

with an identification band by an employee of the Defendant, EVANSTON NORTHWESTERN HEALTHCARE CORPORATION n/k/a NORTSHORE UNIVERSITY HEALTHSYSTEM, individually and d/b/a EVANSTON HOSPITAL and EVANSTON HOSPITAL, individually.

6) That the aforementioned identification bands provided to the Plaintiff, JENNIFER SPIEGEL, and her son Logan Ross Spiegel contained the same identification number.

7) That on January 25, 2008 the Defendant, EVANSTON NORTHWESTERN HEALTHCARE CORPORATION n/k/a NORTSHORE UNIVERSITY HEALTHSYSTEM, individually and d/b/a EVANSTON HOSPITAL and EVANSTON HOSPITAL, individually, provided a bassinette for the Plaintiff's baby to use while at the hospital. Said bassinette contained an identification card affixed to it that displayed the same identification number that was displayed on the aforementioned identification bands provided to the Plaintiff, JENNIFER SPIEGEL, and her baby boy, Logan Ross Spiegel as well as the Plaintiff's last name.

8) That at the aforementioned time it was the policy of the Defendant, EVANSTON NORTHWESTERN HEALTHCARE CORPORATION n/k/a NORTSHORE UNIVERSITY HEALTHSYSTEM, individually and d/b/a EVANSTON HOSPITAL and EVANSTON HOSPITAL, individually, to require all newborn babies and the babies' parents to wear a matching identification band while at EVANSTON HOSPITAL.

9) That at the aforementioned time the Defendant, EVANSTON NORTHWESTERN HEALTHCARE CORPORATION n/k/a NORTSHORE UNIVERSITY HEALTHSYSTEM, individually and d/b/a EVANSTON HOSPITAL and EVANSTON HOSPITAL, individually required that its employees match the identification number on a newborn baby's identification band with the identification number on a parent's band each time that an employee brought a newborn baby into a hospital room for the purpose of tendering the newborn baby to a parent.

10) That on or about the evening of January 25, 2008, the Plaintiff's newborn baby, Logan Ross Spiegel, was taken to the hospital nursery in his hospital provided bassinette by an employee of the Defendant, EVANSTON NORTHWESTERN HEALTHCARE CORPORATION n/k/a NORTSHORE UNIVERSITY HEALTHSYSTEM, individually and d/b/a EVANSTON HOSPITAL and EVANSTON HOSPITAL, individually.

11) That throughout the evening of January 25, 2008 and the morning of January 26, 2008, the Defendant's staff was expected to bring the Plaintiff's newborn baby, Logan Ross Spiegel, to the Plaintiff, JENNIFER SPIEGEL, from the nursery when the Defendant's staff determined that it was necessary for the Plaintiff, JENNIFER SPIEGEL, to breastfeed her newborn baby, Logan Ross Spiegel.

12) That at approximately 4:00 a.m. on January 26, 2008, an unknown Patient Care Technician (hereinafter referred to as "unknown PCT"), entered the Plaintiff, JENNIFER SPIEGEL'S, hospital room, woke her from her sleep and handed the Plaintiff, JENNIFER SPIEGEL, a baby boy from a hospital provided bassinette.

13) That the Plaintiff, JENNIFER SPIEGEL, breastfed the baby boy that the aforementioned unknown PCT brought to her.

14) That subsequently, Registered Nurse, Mandy M. Myers, an employee of the Defendant, EVANSTON NORTHWESTERN HEALTHCARE CORPORATION n/k/a NORTSHORE UNIVERSITY HEALTHSYSTEM, individually and d/b/a EVANSTON

HOSPITAL and EVANSTON HOSPITAL, individually, determined that the baby boy provided to the Plaintiff by the unknown PCT was not the Plaintiff's baby, Logan Ross Spiegel, and that the Plaintiff JENNIFER SPIEGEL had breastfed another patient's newborn baby (hereinafter referred to as "unknown baby").

15) The Plaintiff, JENNIFER SPIEGEL, never consented to breastfeed any baby other than her own baby, Logan Ross Spiegel.

16) At all relevant times herein, the unknown PCT, was an employee of the Defendant, EVANSTON NORTHWESTERN HEALTHCARE CORPORATION n/k/a NORTSHORE UNIVERSITY HEALTHSYSTEM, individually and d/b/a EVANSTON HOSPITAL and EVANSTON HOSPITAL, individually, and was acting in the course of, and within the scope of, said employment.

17) That at all times relevant hereto, the Defendant, EVANSTON NORTHWESTERN HEALTHCARE CORPORATION n/k/a NORTSHORE UNIVERSITY HEALTHSYSTEM, individually and d/b/a EVANSTON HOSPITAL and EVANSTON HOSPITAL, individually by and through its employees had a duty to exercise that care which reasonably skilled persons practicing within the same discipline of health care in the same geographic area would exercise under similar circumstances.

18) At the time and place aforesaid, the Defendant, EVANSTON NORTHWESTERN HEALTHCARE CORPORATION n/k/a NORTSHORE UNIVERSITY HEALTHSYSTEM, individually and d/b/a EVANSTON HOSPITAL and EVANSTON HOSPITAL, individually, breached its aforementioned duty in one or more of the following ways:

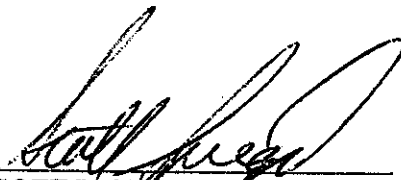
- a) Carelessly and negligently provided a baby to the Plaintiff to breastfeed that was not her own although the Defendant knew or should have known that the Plaintiff did not consent to breastfeed any baby but her own;
- b) Carelessly and negligently allowed the Plaintiff to breastfeed a baby that was not her own although the Defendant knew or should have known that the Plaintiff did not consent to breastfeed any baby but her own;
- c) Carelessly and negligently failed to match the identification number on the unknown baby's identification band to the identification number on the Plaintiff's identification band;
- d) Carelessly and negligently failed to match the identification number on the unknown baby's hospital provided bassinette to the identification number on the Plaintiff's identification band;
- e) Carelessly and negligently failed match the last name on the unknown baby's hospital provided bassinette to the last name posted on the door of the Plaintiff's hospital room;
- f) Carelessly and negligently failed to warn the Plaintiff that she was being tendered the unknown baby rather than her own baby;
- g) Carelessly and negligently failed to provide adequate training to the unknown PCT;
- h) Carelessly and negligently allowed the unknown PCT to determine which babies needed

to be fed and when although the Defendant knew or should have known that the unknown PCT was not qualified to make such a determination;

- i) Carelessly and negligently kept inadequate or deficient newborn feeding records and/or logs in the hospital nursery.

19) That as a proximate cause of the aforementioned conduct of the Defendant, EVANSTON NORTHWESTERN HEALTHCARE CORPORATION n/k/a NORTSHORE UNIVERSITY HEALTHSYSTEM, individually and d/b/a EVANSTON HOSPITAL and EVANSTON HOSPITAL, individually, the Plaintiff, JENNIFER SPIEGEL, suffered mental and emotional anguish and pain, and will in the future suffer great pain, discomfort and emotional impairment, all of which said injuries are permanent and she has been kept from attending to her ordinary affairs and duties; and she has lost large gains, and has become obligated for large sums of money for medical and hospital care and attention.

WHEREFORE, the Plaintiff, JENNIFER SPIEGEL, respectfully prays judgment against the Defendant, EVANSTON NORTHWESTERN HEALTHCARE CORPORATION n/k/a NORTSHORE UNIVERSITY HEALTHSYSTEM, individually and d/b/a EVANSTON HOSPITAL and EVANSTON HOSPITAL, individually, in a sum greater than THIRTY THOUSAND DOLLARS (\$30,000.00) as will fairly and adequately compensate her for her injuries, together with her costs in bringing this suit.


SCOTT L. SPIEGEL
ATTORNEY FOR PLAINTIFF

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