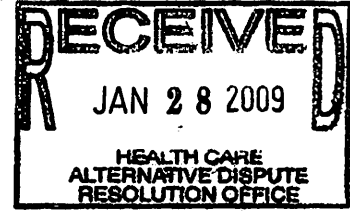


IN THE HEALTH CARE ALTERNATIVE DISPUTE RESOLUTION OFFICE



PHYLLIS RODE
2 BLADEN ROAD
ESSEX, MD 21221

Plaintiff,

v.

CHIAU WEN HSIAO
4419 FALLS ROAD
BALTIMORE, MD 21211

Defendant

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CASE NO.:

STATEMENT OF CLAIM

Now comes Phyllis Rode, claimant herein, by her attorneys

and hereby files this claim against Defendant Chiau Wen Hsiao, M.D. and

in support thereof states as follows:

FACTS

1. The Plaintiff is a resident of Baltimore County, Maryland.

2. The Defendant Chiau Wen Hsiao, M. D. is a physician licensed to practice medicine in the State Of Maryland and regularly engages in the practice of medicine in Baltimore City, Maryland at 4419 Falls Road.

3. That the amount of this claim exceeds the jurisdictional limit of the District Court of Maryland (i.e. \$30,000.00) and the appropriate venue for this claim is Baltimore City, Maryland as the Defendant regularly engages in the practice of medicine in Baltimore City, Maryland.

4. That on or about February 2, 2006, Chiau Wen Hsiao, M.D. provided medical services to the Plaintiff in Baltimore County, Maryland in the form of an operation (a laparoscopic cholecystectomy).

5. That during the Plaintiff's surgery on February 2, 2006 Chiau Wen Hsiao caused a traumatic injury/laceration to the Plaintiff's hepatic duct directly causing the Plaintiff physical injury, conscious pain and suffering, and other damages.

6. That during the Plaintiff's surgery on February 2, 2006, Defendant Chiau Wen Hsiao, owed a duty to the Plaintiff to perform the surgery within an acceptable standard of medical care within the medical community and Chiau Wen Hsiao, breached this standard of care by injuring the Plaintiff's hepatic duct causing the Plaintiff a physical injury.

7. That as a direct and proximate result of the breach of the applicable standard of medical care by Chiau Wen Hsiao, which resulted in an injury to the Plaintiff's hepatic duct and liver, the Plaintiff: 1) suffered conscious pain and suffering in the past and will suffer conscious pain and suffering into the future, 2) suffered loss of household services in the past and into the future, 3) incurred medical expenses in the past and will incur future medical expenses, 4) suffered mental anguish, 5) suffered permanent physical injuries, and 6) was required to undergo additional medical procedures and has sustained other damages.

8. That all of the injuries and damages sustained by the Plaintiff were the direct and proximate result of the negligent actions of Chiau Wen Hsiao, M.D. without any act or omission on the part of the Plaintiff directly thereunto contributing.

9. That the Plaintiff did not assume the risk of her injuries.

10. That the Plaintiff has complied with the Section 3-2A-04(b) of the Courts and Judicial Proceedings Article by filing with this complaint a Certificate of Qualified Expert which

is attached to this complaint as Exhibit 1 and incorporated by reference herein, and an Expert Report which is attached to this complaint as Exhibit 2 and incorporated by reference herein.

COUNT I NEGLIGENCE (Medical Malpractice)

11. The Plaintiff re-alleges and incorporates by reference herein all of the allegations contained in paragraphs 1-10 above.

12. That Chiau Wen Hsiao, M.D. deviated from the acceptable standard of medical care during the surgery he performed on the Plaintiff on February 2, 2006, and that this deviation was the direct and proximate cause of the injury to the Plaintiff's hepatic duct and the direct and proximate cause of all of the Plaintiff's physical injuries and damages.

13. That the applicable standards of medical care and deviations from the applicable standards of medical care are more fully explained and described in Exhibits 1 and 2 which are attached hereto and incorporated by reference herein.

WHEREFORE: The Plaintiff claims damages against Chiau Wen Hsiao, M.D. individually in an amount to be determined at trial, plus costs, and for any further relief that this Honorable Court determines necessary and appropriate.