

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

Index No.:
Date Purchased:

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SANG JIN KIM AS ADMINISTRATOR OF THE
ESTATE OF SANG WOON KIM,

Plaintiff,

-against-

NEW YORK-PRESBYTERIAN LAWRENCE
HOSPITAL, MISBAHUDDIN KHAJA, M.D., BRIAN
FAHRICH, M.D., AND ASIF AHMAD, M.D.,

Defendants.
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SUMMONS

Plaintiffs designate Queens
County as the Place of Trial.


The basis of venue is:
Plaintiffs' Residence

County of Queens as place of
appointment of Sang Jin Kim
as administrator of the estate of
Sang Woon Kim

To the above named Defendants:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiffs' attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within thirty (30) days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Bayside, New York
November 3, 2020



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To: NEW YORK-PRESBYTERIAN LAWRENCE HOSPITAL
Attn: General Counsel
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Bronxville, New York, 10708

MISBAHUDDIN KHAJA, M.D.
c/o New York-Presbyterian Lawrence Hospital
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Bronxville, New York, 10708

BRIAN FAHNRICH, M.D.
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ASIF AHMAD, M.D.
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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

Index No.:

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SANG JIN KIM AS ADMINISTRATOR OF THE
ESTATE OF SANG WOON KIM,

VERIFIED COMPLAINT

Plaintiffs,

-against-

NEW YORK-PRESBYTERIAN LAWRENCE
HOSPITAL, MISBAHUDDIN KHAJA, M.D., BRIAN
FAHNRICH, M.D., AND ASIF AHMAD, M.D.,

Defendants.
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SANG JIN KIM AS ADMINISTRATOR OF THE ESTATE OF SANG WOON
KIM through their attorneys, SIM & DEPAOLA, LLP, complaining of the Defendants,
respectfully allege, upon information and belief, as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this controversy pursuant to CPLR 301, venue is proper in Queens County pursuant to CPLR 503.

THE PARTIES

2. Decedent, SANG WOON KIM, was an adult individual who resided in the County of Queens, State of New York.
3. The Administrator SANG JIN KIM, was and still is an adult individual residing in the County of Westchester, State of New York.
4. That at all times hereinafter mentioned, SANG JIN KIM, was the brother of decedent, SANG WOON KIM.
5. On or about August 18, 2020, SANG JIN KIM was appointed as Administrator of

the Estate of SANG WOON KIM. A letter of Administration is annexed hereto as Exhibit A.

6. Starting on or about March 2, 2018 and thereafter mentioned, SANG WOON KIM, was a patient receiving medical treatment at NEW YORK-PRESBYTERIAN LAWRENCE HOSPITAL located at 55 Palmer Avenue Bronxville, NY 10708.
7. Starting on or about March 2, 2018 and thereafter mentioned, SANG WOON KIM, was a patient of Defendants, MISBAHUDDIN KHAJA, M.D., BRIAN FAHNRICH, M.D., and ASIF AHMAD, M.D. while receiving treatment at NEW YORK-PRESBYTERIAN LAWRENCE HOSPITAL.
8. That at all times relevant herein, Defendant, MISBAHUDDIN KHAJA, M.D., was an adult individual who was, and still is, a medical doctor authorized and licensed by the State of New York to provide medical services to the general public.
9. That at all times relevant herein, the Defendant BRIAN FAHNRICH, M.D., was an adult individual who was, and still is, a medical doctor authorized and licensed by the State of New York to provide medical services to the general public.
10. That at all times relevant herein, the Defendant, ASIF AHMAD, M.D., was an adult individual who was, and still is, a medical doctor authorized and licensed by the State of New York to provide medical services to the general public.
11. That at all times relevant herein, Defendant, NEW YORK-PRESBYTERIAN LAWRENCE HOSPITAL, was and still is a domestic not-for-profit corporation duly organized and existing under the laws of the State of New York, which was, and still is, an integrated health care system authorized and licensed by the State of New York to provide medical services to the general public.

12. That at all times relevant herein, upon information and belief, Defendant, NEW YORK-PRESBYTERIAN LAWRENCE HOSPITAL maintains a business in the County of Westchester, State of New York.
13. That at all times relevant herein, upon information and belief, Defendant, NEW YORK-PRESBYTERIAN LAWRENCE HOSPITAL, was and still is engaged in conducting the business of operating a medical facility in the County of Westchester, State of New York.
14. That at all times relevant herein, upon information and belief, Defendants, NEW YORK-PRESBYTERIAN LAWRENCE HOSPITAL, MISBAHUDDIN KHAJA, M.D., BRIAN FAHRNICH, M.D., and ASIF AHMAD, M.D. would hire and assign various medical doctors, nurses, employees, attendants, and others for the care and treatment of their patients, to perform services for their occupants and patients who sought medical attention, treatment and services, including SANG WOON KIM, who received medical treatments and surgery, at their premises.
15. That at all times relevant herein, upon information and belief, Defendant, NEW YORK-PRESBYTERIAN LAWRENCE HOSPITAL employed Defendants, MISBAHUDDIN KHAJA, M.D., BRIAN FAHRNICH, M.D., and ASIF AHMAD, M.D., and provided professional services to the public in general, and to SANG WOON KIM.
16. In furtherance of their business, Defendants NEW YORK-PRESBYTERIAN LAWRENCE HOSPITAL, MISBAHUDDIN KHAJA, M.D., BRIAN FAHRNICH, M.D., and ASIF AHMAD, M.D., through their employees, agents and/or designees, would examine, diagnose, treat and provide screening procedures to patients who

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