

IN THE CIRCUIT COURT OF THE 17TH
JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA

CASE NO.: CACE-13-012999

JORGINA ARAUJO,

Plaintiff,

vs.

TATIANA EISNER, M.D., HEIDI
ALEMAN-ORTEGA, ARNP,
ANESCO NORTH BROWARD, LLC,
AND NORTH BROWARD
HOSPITAL DISTRICT, D/B/A
BROWARD HEALTH BROWARD
GENERAL MEDICAL CENTER,

Defendants.

JOINT PRE-TRIAL STIPULATION

This Pre-Trial Stipulation is entered into between the parties this 10th day of March, 2015.

Statement Of The Facts: Plaintiff is a 67 year old Brazilian woman who went to Broward Health Medical Center on 7/7/12 for a total vaginal hysterectomy. Heidi Ortega, CRNA performed the patient's anesthesia and Tatiana Eisner, MD was the supervising physician. After surgery, Ms. Araujo was transferred to the floor for recovery. On 7/9/12, a neurologist was called for a consultation due to her complaints of vision problems. Dr. James Cimeria ordered a STAT CT of the brain, which showed a right sided stroke in her occipital lobe. Ms. Araujo was transferred to the stroke unit for observation and then discharged home on 7/15/12. She was diagnosed with a right occipital stroke, resulting in a permanent left homonymous hemianopsia (loss of vision in the left peripheral hemispheres of both eyes).

Plaintiff has alleged that Ortega and Eisner's care fell below the acceptable standard of care during her hysterectomy and that her stroke was caused by a venous air embolism during surgery. Defendants deny these allegations and allege that the stroke was unrelated to the care that they provided.

There are no Counterclaims, Cross-claims, or Third Party Claims.

1. **Stipulated Facts: The parties stipulate as follows:**

- (a) Tatiana Eisner, M.D. was Jorgina Araujo's treating anesthesiologist on July 7, 2011.
- (b) Heidi Aleman-Ortega, CRNA was Jorgina Araujo's treating anesthetist on July 7, 2011.
- (c) Tatiana Eisner, M.D. and Heidi Aleman-Ortega, ARNP's were employed by Anesco North Broward, LLC on July 7, 2011.
- (d) On July 7, 2011, Jorgina Araujo was admitted to Broward Health Medical Center for a hysterectomy.
- (e) During the July 7, 2011 admission to Broward Health Medical Center, Jorgina Araujo suffered a stroke resulting in left homonymous hemianopsia.

2. **Statements of Disputed Law & Fact:**

- (a) Whether Dr. Eisner was negligent in her care and treatment of Jorgina Araujo on July 7, 2011;
- (b) Whether Dr. Eisner's alleged negligence was the legal cause of injury, loss or damage to Plaintiff;
- (c) Whether Nurse Aleman-Ortega was negligent in her care and treatment of Jorgina Araujo on July 7, 2011;
- (d) Whether Nurse Aleman Ortega's alleged negligence was the legal cause of injury, loss or damage to Plaintiff;
- (e) The nature and amount of damages to be awarded to Plaintiff

3. **Exhibit Lists:** Each party will provide their Exhibit and Witness Lists separately.

Objections to Exhibits: Plaintiff and Defendants reserve all timely objections to each other's Trial exhibits.

4. **Witness Lists:** Each party will provide their Exhibit and Witness Lists separately.

Objections to Witnesses: Plaintiff and Defendants reserve all timely objections to each other's Trial witnesses.

5. **Jury Instructions:**

Will be agreed to by parties and will be provided at a later date or at the time of trial.

6. **Verdict Forms:**

Will be agreed to by parties and will be provided at a later date or at the time of trial.

7. **Peremptory Challenges:** The parties shall have peremptory challenges as follows:

- (a) Plaintiff: 6
- (b) Defendant Tatiana Eisner, M.D.: 0
- (c) Defendant Heidi Aleman-Ortega, CRNA: 0
- (d) Defendant Anesco North Broward, LLC: 3
- (e) Defendant Broward Health Medical Center: 3

8. **Pending Motions:**

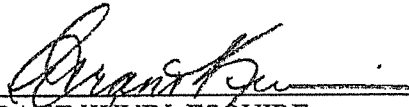
- (a) Motions in Limine will be filed and heard prior to trial and pursuant to this Court's instructions.
- (b) Broward Health Medical Center's Motion to Compel Response to Request for Production dated December 5, 2014.

9. **Trial Estimate:**

The parties estimate the length of trial to take 10 days

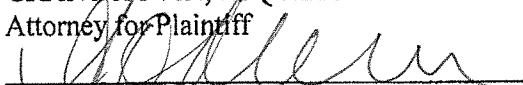
11. **Daubert Issues:**

None at this time. All parties reserve the right to raise issues as expert discovery continues.




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3/5/15



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