

IN THE CIRCUIT COURT OF THE  
FIFTEENTH JUDICIAL CIRCUIT IN AND  
FOR PALM BEACH COUNTY, FLORIDA

FREDERICK YOUNG and DONNA  
YOUNG, as co-Personal Representatives of  
the Estate of KENNETH YOUNG, Deceased,

Plaintiffs,

vs.

WOMESH SAHADEO, M.D., PALM  
BEACH PSYCHIATRIC AND ADDICTION  
CENTER and TENET ST. MARY'S, INC.,

Defendants.

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CLERK OF THE COURT  
Palm Beach County, Florida

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COMPLAINT

COME NOW the Plaintiffs, DONNA YOUNG and FREDERICK YOUNG, as co-Personal Representatives of the Estate of KENNETH YOUNG, Deceased, by and through their undersigned counsel and sues the Defendants, WOMESH SAHADEO, M.D., PALM BEACH PSYCHIATRIC AND ADDICTION CENTER and TENET ST. MARY'S, INC. and allege as follows:

ALLEGATIONS COMMON TO ALL COUNTS

1. This is an action for damages in excess of the sum of \$15,000.00.
2. KENNETH YOUNG was treated by the Defendants, December 5, 2005 through December 8, 2005.
3. At all times material hereto, KENNETH YOUNG was a patient of the Defendants.
4. At all times material hereto, the Defendants had a duty to exercise reasonable care under all of the surrounding circumstances in their care and treatment of KENNETH YOUNG and

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had a duty to provide care which was consistent with the prevailing professional standard of care, as was recognized as acceptable and appropriate by reasonable, similar health care providers.

5. Plaintiffs have complied with the requirements of Chapter 766, Florida Statutes as to all Defendants.

6. In December, 2005, the Defendants treated KENNETH YOUNG for depression and discharged the patient in the face of observations by a physician for positive findings suggestive of potential suicide.

7. On December 8, 2005, KENNETH YOUNG committed suicide.

8. Plaintiffs, FREDERICK YOUNG and DONNA YOUNG are the duly appointed Personal Representatives of the Estate of KENNETH YOUNG and are presently serving in such capacity and entitled to maintain this action.

9. As a direct and proximate result of the Defendants, KENNETH YOUNG's survivors and estate have sustained damages as provided by law.

10. FREDERICK YOUNG and DONNA YOUNG are surviving parents of KENNETH YOUNG who was under 25 years of age at the time of his death. FREDERICK and DONNA YOUNG are also the Personal Representatives of the Estate of KENNETH YOUNG, Deceased.

11. Pursuant to Section 768.21, Florida Statutes, damages of the survivors and the Personal Representatives are the following:

- a. FREDERICK YOUNG has lost the decedents support, services, companionship and protection and has incurred mental pain and suffering. All these damages have occurred in the past and will continue to be incurred in the future.
- b. DONNA YOUNG has lost the decedents support, services, companionship and protection and has incurred mental pain and suffering. All these damages have occurred in the past and will continue to be incurred in the future.

- c. FREDERICK and DONNA YOUNG, as co-Personal Representatives of the Estate of KENNETH YOUNG, Deceased, have incurred medical bills, funeral and burial expenses.

**COUNT I - NEGLIGENCE OF WOMESH SAHADEO, M.D.**

12. Defendant, WOMESH SAHADEO, M.D. held himself out to the public and to KENNETH YOUNG as being a physician with expertise in psychiatry. Defendant, WOMESH SAHADEO, M.D. provided care and treatment in December, 2005 for depression and negligently provided treatment and discharged KENNETH YOUNG.

13. Notwithstanding the duty of WOMESH SAHADEO, M.D. to exercise reasonable care and to conform to the prevailing professional standard of care for the safety of KENNETH YOUNG, said Defendant negligently breached his duty and deviated from the prevailing standard of care by:

- a. negligently discharging the patient whose last observations by a physician contained positive finding suggestive of a potential suicide;
- b. negligently failing to perform a pre-discharge assessment of the mental stability of the patient for risk of harm to himself and others;
- c. negligently failing to recommend follow-up sooner than three weeks; and
- d. negligently failing to use reasonable care.

14. As a direct and proximate result of the negligence of the Defendant, WOMESH SAHADEO, M.D., KENNETH YOUNG died.

WHEREFORE, Plaintiffs, FREDERICK YOUNG and DONNA YOUNG, as co-Personal Representatives of the Estate of KENNETH YOUNG, Deceased, demands judgment against Defendant, WOMESH SAHADEO, M.D. and further demands trial by jury.

**COUNT II - VICARIOUS LIABILITY OF PALM BEACH PSYCHIATRIC  
AND ADDICTION CENTER, P.A.**

15. At all times material hereto, PALM BEACH PSYCHIATRIC AND ADDICTION CENTER, P.A. was a Florida Corporation doing business in Palm Beach County, Florida.

16. At all times material hereto, WOMESH SAHADEO, M.D. was an employee, agent, and/or apparent agent of Defendant, PALM BEACH PSYCHIATRIC AND ADDICTION CENTER, P.A. and was acting within the course and scope of his employment at all times while providing care and treatment to KENNETH YOUNG.

17. Defendant, PALM BEACH PSYCHIATRIC AND ADDICTION CENTER, P.A. is vicariously responsible for any and all negligence of WOMESH SAHADEO, M.D.

WHEREFORE, Plaintiffs, FREDERICK YOUNG and DONNA YOUNG, as co-Personal Representatives of the Estate of KENNETH YOUNG, Deceased, demands judgment against Defendant, PALM BEACH PSYCHIATRIC AND ADDICTION CENTER, P.A. and further demands trial by jury.

**COUNT III - NEGLIGENCE OF TENET ST. MARY'S, INC.**

18. At all times material hereto, TENET ST. MARY'S, INC. was a foreign corporation doing business as St. Mary's Hospital in Palm Beach County, Florida.

19. At all times material hereto, Defendant, the nursing staff and other staff who provided treatment to KENNETH YOUNG in December of 2005 were employees, agents, and/or apparent agents of Defendant, TENET ST. MARY'S, INC. and were acting within the course and scope of their employment, agency, and/or apparent agency while rendering treatment to KENNETH YOUNG.

20. Notwithstanding the duty of the nursing staff and employees to provide proper care and treatment to KENNETH YOUNG, to exercise reasonable care and to conform to the prevailing professional standard of care for the safety of KENNETH YOUNG, said employees, agents, and/or apparent agents breached this duty and deviated from the prevailing standard of care by:

- a. negligently discharging the patient whose last observations by a physician contained positive finding suggestive of a potential suicide;
- b. negligently failing to perform a pre-discharge assessment of the mental stability of the patient for risk of harm to himself and others;
- c. negligently failing to recommend follow-up sooner than three weeks; and
- d. negligently failing to use reasonable care.

21. As a direct and proximate result of the negligence of the Defendant, TENET ST. MARY'S, INC., KENNETH YOUNG died.

WHEREFORE, Plaintiffs, FREDERICK YOUNG and DONNA YOUNG, as co-Personal Representatives of the Estate of KENNETH YOUNG, Deceased, demands judgment against Defendant, TENET ST. MARY'S, INC. and further demands trial by jury.

**COUNT II - VICARIOUS LIABILITY OF TENET ST. MARY'S, INC.**

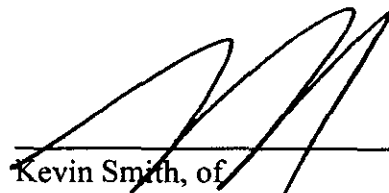
22. At all times material hereto, TENET ST. MARY'S, INC. was a foreign corporation doing business as St. Mary's Hospital in Palm Beach County, Florida.

23. At all times material hereto, when Defendant, WOMESH SAHADEO, M.D. was providing care and treatment to KENNETH YOUNG, Defendant, WOMESH SAHADEO, M.D. was acting as an employee, agent, and/or apparent agent of Defendant, TENET ST. MARY'S, INC. and was acting within the course and scope of his employment, agency, and/or apparent agency at all times while providing care and treatment to KENNETH YOUNG.

24. Defendant, TENET ST. MARY'S, INC. is vicariously responsible for any and all negligence of WOMESH SAHADEO, M.D.

WHEREFORE, Plaintiffs, FREDERICK YOUNG and DONNA YOUNG, as co-Personal Representatives of the Estate of KENNETH YOUNG, Deceased, demands judgment against Defendant, TENET ST. MARY'S, INC. and further demands trial by jury.

DATED this 11 day of December, 2006.



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