

RETURN DATE: APRIL 23, 2024

DOCKET NO. AAN-CV-24-6054211 : SUPERIOR COURT
: :
LISA CASTLE, ADMINISTRATOR OF : J.D. of ANSONIA-MILFORD
THE ESTATE OF JUSTIN CASTLE : :
: :
VS. : AT MILFORD
: :
AFC NEW ENGLAND, LLC; : APRIL 1, 2024
PAMELA BARRETT, P.A.; : :
GRIFFIN FACULTY PHYSICIANS, INC; : :
SHAUN NAJARIAN, M.D.; : :
THE GRIFFIN HOSPITAL; : :
MATTHEW PRICE, M.D.; : :
KATHLEEN M. CHAISSON, M.D.; : :
PULMONARY SPECIALTIES, P.C.; : :
AYESHA CHAUDHRY, M.D.; AND : :
MICHAEL NASO, M.D. : :

AMENDED COMPLAINT

FIRST COUNT: (As to Defendants, QUENTIN MEDICAL GROUP, LLC AND QMG3, LLC)

1. At all times relevant hereto, the defendants, **Quentin Medical Group, LLC and QMG3, LLC**, were limited liability companies authorized to do business in the State of Connecticut that owned and operated an urgent care facility known as **AFC Urgent Care Shelton** located at 389 Bridgeport Avenue, Shelton, Connecticut (hereinafter collectively known as “**AFC**”).

2. At all times relevant hereto, **Pamela Barrett, P.A.**, was an agent, servant and/or employee of the defendants, **AFC**, acting within the scope of her authority.

3. On October 11, 2023, **Lisa M. Castle** was appointed **Administratrix of the Estate of Justin D. Castle**, deceased by the Shelton Probate Court.

4. On or about December 23, 2021 the decedent, **Justin D. Castle** presented to **AFC** with complaints that included chills, fever sore throat and stuffy nose.

5. During his evaluation, the decedent tested positive for Covid-19. The defendant diagnosed him with low risk Covid-19 and discharged him with instructions that included plenty of fluids, plenty of rest and to seek further evaluation at the emergency department or his primary care physician if his condition worsened.

6. His symptoms persisted and on December 27, 2021 the decedent followed up with his primary care physician.

7. His symptoms progressed and on December 29, 2021 he presented to the emergency department at Griffin Hospital.

8. On January 2, 2022 the plaintiff's decedent, **Justin D. Castle** was admitted to Griffin Hospital through the emergency department. Despite efforts, **Justin** died on January 13, 2022 from respiratory complications due to Covid pneumonia.

9. The injuries and damages sustained by plaintiff's decedent, as set forth below, were caused by the negligence and carelessness of the defendant, in any one or more of the following ways:

- a. the failure to take a full and accurate history;
- b. the failure to recognize the significance of plaintiff's decedent's risk factors under the circumstances;
- c. the failure to recognize that based upon his weight and BMI, the plaintiff's decedent was at high risk for developing Covid pneumonia;

- d. the failure to place him on Paxlovid;
- e. the failure to place him on oral antiviral therapy;
- f. the failure to timely and effectively address his signs, symptoms and Covid diagnosis; and
- g. the failure to use safe and effective medical practices and procedures.

10. As a result of the carelessness and negligence of the defendant, the plaintiff's decedent, suffered complications from Covid-19 including Covid pneumonia, respiratory failure, and death.

11. As a further result of the carelessness and negligence of the defendant the plaintiff's decedent suffered physical and emotional pain, great fear and anxiety, nervousness, and progression of his debilitating condition.

12. As a further result of the carelessness and negligence of the defendant, the plaintiff's decedent was permanently deprived of his normal activities and interests in life including a loss of ability to work and a loss of earning capacity.

13. As a further result of the carelessness and negligence of the defendant, the plaintiff was required to expend great sums of money for medical care and attention, hospitalizations, medicines, x-rays, nursing care, funeral and estate costs.

SECOND COUNT: (As to Defendant, Pamela Barrett, PA)

1. At all times relevant hereto, the defendant, **Pamela Barrett, P.A.** was a physicians assistant licensed to practice in the State of Connecticut who practiced at AFC.

2. On October 11, 2023, **Lisa M. Castle** was appointed **Administratrix of the Estate of Justin D. Castle**, deceased by the Shelton Probate Court.

3-12. Paragraphs 4 through 13 of the First Count are hereby incorporated and realleged and made Paragraphs 3 through 12 of the Second Count.

THIRD COUNT: (As to Defendant, Griffin Faculty Physicians, Inc.)

1. At all times relevant hereto, the defendant, **Griffin Faculty Physicians, Inc.** was a professional corporation organized and existing under the laws of the State of Connecticut.

2. At all times relevant hereto, the defendant, **Shaun Najarian, DO**, was an agent, servant, and/or employee of the defendant acting within the scope of his authority.

3. On October 11, 2023, **Lisa M. Castle** was appointed **Administratrix of the Estate of Justin D. Castle**, deceased by the Shelton Probate Court.

4. On or about December 27, 2021, the plaintiff's decedent, **Justin D. Castle** was an established patient of the defendant and presented to the defendant with a diagnosis of Covid-19 and persistent symptoms including nasal congestion, cough, and fever.

5. Based upon an evaluation by said defendant, the plaintiff's decedent was prescribed Augmentin for pharyngitis, albuterol and nebulizer for asthma and to obtain a Covid vaccine after he completed quarantine and was feeling better.

6-7. Paragraphs 7 through 8 of the First Count are hereby incorporated, realleged and made paragraphs 6 through 7 of the Third Count.

8. The injuries and damages sustained by the plaintiff's decedent, **Justin D. Castle** as set forth below, were caused by the negligence and carelessness of said defendant, in any one or more of the following ways:

- a. the failure to recognize the significance of plaintiff's decedent's risk factors under the circumstances;
- b. the failure to make arrangements for appropriate follow-up care;
- c. the failure to send him to the emergency department for timely treatment and evaluation;
- d. the failure to prescribe the appropriate medications;
- e. the failure to prescribe Paxlovid;
- f. the failure to prescribe and/or make arrangements for treatment with Remdesivir;
- g. the failure to timely and effectively address his signs, symptoms and Covid diagnosis; and
- h. the failure to use safe and effective medical practices and procedures.

9-12. Paragraphs 10 through 13 of the First Count are hereby incorporated, realleged and made Paragraphs 9 through 12 of the Third Count.

FOURTH COUNT: (As to Defendant, Shaun Najarian, DO)

1. At all times relevant hereto, **Shaun Najarian, DO** was a physician licensed to practice medicine in the State of Connecticut.

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