

BEFORE THE STATE OF INDIANA  
DEPARTMENT OF INSURANCE

JANE DOE #1 through #83, )  
)  
Plaintiffs, )  
)  
v. )  
)  
WILLIAM DAVID MOORE, M.D., )  
DR. MOORE WOMEN'S HEALTHCARE, LLC, )  
MARION GENERAL HOSPITAL, INC d/b/a )  
AMBULATORY CARE CENTER and )  
MARION GENERAL HOSPITAL, INC. )  
)  
Defendants. )

**FILED**

APR 28 2023

STATE OF INDIANA  
DEPT. OF INSURANCE

**PROPOSED COMPLAINT FOR MEDICAL MALPRACTICE**

Plaintiffs, Jane Doe #1 through #83, by counsel, Wagner Reese, LLP and Jones Law Office, LLC, file this *Proposed Complaint for Medical Malpractice* against Defendants William David Moore, M.D., Dr. Moore Women's Healthcare, LLC, Marion General Hospital, Inc. d/b/a Ambulatory Care Center, and Marion General Hospital, Inc., and allege and say as follows:

**BACKGROUND**

1. At all relevant times hereto, the Plaintiffs, Jane Doe #1 through #83, were residents of the State of Indiana and sought care or treatment with the Defendants.
2. Given the sensitive nature of all Jane Does' claims against the Defendants, a confidential disclosure of Jane Does identities will be made to counsel for Defendants.
3. At all relevant times hereto, Jane Doe #1 through #83 were each a "patient" pursuant to Indiana Medical Malpractice Act, IC 34-18-1-1, et. Seq. (the "Act").
4. At all relevant times hereto, the Defendants were health care providers "qualified" pursuant to the Act.

5. At all relevant times hereto, William David Moore, M.D. ("Doctor"), was a practicing physician with a specialty in obstetrics and gynecology, and treated patients, including Plaintiffs, in Grant County, Indiana, either at his professional medical office, Care Center, or the Hospital.

6. At all times relevant hereto, Dr. Moore Women's Healthcare, LLC ("Medical Office"), was a domestic for-profit corporation doing business in the State of Indiana with its principal medical facilities located in the City of Marion in Grant County, Indiana.

7. At all times relevant hereto, Marion General Hospital, Inc. d/b/a Ambulatory Care Center ("ACC"), was a domestic for-profit corporation doing business in the State of Indiana with its principal medical facilities located in the City of Marion in Grant County, Indiana.

8. At all times relevant hereto, Marion General Hospital, Inc. ("Hospital"), is and was, a domestic for-profit corporation doing business in the State of Indiana with its principal medical facilities located in the City of Marion in Grant County, Indiana.

9. Beginning in about 1994, Doctor began practicing medicine in Grant County, Indiana and through the year 2023, Doctor and Defendants undertook the medical care and treatment of Plaintiffs over the years.

10. Simultaneously with this action, a Complaint has been filed in state Court pursuant to provisions of the Act, Indiana Code § 34-18-8-7, which permits a Complaint to be filed in state Court while the Medical Review Panel process is proceeding simultaneously before the Indiana Department of Insurance.

11. The Defendants are named anonymously in the state court action until completion of the Medical Review Panel process, after which the actual identity of Defendants will be added to the Complaint as permitted by Statute.

12. Jane Doe #1, a/k/a "T.S.", current age 66 years, was a patient of Defendant, Dr. Moore, from approximately 2006-2021. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

13. Jane Doe #2, a/k/a "P.R.", current age 36 years, was a patient of Defendant, Dr. Moore, from approximately 2012-2015. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

14. Jane Doe #3, a/k/a "C.K.", current age 51 years, was a patient of Defendant, Dr. Moore, from approximately 1997-2007. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

15. Jane Doe #4, a/k/a "S.L.S.", current age 33 years, was a patient of Defendant, Dr. Moore, from approximately 2012-2016. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

16. Jane Doe #5, a/k/a "C.Y.", current age 56 years, was a patient of Defendant, Dr. Moore, from approximately 2016-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

17. Jane Doe #6, a/k/a "D.A.T.", current age 52 years, was a patient of Defendant, Dr. Moore, from approximately 1996-1997. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

18. Jane Doe #7, a/k/a "E.B.", current age 43 years, was a patient of Defendant, Dr.

Moore, from approximately 2008-2010. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

19. Jane Doe #8, a/k/a "A.C.", current age 66 years, was a patient of Defendant, Dr. Moore, from approximately 2005-2009. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

20. Jane Doe #9, a/k/a "B.Y.", current age 33 years, was a patient of Defendant, Dr. Moore, from approximately 2011-2015. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

21. Jane Doe #10, a/k/a "S.J.", current age 33 years, was a patient of Defendant, Dr. Moore, in approximately 2012. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

22. Jane Doe #11, a/k/a "J.B.", current age 67 years, was a patient of Defendant, Dr. Moore, from approximately 2002-2006. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

23. Jane Doe #12, a/k/a "T.W.", current age 45 years, was a patient of Defendant, Dr. Moore, in approximately 2021. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

24. Jane Doe #13, a/k/a "C.R.", current age 37 years, was a patient of Defendant, Dr. Moore, in approximately 2008-2018. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

25. Jane Doe #14, a/k/a "B.W.", current age 34 years, was a patient of Defendant, Dr.

Moore, from approximately 2011-2012. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

26. Jane Doe #15, a/k/a "N.H.", current age 46 years, was a patient of Defendant, Dr. Moore, from approximately 1999-2002. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

27. Jane Doe #16, a/k/a "A.S.", current age 47 years, was a patient of Defendant, Dr. Moore, from approximately 1998-2016. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

28. Jane Doe #17, a/k/a "L.B.", current age 60 years, was a patient of Defendant, Dr. Moore, in approximately 2015. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

29. Jane Doe #18, a/k/a "R.D.", current age 52 years, was a patient of Defendant, Dr. Moore, in approximately 2016. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

30. Jane Doe #19, a/k/a "C.F.", current age 57 years, was a patient of Defendant, Dr. Moore, from approximately 2013-2018. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

31. Jane Doe #20, a/k/a "T.G.", current age 73 years, was a patient of Defendant, Dr. Moore, from approximately 2000-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

32. Jane Doe #21, a/k/a "A.T.", current age 56 years, was a patient of Defendant, Dr.

Moore, in approximately 2021. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

33. Jane Doe #22, a/k/a "M.W.", current age 52 years, was a patient of Defendant, Dr. Moore, from approximately 2018-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

34. Jane Doe #23, a/k/a "M.F.", current age 51 years, was a patient of Defendant, Dr. Moore, from approximately 2013-2021. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

35. Jane Doe #24, a/k/a "A.B.", current age 30 years, was a patient of Defendant, Dr. Moore, from approximately 2009-2010. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

36. Jane Doe #25, a/k/a "B.M.", current age 27 years, was a patient of Defendant, Dr. Moore, from approximately 2017-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

37. Jane Doe #26, a/k/a "A.E.", current age 36 years, was a patient of Defendant, Dr. Moore, from approximately 2011-2012. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

38. Jane Doe #27, a/k/a "S.D.", current age 55 years, was a patient of Defendant, Dr. Moore, from approximately 2000-2001. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue,

Marion, Indiana.

39. Jane Doe #28, a/k/a "S.C.", current age 36 years, was a patient of Defendant, Dr. Moore, from approximately 2008-2009. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

40. Jane Doe #29, a/k/a "S.T.", current age 21 years, was a patient of Defendant, Dr. Moore, from approximately 2017-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana

41. Jane Doe #30, a/k/a "E.F.", current age 52 years, was a patient of Defendant, Dr. Moore, in approximately 2021. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

42. Jane Doe #31, a/k/a "L.C.", current age 52 years, was a patient of Defendant, Dr. Moore, from approximately 1998-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

43. Jane Doe #32, a/k/a "A.F.", current age 42 years, was a patient of Defendant, Dr. Moore, in approximately 2012. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

44. Jane Doe #33, a/k/a "M.N.", current age 31 years, was a patient of Defendant, Dr. Moore, from approximately 2011-2012. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

45. Jane Doe #34, a/k/a "D.T.", current age 29 years, was a patient of Defendant, Dr. Moore, from approximately 2012-2017. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

46. Jane Doe #35, a/k/a "K.B.", current age 66 years, was a patient of Defendant, Dr. Moore, in approximately 1996. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

47. Jane Doe #36, a/k/a "D.B.S.", current age 67 years, was a patient of Defendant, Dr. Moore, from approximately 2020-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

48. Jane Doe #37, a/k/a "N.S.", current age 61 years, was a patient of Defendant, Dr. Moore, from approximately 2017-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

49. Jane Doe #38, a/k/a "A.L.", current age 26 years, was a patient of Defendant, Dr. Moore, from approximately 2011-2013. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

50. Jane Doe #39, a/k/a "A.H.", current age 37 years, was a patient of Defendant, Dr. Moore, from approximately 2010-2019. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

51. Jane Doe #40, a/k/a "J.C.", current age 45 years, was a patient of Defendant, Dr. Moore, from approximately 1997-2022. All encounters with Dr. Moore took place at the Medical



Office, 1127 N. Western Avenue, Marion, Indiana.

52. Jane Doe #41, a/k/a "N.B.", current age 28 years, was a patient of Defendant, Dr. Moore, in approximately 2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

53. Jane Doe #42, a/k/a "J.L.I.", current age 43 years, was a patient of Defendant, Dr. Moore, from approximately 2018-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

54. Jane Doe #43, a/k/a "T.H.", current age 55 years, was a patient of Defendant, Dr. Moore, from approximately 2018-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

55. Jane Doe #44, a/k/a "P.M.G.", current age 58 years, was a patient of Defendant, Dr. Moore, from approximately 2018-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana, Hospital, 441 North Wabash Avenue, Marion, Indiana and ACC, 330 North Wabash Street, Marion, Indiana.

56. Jane Doe #45, a/k/a "R.S.", current age 57 years, was a patient of Defendant, Dr. Moore, from approximately 2018-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

57. Jane Doe #46, a/k/a "T.B.C.", current age 30 years, was a patient of Defendant, Dr. Moore, from approximately 2018-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

58. Jane Doe #47, a/k/a "J.T.G.", current age 39 years, was a patient of Defendant, Dr.

Moore, from approximately 2018-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

59. Jane Doe #48, a/k/a "D.T.", current age 43 years, was a patient of Defendant, Dr. Moore, from approximately 2018-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

60. Jane Doe #49, a/k/a "Z.T.", current age 59 years, was a patient of Defendant, Dr. Moore, from approximately 2018-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

61. Jane Doe #50, a/k/a "T.P.B.", current age 39 years, was a patient of Defendant, Dr. Moore, from approximately 2018-2022. All encounters with Dr. Moore took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

62. Jane Doe #51, a/k/a "A.B.", current age 35 years, was a patient of Defendant, Doctor, from approximately 2002/2003-2019. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

63. Jane Doe #52, a/k/a "T.B.", current age 15 years, was a patient of Defendant, Doctor, in approximately 2016/2017. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

64. Jane Doe #53, a/k/a "T.S.B", current age 33 years, was a patient of Defendant, Doctor, from approximately 2008-2015. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

65. Jane Doe #54, a/k/a "C.C", current age 27 years, was a patient of Defendant, Doctor, from approximately 2012-2018. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

66. Jane Doe #55, a/k/a "C.C.H", current age 66 years, was a patient of Defendant, Doctor, from approximately 2017-2022. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

67. Jane Doe #56, a/k/a "B.D", current age 28 years, was a patient of Defendant, Doctor, from approximately 2014-2017. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

68. Jane Doe #57, a/k/a "A.D", current age 37 years, was a patient of Defendant, Doctor, from approximately 2010-2016. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

69. Jane Doe #58, a/k/a "M.E", current age 31 years, was a patient of Defendant, Doctor, from approximately 2011-2016. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

70. Jane Doe #59, a/k/a "T.E", current age 51 years, was a patient of Defendant, Doctor,

from approximately 2012-2017. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

71. Jane Doe #60, a/k/a "A.F", current age 42 years, was a patient of Defendant, Doctor, from approximately 2005-2009. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

72. Jane Doe #61, a/k/a "A.G", current age 49 years, was a patient of Defendant, Doctor, from approximately 2015-2017. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

73. Jane Doe #62, a/k/a "S.H", current age 28 years, was a patient of Defendant, Doctor, in approximately 2019. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

74. Jane Doe #63, a/k/a "A.H", current age 54 years, was a patient of Defendant, Doctor, in approximately 2015. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

75. Jane Doe #64, a/k/a "H.L", current age 42 years, was a patient of Defendant, Doctor, in approximately 2022. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

76. Jane Doe #65, a/k/a "R.L", current age 29 years, was a patient of Defendant, Doctor, from approximately 2013-2014. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

77. Jane Doe #66, a/k/a "M.L", current age 39 years, was a patient of Defendant, Doctor, from approximately 2008-2014. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

78. Jane Doe #67, a/k/a "S.M", current age 45 years, was a patient of Defendant, Doctor, in approximately 2022. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

79. Jane Doe #68, a/k/a "K.M", current age 36 years, was a patient of Defendant, Doctor, in approximately 2018. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

80. Jane Doe #69, a/k/a "L.N", current age 34 years, was a patient of Defendant, Doctor, in approximately 2017. All encounters with Doctor took place at the Medical Office and Hospital in Marion, Indiana.

81. Jane Doe #70, a/k/a "T.O", current age 38 years, was a patient of Defendant, Doctor, in approximately 2002. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

82. Jane Doe #71, a/k/a "S.J", current age 33 years, was a patient of Defendant, Doctor, in approximately 2012. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

83. Jane Doe #72, a/k/a "A.R", current age 72 years, was a patient of Defendant, Doctor, from approximately 1995-2001. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

84. Jane Doe #73, a/k/a "C.S", current age 28 years, was a patient of Defendant, Doctor, from approximately 2012-2016/2017. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

85. Jane Doe #74, a/k/a "C.S.S", current age 25 years, was a patient of Defendant, Doctor, from approximately 2017-2020. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

86. Jane Doe #75, a/k/a "M.S", current age 40 years, was a patient of Defendant, Doctor, in approximately 2014. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

87. Jane Doe #76, a/k/a "K.T", current age 20 years, was a patient of Defendant, Doctor, from approximately 2017-2020. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

88. Jane Doe #77, a/k/a "J.V", current age 40 years, was a patient of Defendant, Doctor, from approximately 2000-2020. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

89. Jane Doe #78, a/k/a "A.W", current age 55 years, was a patient of Defendant, Doctor, in approximately 2022. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

90. Jane Doe #79, a/k/a "C.W", current age 38 years, was a patient of Defendant, Doctor, in approximately 2006. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

91. Jane Doe #80, a/k/a "S.W", current age 28 years, was a patient of Defendant, Doctor, from approximately 2017-2021. All encounters with Doctor took place at the Medical

Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

92. Jane Doe #81, a/k/a "J.Y", current age 33 years, was a patient of Defendant, Doctor, from approximately 2008-2020. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

93. Jane Doe #82, a/k/a "C.N", current age 55 years, was a patient of Defendant, Doctor, from approximately 2021-2022. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana.

94. Jane Doe #83, a/k/a "J.S.", current age 51 years, was a patient of Defendant, Doctor from approximately 2002-2021. All encounters with Doctor took place at the Medical Office, 1127 N. Western Avenue, Marion, Indiana, ACC, 330 North Wabash Avenue, Marion, Indiana and Hospital, 441 North Wabash Avenue, Marion, Indiana.

#### **COUNT I-WILLIAM DAVID MOORE, M.D. ("DOCTOR")**

Come now the Plaintiffs, Jane Doe #1 through #83, by counsel, and for their cause of action against the Defendant, William David Moore, M.D. ("Doctor"), allege and say as follows:

1. Plaintiffs repeat and re-allege the allegations set forth in paragraphs 1 through 94 above as if fully set forth therein.

2. In caring for and treating Plaintiffs, Defendant, Doctor, breached the applicable standards of medical care in several respects, and each such breach constitutes a separate and distinct act of medical malpractice pursuant to the Act.

3. All alleged breaches of the applicable standards of medical care occurred within the confines of a medical facility where Doctor worked during scheduled appointments in which

Plaintiffs were seen by Doctor for purposes of receiving medical advice, care and treatment related to obstetrics and gynecology.

4. During the course of his examinations and treatment of Plaintiffs, Doctor performed prolonged and clinically unnecessary examinations under the guise of medically necessary examinations related to obstetrics and gynecology care.

5. During the course of his examinations and treatment of Plaintiffs, Doctor often did not wear gloves and performed examinations that were lingering and sensual rather than clinical and professional.

6. During the course of his examinations and treatment of Plaintiffs, Doctor photographed their genitals and breasts under the guise of medically necessary treatment related to obstetrics and gynecology care. In each instance, Doctor concealed his deviation from the applicable standards of medical care under the guise of rendering medically necessary treatment and hid behind the protected position of authority and trust inherently given to physicians. In doing so, Doctor created enough doubt and uncertainty in the minds of Plaintiffs to prevent them from recognizing, realizing or reasonably discovering his deviations from the applicable standards of medical care.

5. As a direct and proximate result of each such breach of the applicable standards of medical care on the part of Doctor, Plaintiffs suffered separate and distinct injuries pursuant to the Act, and with respect to each such injury, Plaintiffs have suffered and will continue to suffer, permanent injuries, pain, emotional distress, mental trauma and humiliation, and incur medical expenses and lost income.

6. The statute of limitations applicable to Indiana medical malpractice claims is unconstitutional as applied to Plaintiffs as they could not have been reasonably expected to



recognize, realize, discover or learn of the each of the foregoing separate and distinct acts of malpractice on the part of Doctor within the applicable statute of limitations period.

7. Doctor fraudulently concealed each of the foregoing separate and distinct acts of malpractice from Plaintiffs, and engaged in a continuing wrong while continuing to treat Plaintiffs as his patients.

Respectfully submitted,

**WAGNER REESE, LLP**

/s/ Stephanie L. Cassman

Stephanie L. Cassman, #22206-49

Jason R. Reese, #20330-64

Attorneys for Plaintiffs

**JONES LAW OFFICE, LLC**

/s/ Andrew B. Jones

Andrew B. Jones, #29686-71

Mark J. Roule, #23727-46

Attorneys for Plaintiffs

**COUNT II- DR. MOORE'S WOMEN'S HEALTHCARE, LLC**  
**("MEDICAL OFFICE")**

Come now the Plaintiffs, Jane Doe #1 through #83, by counsel, and for their cause of action against the Defendant, Dr. Moore's Women's HealthCare, LLC ("Medical Office"), allege and say as follows:

1. Plaintiffs repeat and re-allege the allegations set forth in paragraphs 1 through 94 of the "Background" and paragraphs 1 through 7 of Count I above as if fully set forth therein.
2. At all times relevant herein, Plaintiffs were medical patients of the Medical Office.

3. At all times relevant herein, Medical Office was a health care provider duly licensed to practice medicine by and through its agents, apparent agents and employees, including but not limited to Doctor, within the State of Indiana.

4. Defendant Medical Office owed Plaintiffs a duty of care to supervise and monitor Defendant Doctor's activities to prevent Defendant Doctor from engaging in medical negligence. Defendant Medical Office breached that duty of care by failing to adequately supervise and monitor Defendant Doctor and by retaining Defendant Doctor's services.

5. Defendant Medical Office's duties include, but are not limited to, a duty to provide adequate training and supervision of employees and other agents in their interactions with patients; a duty to exercise reasonable care to protect patients from known or foreseeable harm; a duty to act promptly and diligently and not to ignore or minimize known or suspected problems or complaints; and a duty to report suspected incidents of medical negligence and patient abuse.

6. Despite having a duty to do so, Defendant Medical Office failed to adequately train and supervise all staff to create a safe environment. Specifically, Defendant Medical Office failed to train staff to detect, prevent, and report medical negligence and patient abuse by other members of the staff and/or agents of Defendant Medical Office, including Defendant Doctor.

7. Defendant, Medical Office, had actual and constructive knowledge and was on notice of the allegations of medical negligence and abuse of female patients by Doctor during examinations and treatment, but took no effective steps to detect, prevent or report the negligence, misconduct or abuse.

8. Despite being on notice of the allegations of Defendant Doctor's negligence, misconduct and abuse of female patients during examinations and treatment, Medical Office afforded privileges to Defendant Doctor to treat female patients as an OB/GYN at its facility.

9. Defendant Medical Office breached its duty to exercise reasonable care when credentialing, hiring, retaining, screening, investigating, background checking, regulating, monitoring, and supervising its employee and agent, Defendant Doctor.

10. As a direct and proximate result of each such breach of the applicable standards of medical care on the part of Doctor, Plaintiffs suffered separate and distinct injuries pursuant to the Act, and with respect to each such injury, Plaintiffs have suffered and will continue to suffer, permanent injuries, pain, emotional distress, mental trauma, medical expenses, lost wages and income.

11. The statute of limitations applicable to Indiana medical malpractice claims is unconstitutional as applied to Plaintiffs as they could not have been reasonably expected to learn of the each of the foregoing separate and distinct acts of malpractice on the part of the Defendants within the applicable statute of limitations period.

12. Defendant Medical Office fraudulently concealed each of the foregoing separate and distinct acts of malpractice from Plaintiffs, and engaged in a continuing wrong.

Respectfully submitted,

**WAGNER REESE, LLP**

/s/ Stephanie L. Cassman

Stephanie L. Cassman, #22206-49

Jason R. Reese, #20330-64

Attorneys for Plaintiffs

**JONES LAW OFFICE, LLC**

/s/ Andrew B. Jones

Andrew B. Jones, #29686-71

Mark J. Roule, #23726-46

Attorneys for Plaintiffs

**COUNT III- MARION GENERAL HOSPITAL, INC. D/B/A  
AMBULATORY CARE CENTER (“ACC”)**

Come now the Plaintiffs, Jane Doe #1 through #83, by counsel, and for their cause of action against the Defendant, ACC, allege and say as follows:

1. Plaintiffs repeat and re-allege the allegations set forth in paragraphs 1 through 94 of the “Background”, paragraphs 1 through 7 of Count I, and paragraphs 1 through 12 of Count II above as if fully set forth therein.

2. At all times relevant herein, many Plaintiffs were medical patients of ACC.

3. At all times relevant herein, ACC was a health care provider duly licensed to practice medicine by and through its agents, apparent agents and employees, including but not limited to Doctor, within the State of Indiana.

4. Defendant ACC owed Plaintiffs a duty of care to supervise and monitor Defendant Doctor’s activities to prevent Defendant Doctor from engaging in medical negligence. Defendant ACC breached that duty of care by failing to adequately supervise and monitor Defendant Doctor and by retaining Defendant Doctor’s services.

5. Defendant ACC’s duties include, but are not limited to, a duty to provide adequate training and supervision of employees and other agents in their interactions with patients; a duty to exercise reasonable care to protect patients from known or foreseeable harm; a duty to act promptly and diligently and not to ignore or minimize known or suspected problems or complaints; and a duty to report suspected incidents of medical malpractice and patient abuse.

6. Despite having a duty to do so, Defendant ACC failed to adequately train and supervise all staff to create a safe environment. Specifically, Defendant ACC failed to train staff to detect, prevent, and report medical negligence and patient abuse by other members of the staff and/or agents of Defendant ACC, including Defendant Doctor.

7. Defendant, ACC, had actual and constructive knowledge and was on notice of the allegations of medical negligence and abuse of female patients by Doctor during examinations and treatment, but took no effective steps to detect, prevent or report the negligence, misconduct or abuse.

8. Despite being on notice of the allegations of Doctor's negligence, misconduct and abuse of female patients during examinations and treatment, ACC afforded privileges to Defendant Doctor to treat female patients as an OB/GYN at its facility.

9. Defendant ACC breached its duty to exercise reasonable care when credentialing, hiring, retaining, screening, investigating, background checking, regulating, monitoring, and supervising its employee and agent, Defendant Doctor.

10. As a direct and proximate result of each such breach of the applicable standards of medical care on the part of Doctor, Plaintiffs suffered separate and distinct injuries pursuant to the Act, and with respect to each such injury, Plaintiffs have suffered and will continue to suffer, permanent injuries, pain, emotional distress, mental trauma, medical expenses, lost wages and income.

11. The statute of limitations applicable to Indiana medical malpractice claims is unconstitutional as applied to Plaintiffs as they could not have been reasonably expected to learn of the each of the foregoing separate and distinct acts of malpractice on the part of the Defendants within the applicable statute of limitations period.

12. Defendant ACC fraudulently concealed each of the foregoing separate and distinct acts of malpractice from Plaintiffs, and engaged in a continuing wrong.

Respectfully submitted,

**WAGNER REESE, LLP**

/s/ Stephanie L. Cassman

Stephanie L. Cassman, #22206-49

Jason R. Reese, #20330-64

Attorneys for Plaintiffs

**JONES LAW OFFICE, LLC**

/s/Andrew B. Jones

Andrew B. Jones, #29686-71

Mark J. Rouie, #23726-46

Attorneys for Plaintiffs

**COUNT IV-MARION GENERAL HOSPITAL, INC. ("HOSPITAL")**

Come now the Plaintiffs, Jane Doe #1 through #83, by counsel, and for their cause of action against the Defendant, Marion General Hospital, Inc. ("Hospital"), allege and say as follows:

1. Plaintiffs repeat and re-allege the allegations set forth in paragraphs 1 through 94 of the "Background", paragraphs 1 through 7 of Count I, paragraphs 1 through 12 of Count II and paragraphs 1 through 12 of Count III above, as if fully set forth herein.

2. At all times relevant herein, Plaintiffs were medical patients of Defendant Hospital.

3. At all times relevant herein, Defendant Hospital was a health care institution organized and operating under the laws of the State of Indiana.

4. At all times relevant herein Defendant Hospital's agents, apparent agents, employees and personnel, while acting within the scope of their agency, apparent agency and/or employment relationship with Defendant Hospital, medically cared for and treated Plaintiffs.

5. Defendant Hospital had a duty to exercise reasonable supervision and monitoring of Defendant Doctor under state and federal laws and regulations, applicable standards of medical care, and duties self-imposed under its own written policies and procedures.

6. These duties include, but are not limited to, a duty to provide adequate training and supervision of employees and other agents in their interactions with patients; a duty to exercise reasonable care to protect patients from known or foreseeable harm; a duty to act promptly and diligently and not to ignore or minimize known or suspected problems; and a duty to report suspected incidents of medical negligence patient abuse.

7. Defendant Hospital had actual and constructive knowledge and was on notice of the allegations of medical negligence, and abuse of female patients by Doctor during examinations and treatment but took no steps to detect, prevent or report the medical negligence, misconduct or abuse. Defendant Hospital knew or should have known that Defendant Doctor posed a significant risk of harm to female patients placed in the care of Defendant Doctor, including Plaintiffs.

8. Despite having a duty to do so, Defendant Hospital failed to adequately train and supervise all staff to create a safe environment for patients encountering Defendant Doctor. Specifically, Defendant Hospital failed to train staff to detect, prevent, and report medical negligence, misconduct or abuse by other members of the staff and/or agents of Defendant Hospital, including Defendant Doctor.

9. Defendant Hospital owed Plaintiffs a duty of care to supervise Defendant Doctor's activities to prevent Defendant Doctor from engaging in medical negligence, misconduct, and/or abusive conduct. Defendant Hospital breached that duty of care by failing to adequately supervise and monitor Defendant Doctor and by retaining Defendant Doctor's services.

10. Defendant Hospital breached its duty to exercise reasonable care by overlooking Defendant Doctor's medical negligence, misconduct, and/or abuse involving female patients during examinations, treatment and other encounters.

11. Defendant Hospital breached its duty to exercise reasonable care when credentialing, hiring, retaining, screening, investigating, background checking, regulating, monitoring, and supervising its employee and apparent agent, Defendant Doctor.

12. Defendant Hospital, by and through its governing members, agents, employees, and administrators, including the members of its medical staff, credentialing committees, quality assurance committees and other committees and groups whose responsibilities include privileging, credentialing, and policing Hospital's staff and independent contractors providing healthcare to its patients, owed the Plaintiffs a duty to use reasonable care and to otherwise comply with the applicable standards of care in privileging, credentialing and policing such staff members, agents, and independent contractors, including Defendant Doctor.

13. Despite being on notice of the allegations of medical negligence, misconduct and abuse of female patients during examinations and treatment, Hospital afforded privileges to Defendant Doctor and allowed him to treat female patients as an OB/GYN at their facility or affiliated facilities.

14. In caring for and treating the Plaintiffs, and while acting within the scope of their agency and employment relationship with Hospital, the agents, apparent agents and employees of the Hospital breached the applicable standards of care in several respects, and each such breach constitutes a distinct and separate act of medical malpractice.

15. As a direct and proximate result of each such breach of the applicable standard of care on the part of Doctor, Plaintiffs suffered separate and distinct injuries pursuant to the Act, and with respect to each such injury, Plaintiffs have suffered and will continue to suffer, permanent



injuries and disabilities, pain, emotional distress and mental trauma, medical expenses, lost wages and income.

16. The statute of limitations applicable to Indiana medical malpractice claims is unconstitutional as applied to Plaintiffs as they could not have been reasonably expected to learn of the each of the foregoing separate and distinct acts of malpractice on the part of the Defendants within the applicable statute of limitations period.

17. Defendant Hospital fraudulently concealed each of the foregoing separate and distinct acts of malpractice from Plaintiffs, and engaged in a continuing wrong.

Respectfully submitted,

**WAGNER REESE, LLP**

/s/ Stephanie L. Cassman

Stephanie L. Cassman, #22206-49

Jason R. Reese, #20330-64

Attorneys for Plaintiffs

**JONES LAW OFFICE, LLC**

/s/ Andrew B. Jones

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Attorneys for Plaintiffs

**COUNT V – RESPONDEAT SUPERIOR / VICARIOUS LIABILITY**

Come now the Plaintiffs, Jane Doe #1 through #83, by counsel, and for their cause of action against the Defendants, Medical Office, ACC and Hospital, allege and say as follows:

1. Plaintiffs repeat and re-allege the allegations set forth in paragraphs 1 through 94 of the "Background", paragraphs 1 through 7 of Count I, paragraphs 1 through 12 of Count II and paragraphs 1 through 12 of Count III, and paragraphs 1 through 17 of Count IV above, as if fully set forth herein.

2. Any and all alleged medical negligence and/or misconduct occurred within the confines of a medical facility where Doctor worked, and the plaintiffs were seen by him for scheduled appointments to receive medical advice and treatment related to obstetrics and gynecology.

3. During the course of his examinations and treatment of Plaintiffs, Doctor was medically negligent, performed prolonged and clinically unnecessary examinations under the guise of medically necessary examinations related to obstetrics and gynecology.

4. During the course of his examination and treatment of Plaintiffs, Doctor often did not wear gloves and performed examinations that were lingering and sensual rather than clinical and professional.

5. During the course of his examination and treatment of Plaintiffs, Doctor photographed their genitals and breasts under the guise of medically necessary treatment related to obstetrics and gynecology at the Medical Office, ACC, and/or at the Hospital.

4. In each instance, Doctor concealed his deviation from the applicable standards of medical care under the guise of rendering medically necessary treatment and hid behind the protected position of authority and trust inherently given to physicians.

5. At all times relevant hereto, Defendant Doctor was employed by Defendants Medical Office, ACC and/or Hospital or acted on behalf of Defendants Medical Office, ACC and Hospital as their employee, agent, apparent agent or otherwise.

6. Defendants Medical Office, ACC and Hospital were common carriers under

Indiana law, and owed a non-delegable duty to Plaintiffs for their safety and protection. See Stropes v. Heritage House Children's Center of Shelbyville, Inc., 547 N.E.2d 244 (Ind. 1989).

7. As Defendant Doctor's employer or principal, Defendants Medical Office, ACC and Hospital are vicariously liable for Defendant Doctor's medical negligence and torts while acting in the scope of his employment or agency.

8. As a direct and proximate result of Defendants Medical Office, ACC and Hospital's negligent conduct, Plaintiffs suffered damages, including but not limited to severe emotional and physical trauma and distress and loss of enjoyment of life.

WHEREFORE, for each separate and distinct act of malpractice and consequent injury, Plaintiff, Jane Doe #1 through #81 seek all damages permitted under the Indiana Medical Malpractice Act, and pray the Court to enter judgment against Defendants in an amount commensurate with their injuries and damages, for pre-judgment interest, for the costs of this action, for trial by jury, and for all other just and proper relief in the premises.

Respectfully submitted,

**WAGNER REESE, LLP**

/s/ Stephanie L. Cassman

Stephanie L. Cassman, #22206-49

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