesaid professionally negligent acts or omissions of James A. Wilcox, D.O., James A. Wilcox, P.C., O. Bartolomeo, M.D., S.C. d/b/a Barrington Family Medicine, S.C., Advocate Good Shepherd Health Partners, LTD d/b/a Advocate Good Shepherd Physician Partners, LTD., Advocate Health Partners d/b/a Advocate Physician Partners and Advocate Health and Hospitals Corporation d/b/a Advocate Good Shepherd Hospital were a proximate cause of injury to Antonio DeAngelo.

My opinions are subject to modification pending review of further materials

Very truly yours,

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

JENNIFER DeANGELO, as Plenary Guardian)
of ANTONIO DeANGELO, a currently disabled)
adult,)
)
Plaintiff,)

v.)

No.:

JAMES A. WILCOX, D.O.,)
ADVOCATE HEALTH PARTNERS, d/b/a)
ADVOCATE PHYSICIAN PARTNERS,)
a Not-For-Profit Corporation,)
ADVOCATE HEALTH AND HOSPITALS)
CORPORATION d/b/a ADVOCATE)
GOOD SHEPHERD HOSPITAL, a)
Corporation,)
O. BARTOLOMEO, M.D., S.C., d/b/a)
BARRINGTON FAMILY MEDICINE,)
S.C., a corporation,)
ADVOCATE GOOD SHEPHERD HEALTH)
PARTNERS. LTD, d/b/a ADVOCATE)
GOOD SHEPHERD PHYSICIAN)
PARTNERS, LTD, a corporation, and)
JAMES A. WILCOX, P.C.)
)
Defendants.)

Plaintiff Demands A Trial By Jury

KATIE MILLER,)
)
Respondent in Discovery.)

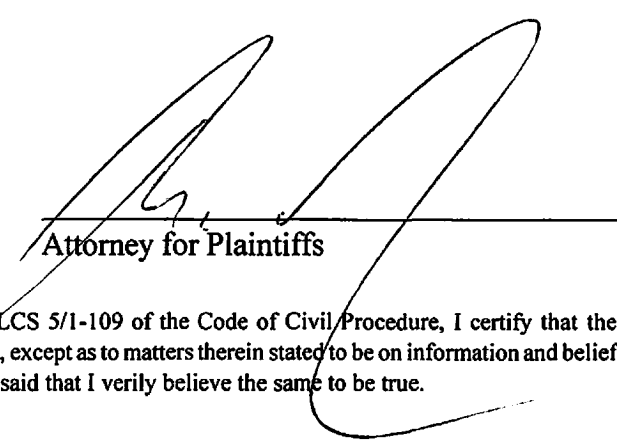
AFFIDAVIT REGARDING DAMAGES SOUGHT

BRADLEY M. COSGROVE states as follows:

1. That I am one of the attorneys of record for the Plaintiffs in this matter.
2. That the total money damages sought in this civil action exceeds the amount of

\$50,000.00.

FURTHER AFFIANT SAYETH NOT.



Attorney for Plaintiffs

[X] Under penalties as provided by law pursuant to 735 ILCS 5/1-109 of the Code of Civil Procedure, I certify that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that I verily believe the same to be true.

Bradley M. Cosgrove
Marta M. Davidson
CLIFFORD LAW OFFICES, P.C.
120 North LaSalle Street, Suite 3100
Chicago, Illinois 60602
(312) 899-9090
Atty. No. 32640
BMC@cliffordlaw.com
MMD@cliffordlaw.com

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

JENNIFER DeANGELO, as Plenary Guardian)
of ANTONIO DeANGELO, a currently disabled)
adult,)
)
Plaintiff,)

v.)

No.:

JAMES A. WILCOX, D.O.,)
ADVOCATE HEALTH PARTNERS, d/b/a)
ADVOCATE PHYSICIAN PARTNERS,)
a Not-For-Profit Corporation,)
ADVOCATE HEALTH AND HOSPITALS)
CORPORATION d/b/a ADVOCATE)
GOOD SHEPHERD HOSPITAL, a)
Corporation,)
O. BARTOLOMEO, M.D., S.C., d/b/a)
BARRINGTON FAMILY MEDICINE,)
S.C., a corporation,)
ADVOCATE GOOD SHEPHERD HEALTH)
PARTNERS. LTD, d/b/a ADVOCATE)
GOOD SHEPHERD PHYSICIAN)
PARTNERS, LTD, a corporation, and)
JAMES A. WILCOX, P.C.)
)
Defendants.)

Plaintiff Demands A Trial By Jury

KATIE MILLER,)
)
Respondent in Discovery.)

PLAINTIFFS' ATTORNEY AFFIDAVIT PURSUANT TO 735 ILCS 5/2-622(a)(1)

BRADLEY M. COSGROVE states as follows:

1. I am one of the attorneys with responsibility for this matter on behalf of the Plaintiffs.
2. I have consulted and reviewed the facts of this case with a health professional whom I reasonably believe is: (i) knowledgeable in the relevant issues involved in this particular

action; (ii) practices or has practiced within the last six (6) years or teaches or has taught within the last six (6) years in the same area of health care of medicine that is at issue in this particular action; and (iii) is qualified by experience or demonstrated competence in the subject of this case.

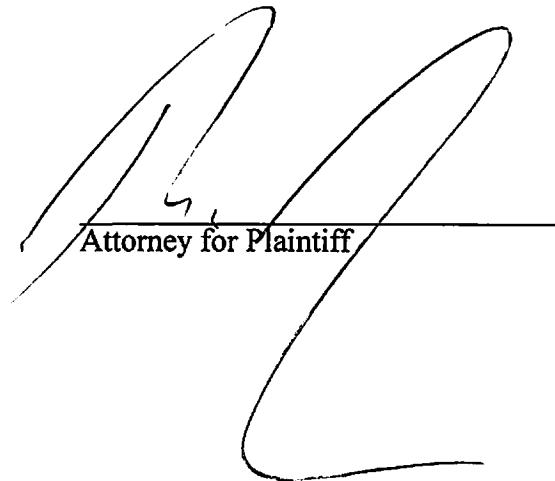
3. The reviewing health professional has determined in a written report after review of the medical records and other relevant material involved in this particular action that there is a reasonable and meritorious cause for the filing of this action against JAMES A. WILCOX, D.O. In addition, I certify that the reviewing health professional has concluded that a reasonable health professional would have had Plaintiff admitted to the emergency room when pulmonary embolism was part of his differential diagnosis.

4. I have concluded on the basis of the reviewing health professional's review and consultation that there is a reasonable and meritorious cause for filing of this action against ADVOCATE HEALTH PARTNERS d/b/a ADVOCATE PHYSICIAN PARTNERS, a not-for-profit corporation, ADVOCATE HEALTH AND HOSPITALS CORPORATION d/b/a ADVOCATE GOOD SHEPHERD HOSPITAL, a corporation, O. BARTOLOMEO, M.D., S.C., d/b/a BARRINGTON FAMILY MEDICINE, S.C., a corporation, ADVOCATE GOOD SHEPHERD HEALTH PARTNERS, LTD., d/b/a ADVOCATE GOOD SHEPHERD PHYSICIAN PARTNERS, LTD., a corporation, and JAMES A. WILCOX, P.C.

5. A copy of the written report, clearly identifying the plaintiff and the reasons for the reviewing health professional's determination that a reasonable and meritorious cause exists for the filing of this case is attached.

FURTHER AFFIANT SAYETH NOT

[X] Under penalties as provided by law pursuant to 735 ILCS 5/1-109 of the Code of Civil Procedure, I certify that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that I verily believe the same to be true.



A large, stylized handwritten signature in black ink is written over a horizontal line. The signature is cursive and appears to be the name of the attorney.

Attorney for Plaintiff

Bradley M. Cosgrove
Marta M. Davidson
Clifford Law Offices, P.C.
120 N. LaSalle St., 31st Floor
Chicago, Illinois 60602
Firm I.D.: 32640
BMC@cliffordlaw.com
MMK@cliffordlaw.com