

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
DUPAGE COUNTY, ILLINOIS**

Thomas C. Fernandez,	)	
	)	
Plaintiff,	)	Candice Adams
	)	e-filed in the 18th Judicial Circuit Court
	)	DuPage County
	)	ENVELOPE: 22021327
vs.	)	2022LA001051
	)	FILEDATE: 3/27/2023 12:00 AM
	)	Date Submitted: 3/26/2023 6:11 AM
	)	Date Accepted: 3/27/2023 9:10 AM
	)	MP
	)	
Meier Clinics of Illinois P.C., An Illinois Company	)	Case No. 2022LA001051
Defendants.	)	
vs.	)	
	)	
Megan Chrisos,	)	
Third-Party Defendant	)	
vs.	)	
	)	
Diane Fernandez,	)	
Third-Party Defendant	)	
vs.	)	
	)	
Walgreens, Boots Alliance,	)	
Third-Party Defendant	)	
vs.	)	
	)	
The Expert Institute,	)	
Third-Party Defendant	)	
vs.	)	
	)	
Rapier Law Firm,	)	
Third-Party Defendant	)	
vs.	)	
	)	
Timothy Whelan Law,	)	
Third-Party Defendant	)	
vs.	)	
	)	
Peskind Law Firm,	)	
Third-Party Defendant	)	
vs.	)	
	)	
The Fernandez Family, et. al.	)	
Third-Party Defendant	)	
vs.	)	
	)	
The Chrisos Family, et. al.	)	
Third-Party Defendant	)	
	)	

Verified Complaint – Amended 03-24-2023

NOW COMES the Plaintiff, Thomas C. Fernandez, by and through his attorney, _____ Pro
Se _____, and as his Complaint against the Defendant, Meier Clinics of Illinois P.C., states as
follows:

PARTIES

1. The Plaintiff, Thomas C. Fernandez (Fernandez) is an individual residing in DuPage County, Illinois and was a former patient of Meier Clinics of Illinois, P.C.
2. The Defendant, Meier Clinics of Illinois, P.C., (Meier) is an Illinois corporation with its principal office and registered agent's address at 2100 Manchester Road, Suite 1510, Wheaton, Illinois.
3. Additional Defendants, pending verification of contact information.

FACTUAL ALLEGATIONS COMMON TO ALL COUNTS

2. That Defendant is engaged in the business of providing psychiatric services and counseling to the public.
4. Fernandez was a client of the Defendant's for a period beginning sometime in 2016 through April 29, 2022.
5. From 2016 through March 2, 2020, Meier was treating Fernandez for Attention Deficit Hyper Activity (ADHD) disorder, and was prescribing normal dosages of Vyvanse and D- Amphetamine to treat the condition.
6. Fernandez had been diagnosed and treated by psychiatrists for ADHD since his late teenage years.
7. Fernandez, prior to 2020, had never been diagnosed with any psychiatric disorder.
8. Dr. Steve C. Lee (Dr. Lee) is an employee of Meier and was the treating physician during all times in question.
9. In March of 2020, Fernandez was treated by Dr. Lee for auditory hallucinations. Other than this isolated event, the Plaintiff has had no other psychosis.
10. That Dr. Lee begin treatment for the auditory hallucinations on March 11, 2020, and that the auditory hallucination ceased on May 22, 2020, Fernandez has no prior history of psychosis or hallucinations.

11. That Dr. Lee continued Fernandez on a drug regimen, including anti-psychotic, anti-depressant, anti-anxiety, sleeping aid and ADHD medications drugs through October 28, 2021.
12. The above medications were continued after the auditory hallucinations ceased and with no diagnosis as to what was being treated after the hallucinations ceased. The medication was also continued, and no substitute was offered, through extreme and compounding side-effects which were relayed to Lee, on multiple occasions.
13. Fernandez followed his doctor's instructions to the letter and never deviated.
14. In September of 2021, Fernandez stated during a telehealth appointment, that he couldn't remember anything, and he felt like he was overmedicated. Dr. Lee stated that they could increase the Olanzapine medication to 20mg from 5mg, or switch to 20mg of another anti-psychotic.
15. In October of 2021, Fernandez was experiencing continuing side-effects (which he and his spouse were never advised about) from the drug regimen.
16. At all times, Dr. Lee had no plan to remove Fernandez off the drug regimen, despite what the fraudulent medical records state, and wanted to increase his anti-psychotic medication in October of 2021. In October of 2021 Lee maliciously pulled all of Fernandez's medication, after Fernandez relayed that he did not feel he needed to be hospitalized. Lee threatened to hospitalize Fernandez between September and October of 2021, without consulting Fernandez, or speaking to him directly. The threat of hospitalization was due to compounding side-effects of medication that neither Fernandez, his wife, or his family had been informed of.
17. Dr. Lee advised Fernandez's wife and parents, on October 25th of 2021, that Fernandez should be

hospitalized, having not spoken to Fernandez since September. Fernandez was completely unaware that his family had been in contact with his doctor, continually, throughout September, and October, and was surprised by the threat of hospitalization, added onto Dr. Lee's intention to increase his medication.

18. On October 28th, 2021 Fernandez called Dr. Lee, expressed frustration regarding the side-effects of the drug regimen and Lee's recommendation that he be hospitalized without speaking to Fernandez, among other comments of note.

19. On October 28th, 2021 Fernandez informed Dr. Lee that he believed his wife was going to be filing for divorce due to Lee's screw up on hospitalization

20. On October 28th, 2021 Fernandez asked that his wife and family be removed from his medical records, and as points of contact.

21. On October 28th, 2021 Fernandez stated that he still felt overmedicated, and he was having issues communicating this to his doctor.

22. On October 28th, 2021 Fernandez stated that he was being accused of taking his medication as directed.

23. On October 28th, 2021 Fernandez stated at the end of the conversation that he felt like everyone he knew thought he was overmedicated, and that he felt like his medication was being weaponized against him (not directed at his wife), due to the threat of hospitalization, and medication increase, Lee had levied against him without speaking to Fernandez in over a month. Fernandez used the

word weaponization once in his conversations with Lee over a period of years. Fernandez used the word weaponization once in writing in May of 2022.

24. On October 28th, 2021 Fernandez was still on all of his medication.

25. On October 28th, 2021 Dr. Lee refused to prescribe Fernandez any medication, and forced him off of the anti-psychotic, anti-anxiety, an anti-depressant, a sleep medication, which he had been prescribed since March of 2020, and the ADHD medication that Fernandez had required since he was in his teens. Lee stated, "I can't prescribe you anything", and hung up on Fernandez.

26. Fernandez informed his wife on October 28th, 2021 that Dr. Lee would not prescribe him any medication. By the time Fernandez arrived home after his phone call with Lee, his wife's bags were packed at the door. Fernandez asked that Lee not contact his wife or family, and Lee ignored this, though Fernandez did not know it at the time.

27. Fernandez also received notes from his wife on why they got divorced (post-divorce). She had a note dated 9 days, fraudulently, before Fernandez's singular conversation in October that stated "Fernandez said that his wife is weaponizing his medication, and she is psycho". Fernandez stated that he felt his medication was being weaponized against him to Lee, this comment was not directed at his wife. Lee also told Fernandez's wife that Fernandez said his wife was psycho, Fernandez never stated this. Lee turned this statement around on Fernandez, and redirected this statement at his Fernandez's wife, directly causing Fernandez's divorce, in violation of Fernandez's request that Lee not contact his wife or family. This was malicious intent.

28. Fernandez's ex-wife left for a period of 8 days after October 28th, 2021, and started divorce proceedings on November 6th, 2021. She filed divorce paperwork on December 6th, 2021, and

finalized divorce proceedings on March 7th, 2021. Fernandez was unaware that Lee had spoken to his wife, making fraudulent statements, told her that Fernandez said she was weaponizing his medication, and was psycho, until long after the divorce.

29. On November 12th, 2021, during their telehealth medicine conference, Dr. Lee opened up the conversation by stating “I can’t make you take your medication”, and laughed. Fernandez stated, “I never asked for help”.

30. Fernandez’s divorce was finalized on March 7th, 2022.

31. Fernandez clinically crashed for a period of over a month, after October 28th, 2021, and entered a withdrawal stupor. Fernandez believes that he experienced severe and continuing side-effects of medication withdrawal through June of 2022, at which point he began researching what had been done to him. Fernandez quit breathing 3-4 times a night for over a month, and slept on bags of ice, because the migraines from decreased oxygen intake were so bad, he couldn’t sleep. He had almost no memory recall, no sense of self, an extremely inhibited cognitive capabilities during the period of withdrawal and divorce.

32. Fernandez and his ex-wife had completed IVF in June of 2021, and would be having their first baby in 2022, if not for Dr. Lee’s actions concerning the continuing drug regimen and his actions from March of 2020 and culminating on October 28th, 2021.

33. Fernandez sat quietly trying to save his marriage, under the threat of hospitalization, during forced withdrawal, as his doctor tore his life, marriage, and family to the ground with one error and misstep after another.

34.Fernandez believes that he was essentially coerced out of his home, family, and duty to his personal responsibilities, including his future as a father, by his doctor's threats of medication increase and hospitalization, and also that his doctor's malicious actions essentially yanked the rug out from under Fernandez on October 28th, 2021.

35.Fernandez was assaulted by his entire family.

COUNT I
PROFESSIONAL NEGLIGENCE
FAILURE TO PROPERLY TREAT
MEDICAL CONDITION
(Extended Prescription of Anti-
Psychotic Drugs with No Diagnosis)

36.Plaintiff incorporates and re-alleges paragraphs 1 through 35 of the Complaint as though fully set forth herein.

37.Dr. Lee, in his records, makes the clinical assessment in April of 2020 of "F90.0, F29 unspecified psychotic disorder" concerning Fernandez's condition.

38.Fernandez was being treated for auditory hallucinations, likely caused by a viral infection of COVID, and there are in upwards of 1,000,000 other reported cases of COVID with neurological issues, according to subsequent medical opinions received from medical practitioners in the field.

39.According to the medical records, Dr. Lee conducted no empirical testing to attempt a more specific diagnosis, either before or after May 22th, 2020, the date according to medical records the auditory hallucinations ceased "due to treatment".

40.The antipsychotic drug regimen, which began on March 11th, 2020, was continued through the end of October, 2021. The symptoms ceased in May, of 2020.

41.The medical records in October of 2021, still listed the clinical assessment as “F90.0, F29 unspecified psychotic disorder”.

42.Dr. Lee did not have Fernandez undergo any testing to determine a diagnosis, and continued to treat Fernandez with high dose medication for seventeen (17) months after the psychosis had ceased.

43.The anti-psychotic drug regimen was started by Dr. Lee on March 11th, 2020 with the prescription of 1 mg Risperidone (anti-psychotic, 30 tablets), then March 23rd, 2020 with the prescription of .5 Olanzapine (Anti-psychotic, 30 tablets), then March 24th, 2020 with the prescription of 1 mg Risperidone (5 tablets), followed by an April 7th 2020 prescription of 5 mg Olanzapine (45 tablets). In late April of 2020 an additional supply of 5 mg Olanzapine (30-90 tablets), as well as 10 mg Olanzapine (30 tablets) were prescribed. On May 14th of 2020, additional 10 mg Olanzapine (30 tablets) was prescribed.

44.In June of 2020, a combination of 5 and 10 mg. of Olanzapine were prescribed.

45.The 15 mg. of Olanzapine prescription was reduced to 10 mg. level in July of 2020 through December of 2020, when the dosage was reduced to 7.5 mg.

46.In February of 2021, the dosage was reduced to 5 mg. and then 2.5 mg, which Fernandez took through October of 2021.

47. Prior to October 28th, 2021, Dr. Lee advised Fernandez, on video, that he could take half doses (2.5 mg) for two weeks, then nothing thereafter, in order to come off the Olanzapine.

48. Fernandez took all prescriptions as directed, except for short periods during the course of treatment, until October of 2021. Fernandez followed Lee's instructions for withdrawal to the letter.

49. Given the age of Fernandez, in his late thirties, and with no history of a psychotic, schizophrenic, or bi-polar condition, he has been advised by three health care professionals that the proper diagnosis should have been an isolated (a "one-off") auditory event, possibly due to a food allergy, viral (COVID) infection --- this was the start of the pandemic --- or trauma to the head.

50. Fernandez, in his employment, was exposed to clients returning from China in fall of 2019 and thereafter.

51. There is an article attached hereto concerning Potential New Neuropsychiatric conditions triggered by Novel Coronavirus infection. The case reports, attached as "Exhibit B", and minimal drug intervention are enlightening. This report was issued in early 2020.

52. The above has been substantiated with more recent reports, a copy of which is attached hereto as "Exhibit C".

53. The proper procedure, according to one mental health professional, along with additional research undertaken by Fernandez after medication withdrawal, should have been to prescribe the anti-psychotic through May of 2020 (when the auditory hallucinations ceased), and then to be weaned off the anti-psychotic medication at a 10% reduction in dosage per month.

54. The drug regimen should have been fully terminated in April of 2021, well before the marital issues

began to develop with his spouse, as addressed hereinafter.

55.The prescription of the Olanzapine for 15 months after the underlying psychotic episode had ceased resulted in Fernandez being over-medicated for a substantial period of time, especially given the side effects of Olanzapine.

56.Additionally, the large reductions, usually halving the medication, in dosage of Olanzapine instead of the 10% reductions caused numerous issues, and should be considered medication mismanagement

57.The side effects of Olanzapine experienced by Fernandez, which are acknowledged in the medical literature as side effects of the drug, include accidental injuries, somnolence, articulation impairment, significant but temporary memory loss bordering on amnesia, lack of feeling or emotion, loss of vocabulary and language and speech, mask-like face, distorted balance and lack of motivation.

58.In March of 2020, Fernandez fell down the stairs of his house, and broke or severely sprained his leg, which was reported to Dr. Lee.

59.Dr. Lee apparently moved Fernandez off Risperidone to Olanzapine after this incident. This is moving from one form of an anti-psychotic drug to another type.

60.In mid-May of 2020, Fernandez reported to Dr. Lee that he had fallen into a window well at his house.

61.In May of 2020, after a second severe injury, Dr. Lee, instead of changing to another medication,

increased the Olanzapine prescription, three-fold. Fernandez has no memory of anything after this, until June of 2021, when the Olanzapine had been reduced to 5mg.

62. Fernandez, in addition to the above side-effects, had a severe and acute reaction to the anti-psychotic and was later informed, by two separate medical professionals, that he can never take that specific anti-psychotic again, due to the severity of the side effects and the withdrawal symptoms. The reaction was intensified with the prescription of anti-anxiety, antidepressant, and sleep medication at the same time, which increases the incidence of somnolence.

63. The major side effect experienced was loss of memory or amnesia. Fernandez has limited memory from March of 2020 through the June of 2021, although he is experiencing some recall as time goes on.

64. Dr. Lee did not advise Fernandez of the side effects and did not monitor them, even after Fernandez and his spouse both informed the psychiatrist, repeatedly, of issues related to the medication.

65. Fernandez had a physical inability to wake up before 10:00 a.m. and had no short-term or long-term memory recall until 5-6 p.m. each day.

66. The somnolence and significant memory loss are reported in the medical records, but not identified by Dr. Lee as the side-effects of Olanzapine.

67. The withdrawal symptoms from discontinuing the use of Olanzapine in October of 2021, none of which Dr. Lee advised Fernandez of, and which Fernandez experienced include temporary memory loss and amnesia, depersonalization, fatigue, migraines, irritability, panic attacks and extreme anxiety, confusion and lack of thought organization, fugue state/shock, loss of speech, unclear

sense of self, difficulty recognizing emotional states, lack of motivation, and a false sense of well-being.

68.The extreme anxiety from withdrawal is described by Fernandez as "wobbling": going back and forth between anger, apathy, sadness, and being emotionally overwhelmed, and thought disorganization. This continued through June of 2022.

69.Also, given the severity of the acute reaction to Olanzapine, complete withdrawal from the drug may, in some cases - as advised by a medical professional he consulted and based on medical literature -- take up to 18 months, with 10% reductions per month being the maximum reduction allowed.

70.Fernandez believes that he is still experiencing withdrawal (through September of 2022), since October of 2021.

71.During the period of July through October 28th of 2021, Fernandez and his spouse had marital problems, which resulted in his spouse seeking consultation on November 6th, 2021 and filing for divorce on December 6th, 2021, with the decree becoming final in March of 2022.

72.His spouse spent an extended period of time away from Fernandez during the period of time when the psychiatrist refused to prescribe medication, from October 28, 2021 through November 11th, 2021.

73.Fernandez spent an extended period of time in his car and hotels, away from his spouse after October 28th 2021.

74. Fernandez believes that the psychiatrist's course of conduct and medication mismanagement were the reason for his divorce, causing significant emotional harm and pain to Fernandez and his spouse over a prolonged period of time, and significantly in September and October of 2021.

75. The couple had been together happily married since June of 2015, and would be having their first child in 2022, except for Dr. Lee's medication mismanagement, lack of informed consent, fraudulent statements, and HIPPA violations.

76. That if the drug regimen had been appropriately terminated in April of 2021, the side effects would not have been present in July of 2021, nor would Fernandez or his spouse have been discussing his mental health, nor would Fernandez have been experiencing the side effects and then withdrawal symptoms of the drug regimen.

77. During the period of May of 2020 through March of 2022, Fernandez's spouse complained that he was mentally ill, and that his mental illness was the source of their problems, not knowing that what he was experiencing was side-effects of the drug regimen Dr. Lee had prescribed.

78. That Dr. Lee has a professional duty to determine a diagnosis before continuing treatment after the psychotic episode had been dealt with.

79. That Dr. Lee was negligent in continuing a high dose regimen of drugs, especially given Fernandez's reported side effects of memory loss and somnolence (as reflected in Dr. Lee's medical records), without testing and the formulation of a specific diagnosis.

80. During a critical period in their marriage, in late October through the middle of November of 2021, Dr. Lee refused to prescribe Fernandez any medication, including the ADHD medication (which was being used at a high dose to offset the side-effects of the anti-psychotic medication), and

Fernandez, who was already in a medication coma from massive medication mismanagement dropped further into a stupor and a medication black hole of medication side-effects. This is the period in which his wife sought legal consultation and filed for divorce, and also the period of time when Fernandez experienced car flight, i.e. The only acceptable course of action was removing himself from the situation while he went through forced withdrawal from medication.

81.That without a diagnosis, the drug regimen should have ceased after successful treatment of the psychotic episode, and drug treatment should have been curtailed over a ten-month period (after May 5th of 2020), such that Fernandez would have been weaned off the drug regimen by April of 2021, before the time that the above marital difficulties began.

82.That Dr. Lee's failure to properly diagnose any condition, failure to inform of the side effects of medication, failure to listen to Fernandez's expression of the many side-effect symptoms he was experiencing, his continuing medication mismanagement regarding Olanzapine, the corresponding large increases in ADHD medication, and the general continuation of the drug regimen, and allowing the continuation of the major side-effects attributable thereto, were instrumental in causing Fernandez pain and anguish, and was the cause of marital difficulties and his ultimate divorce.

83.That as a direct and proximate cause of being overmedicated for over 15 months, that the disaffection and eventual divorce from his spouse resulted.

84.That Fernandez suffered extreme pain and anguish, personally, due to the overmedication.

85.That the damages pled hereafter under separate paragraph, are incorporated herein.

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count I of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT II
PROFESSIONAL NEGLIGENCE
LACK OF INFORMED CONSENT

86.Plaintiff incorporates and re-alleges paragraphs 1 through 85 of the Complaint as though fully set forth herein.

87.Fernandez states that at no time was he or his spouse advised of the side effects of the drug regimen Dr. Lee placed him on.

88.A complete listing of the side effects experienced by Fernandez are attached hereto as "Exhibit D". There is a separate chart for each medication prescribed as part of the drug regimen, i.e., Olanzapine (anti-psychotic), Ativan (anti-anxiety), Trazodone (sleep aid), Zoloft (anti-depressant). These drugs were prescribed together as part of the drug regimen.

89.The withdrawal effects for Olanzapine include: memory loss, amnesia, poor decision making, incapacitation, extreme anxiety, appetite change, concentration problems, confusion, depersonalization, depression, fatigue, migraines, irritability, mood swings, nausea, panic attacks, suicidal thinking, sweating, vomiting and weight loss, a false sense of well-being, panic attacks, lack of thought organization, fugue state/shock, loss of speech, unclear sense of self, difficulty recognizing emotional states, and lack of motivation.

90.The withdrawal symptoms from discontinuing the use of Olanzapine in October of 2021, none of which Dr. Lee advised Fernandez on, and which Fernandez experienced, include temporary memory loss and amnesia, confusion, poor decision making, incapacitation, depersonalization, fatigue, migraines, irritability, panic attacks and extreme anxiety, confusion and lack of thought organization, fugue state/shock, loss of speech, unclear sense of self, difficulty recognizing emotional states, lack of motivation, dermatological issues and a false sense of well-being.

91.Fernandez states that at no time was he or his spouse advised of the extremely severe side- effects or withdrawal effects and symptoms of Olanzapine.

92.During the period of July through November of 2021, Fernandez and his spouse had marital problems, which resulted in his spouse seeking consultation on November 6th, and filing for divorce on December 6th, with the decree becoming final in March of 2022. The spouse spent an extended period away from Fernandez during the period of time when the psychiatrist refused to prescribe medication. Fernandez believes that the psychiatrist's course of conduct was the reason for the divorce, causing significant emotional harm and pain to Fernandez and his spouse over a prolonged period, and significantly in September and October of 2021. The couple had been happily married together for over six years.

93.During the period of October 2021 through March of 2022, Fernandez's spouse complained the he was mentally ill, and that his mental illness was the source of their problems, not knowing that what he was experiencing were side effects and withdrawal symptoms of the drugs Dr. Lee had prescribed.

94.That as a direct and proximate cause of not being advised of the side-effects and withdrawal effects of the drug regimen, that disaffection and eventual divorce from his spouse resulted.

95. That Fernandez and his spouse suffered extreme pain and anguish, due to Dr. Lee's failure to advise him of the side-effects and withdrawal effects of the prescribed medication.

96. That the damages plead hereafter under separate paragraph, are incorporated herein.

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count II of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT III
PROFESSIONAL NEGLIGENCE
FAILURE TO MONITOR SIDE-
EFFECTS

97. Plaintiff incorporates and re-alleges paragraphs 1 through 96 of the Complaint as though fully set forth herein.

98. During the period of March of 2020 through October of 2021, Fernandez was sleeping late, had no memory before about 5-6 p.m. each day, was experiencing significant cognitive decline, had slowed speech, bad balance, work performance decline, and a decline in interpersonal skills.

99. Fernandez forgot that he and his spouse had gone through three IVF procedures in 2021. Permanent and temporary memory loss and amnesia are major side-effects of Olanzapine.

100. Fernandez suffered night terrors from March of 2020-November of 2021.
101. Fernandez could not read beyond the first paragraph in a book and experienced significant cognitive decline from March of 2020.
102. Fernandez had a severe and acute reaction to the anti-psychotic, intensified with the prescription of anti-anxiety, antidepressant, and sleep medication at the same time, which increases the incidence of somnolence among numerous other side effects.
103. The memory loss during this period was due to the medication regimen, or inappropriate withdrawal, and bordered on amnesia, which is listed as an extreme side effect to Olanzapine. His memory has slowly returned, and Fernandez made sure to keep the events as they happened, in the interest of testifying for himself, in order, even though uncontrolled forced withdrawal.
104. During this period, Fernandez continually advised Dr. Lee of what he believed to be side-effects, and that he was overmedicated.
105. Dr. Lee notes some of these statements in his 2021 medical records.
106. Although requested, the medical records do not reflect anything prior to 2021.
107. Although requested, the Telehealth videos have not been provided. The majority of the appointments were video. Telehealth videos are medical records. If the entire medical record is not provided, Fernandez will assume that they have been destroyed and act accordingly, regarding destruction of medical records.

108. Dr. Lee, as a highly trained professional in the field, had a duty to monitor for side effects from the drug regimen being prescribed, especially given the long and detrimental list of possible side effects.

109. Not until October 25th, 2021 (according to the medical records) does Dr. Lee state he offered Fernandez an alternative anti-psychotic which would not have as strong of side effects, acknowledging that he was finally doing something concerning the side effects.

110. That Dr. Lee's failure to monitor the side effects of the drug were instrumental in causing Fernandez pain and anguish, and was a major contributing factor in causing difficulties in his marriage and ultimate divorce.

111. That Fernandez suffered extreme pain and anguish, personally, due to the medication's side-effects not being monitored.

112. That the damages plead hereafter under separate paragraph, are incorporated herein.

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count III of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT IV
GROSS PROFESSIONAL
NEGLIGENCE - FAILURE TO
MANAGE OR ADVISE OF THE
WITHDRAWAL
SYMPTOMS(OLANZAPINE)

113. Plaintiff incorporates and re-alleges paragraphs 1 through 112, of the Complaint as though fully set forth herein.

114. On October 28th, 2021, Fernandez and Dr. Lee conversed via phone call.

115. Fernandez had not spoken with his doctor since their Telehealth appointment in late September of 2021.

116. Fernandez states that through October 28th, 2021, he had taken his prescriptions pursuant to instructions.

117. Fernandez, at that time, had a supply of all his prescribed medication, except for the D-Amphetamine (the ADHD) medication, as this prescription was generally prescribed for thirty (30) days, the last prescription being filled on September 23rd, 2021 for 20 milligrams, 90 tablets.

118. The above would be a prescribed daily dosage of 60mg a day of the ADHD medication, and Dr. Lee had cleared Fernandez, in mid-2021 during a Telehealth video conference, for 60-80mgs

a day.

119. This would be considered an extremely high dosage and atypical for Fernandez, prior to 2020, and was used to counteract the other drugs, which were part of drug regimen.

120. In comparison from January 24th, 2021, through April 22nd, 2021, Dr. Lee prescribed a dosage of the same medication at 60mg a day to deal with side-effects. Fernandez's normal dosage for this medication was a baseline of 25mg.

121. Mr. Fernandez's current clinic is prescribing 25 mg of ADHD medication for Fernandez, and Fernandez states that this amount is his norm and has been since he was a teenager.

122. Dr. Lee refused to prescribe any medication for Fernandez from October 28th, 2021 to November 12th, 2021.

123. Dr. Lee stated on October 28th, 2021, that he could not prescribe any medication for Fernandez.

124. Fernandez had no other choice but to come off of his other medications, as he had a limited supply; additionally, without the Adderall, Fernandez was nonfunctional, due to side effects of medication and withdrawal.

125. Dr. Lee advised Fernandez in September of 2021, that the appropriate method of withdrawal would be to reduce his intake of the 5 mg Olanzapine to 2.5 mg of Olanzapine for a two-week period, and then go off the drug completely.

126. Fernandez followed these instructions to come off the drug.
127. Fernandez dropped into a withdrawal state and was mostly nonfunctional for the better part of a month after October 28th, 2021, however, he did attend his Telehealth appointment on November 12th, 2021.
128. On November 12th, 2021, the Telehealth video conference started with Dr. Lee stating that he couldn't make Fernandez take his medication. Dr. Lee had a smirk on his face and seemed to be making light of the situation.
129. Dr. Lee then asked Fernandez if he was acting.
130. Fernandez took this personally, because between October 28th, 2021 and November 12th, 2021, his face melted with extensive dermatological issues.
131. Fernandez stated on November 12th, 2021 that he had never asked for help regarding hospitalization.
132. Fernandez has been recently advised by medical professionals and his own review of the literature on the topic of Olanzapine weening, that the correct manner to come off the Olanzapine prescription is to reduce the dosage by 10% a month, in order to avoid severe withdrawal symptoms, i.e., temporary memory loss, emotional instability, fatigue, migraines, extreme anxiety and panic attacks – among other symptoms.
133. Dr. Lee did not advise Fernandez of the correct weening process or the withdrawal symptoms to be expected.

134. Dr. Lee did not offer medication to deal with the withdrawal symptoms until January 31st, 2022, when he offered Fernandez Depakote ER 250 (a first-generation mood stabilizer). This is according to Walgreens prescription history.

135. Fernandez disputes the Walgreens prescription history, as to dates and number of times the prescription was filled. The prescription was filled once for a total of 30 pills.

136. Fernandez took the Depakote, which was prescribed PRN, from late December of 2021 or early January, of 2022, through September of 2022. Fernandez was later advised, by two different specialists in the field, that Depakote should not be taken PRN. The Depakote dealt with an extremely limited range of the withdrawal symptoms being experienced, specifically the moodiness. Depakote did nothing for depersonalization, fatigue, migraines, panic attacks, extreme anxiety, confusion and lack of thought organization, fugue state/shock, loss of speech, unclear sense of self, difficulty recognizing emotional states, lack of motivation, dermatological issues and a false sense of well-being.

137. This period, from the period of October 28th, 2021 through November 12th, 2021, was a critical period in Fernandez's relationship with his spouse.

138. His spouse left for eight days after October 28th, 2021, as Dr. Lee would not prescribe medication, and upon her return, consulted with a divorce attorney on November 6th, 2021 and filed for divorce on December 6th of 2021. The Divorce was finalized on March, 7th, 2022.

139. During the fall of 2021, through April of 2022, Fernandez was living under the threat of hospitalization as recommended by Dr. Lee to his spouse and parents.

140. After October 28th, 2021, Fernandez spent three months sleeping on bags of ice, because the migraines were so bad, he couldn't fall asleep and stay asleep.
141. After October 28th, 2021, Fernandez was waking up 3-4 times a night from severe migraines.
142. After October 28th, 2021, Fernandez was waking up 3-4 times a night, gasping for air, because he had quit breathing in his sleep.
143. Fernandez has never quit breathing before, in his life.
144. Fernandez spent three weeks to a month with visual impairment issues, everything he visually saw was the wrong color, specifically everything he saw was tinted with reds, oranges, and yellows, giving him the sense that he was literally living in hell.
145. Fernandez had new and extensive dermatological issues, which he refers to as his face "melting". There is extensive scarring, discoloration and patchiness to the skin on his face and arms, which started on October 28th, 2021, and continued to get worse afterwards. This is a withdrawal side-effect of Olanzapine.
146. Fernandez's divorce became final in March of 2022.
147. Given the side effects of withdrawing from the drug regimen, i.e., extreme anxiety and panic attacks (among others), fear of hospitalization and an increase in unneeded medication, not being advised that he was experiencing extreme withdrawal symptoms, not having those symptoms managed, his spouse not being advised by Dr. Lee of the side-effects and withdrawal symptoms of

the drug regimen, Fernandez was not able to reconcile with his Spouse.

148. Fernandez gave his wife everything, because he was incapacitated and incapable of making rational decisions for himself, due to Dr. Lee's decisions to force him off of his medication, and failure to advise of the severe withdrawal effects from Olanzapine and other medications. Fernandez holds Dr. Lee responsible.

149. As a direct and proximate cause of the matters pled herein, Dr. Lee was primarily responsible for the divorce of Fernandez and his spouse.

150. That but for Dr. Lee's negligence in dealing with the medical care of Mr. Fernandez, he would not be divorced.

151. That but for Dr. Lee's negligence he would not have experienced the pain and anguish related to the divorce, extensive monetary and financial damages, as well as the physical pain and anguish related to the drug withdrawal symptoms.

152. That Dr. Lee's negligence resulted in the damages pled hereafter under separate paragraph, which are incorporated herein.

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count IV of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT V
BREACH OF PRIVACY/HIPPA
VIOLATIONS

153. Plaintiff incorporates and re-alleges paragraphs 1 through 152 of the Complaint as though fully set forth herein.

154. That Dr. Lee's twenty-five-minute conversation on October 6th, 2021 with Fernandez's parents suggesting hospitalization was in violation of Fernandez medical rights under HIPPA, and also a significant breach of trust. Fernandez disputes this date, and states that the threat of hospitalization was levied against him a few days before October 28th, 2021. He spoke to Dr. Lee on October 28th, 2021 and said that he believes that he made a mistake regarding hospitalization and he would like his mom and wife removed as points of contact on his medical records.

155. There were email communications between his father, and Dr. Lee from his father's email address, over a period of years, and Fernandez was shown one of these emails. His father had never been cleared to access Fernandez's medical information. This was an additional breach of privacy, and a HIPPA violation.

156. That Meier Clinics failure to produce complete medical records upon request, not producing video footage of the appointments, and not producing records before 2021, are a violation of his medical rights, under HIPPA.

157. That the submission of his medical records to a private injury firm, as required under HIPPA, without a correct medical link to the records is in violation.

158. That the submission of the medical records was not to a qualified private injury firm. The empty store front in Ohio does not qualify.

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count V of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT VI
FALSE MEDICAL RECORDS

159. Plaintiff incorporates and re-alleges paragraphs 1 through 158 of the Complaint as though fully set forth herein.

160. Fernandez believes that the medical records provided after September of 2021, have been altered as far as the timeline regarding statements recorded, and as otherwise stated herein.

161. Fernandez believes this was an attempt by Dr. Lee to deflect his significant medication mismanagement, unauthorized communications with his wife and family, uninformed consent regarding the side-effects and withdrawal symptoms of Olanzapine and other medications, as well as not managing the side-effects or withdrawal symptoms, as a cause of Fernandez's divorce.

162. Fernandez states that information provided to Dr. Lee on October 28th of 2021 and in emails from May of 2022 have been sprinkled around in September and October of 2021.

163. That Dr. Lee has a professional duty to maintain accurate medical records.
164. That Dr. Lee's misrepresentation of events in the medical records was intentional, in order to deflect responsibility for Fernandez's divorce.
165. That Dr. Lee's falsification of medical records is intentional fraud.
166. The Dr. Lee is primarily liable for the damages pled in the damages section of this petition, which is incorporated herein.
167. That Dr. Lee's malicious intent is subject to punitive and treble damages.
168. Additionally, Walgreens falsified both prescription records, and prescription dates.

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count VI of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT VII
DIVORCE UNDER THE CARE OF
A MENTAL HEALTH
PROFESSIONAL – DIRECT
CAUSATION

169. Plaintiff incorporates and re-alleges paragraphs 1 through 168 of the Complaint as though fully set forth herein.

170. Fernandez believes that due to the threat of hospitalization, during a critical period of his marriage, without speaking to Fernandez, that he was essentially coerced out of his home by Dr. Lee.

171. Fernandez attempted to speak with Dr. Lee and express his fears of hospitalization.

172. Fernandez believes that Dr. Lee's intention was to temporarily or permanently disable Fernandez, cognitively, from the side-effects of withdrawal, force him into hospitalization, and an increase in medication.

173. Dr. Lee escalation of this situation, and his gross misconduct, due to Dr. Lee's failure to monitor side-effect or manage the same, brought grievous harm to Fernandez, both emotionally and physically, and resulted in significant pain and loss, and was the primary cause for his divorce.

174. Fernandez was given no choice – as Dr. Lee would not continue his medical prescriptions,

and Fernandez would not agree to hospitalization, nor did he require hospitalization.

175. Dr. Lee's intent was for the unadvised withdrawal side-effects to require hospitalization, and then would Dr. Lee would re-establish the undiagnosed drug regimen.

176. Dr. Lee essentially backed Fernandez into a corner with his threats and actions and left no other outcome besides divorce.

177. Dr. Lee's actions were a malicious attempt to validate his false position concerning the medication regimen, and lack of diagnosis, which caused significant pain, suffering and emotional trauma to Fernandez.

178. The chain of events leading up to and following the threat of hospitalization, and Dr, Lee's refusal to prescribe medication, directly caused Fernandez's divorce.

179. The Plaintiff incorporates the list of damages stated later herein, as damages resulting hereunder.

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count VII of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT VIII
LOSS OF AFFECTION

180. Plaintiff incorporates and re-alleges paragraphs 1 through 179 of the Complaint as though fully set forth herein.

181. Due to the conversation on October 28th, 2021 with Lee, and Lee's redirection and misquote of Fernandez's comments, Lee directly caused Fernandez's divorce.

182. Fernandez made this comment to his doctor.

183. Fernandez never stated that his wife was psycho. Lee did.

184. Fernandez does not appreciate the HIPPA violation, breach of privacy, or breach of trust, in direct disregard of his request that his wife, and family, be removed from the channels of communication, because Dr. Lee was not getting the point that Fernandez was overmedicated.

185. Fernandez does not appreciate the fraudulent date, misdirected misquotes or having his medication weaponized against him by Lee, causing Fernandez to appear as if did something wrong, due to inappropriate weening from medications, anxiety, and incapacitating Fernandez, while his family emotionally overwhelmed him due to Lee's HIPPA violations.

186. Fernandez was unable to save his marriage, due to not being aware that his family had been provided misleading information from Lee. Lee directly caused Fernandez's loss of affection.

187. The Plaintiff incorporates the list of damages stated later herein, as damages resulting hereunder.

188. Lee directly caused Fernandez's divorce through both the fraudulent statements and medication mismanagement, and hope that Fernandez would recognize neither.

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count VIII of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT IX
FRAUDULENT STATEMENTS

189. Plaintiff incorporates and re-alleges paragraphs 1 through 188 of the Complaint as though fully set forth herein.

190. The fraudulent statements Lee relayed to both his wife, and his family, and stating that Fernandez said it, was intentional and malicious.

191. Dr. Lee intentionally covered up the timing of serious incidents, including three major injuries that were reported to his doctor immediately. After the second major fall, resulting in bruised ribs, shortly after Fernandez fractured his leg, Lee increased Fernandez's medication by 200%, cognitively incapacitating Fernandez and severely inhibiting his memory. There is absolutely no mention of the second major fall in April of 2020, or the broken hand in October of 2021.

192. Fernandez never stated that his wife was psycho. Lee did.

193. Lee maliciously incapacitated Fernandez at least five time, three of which were his favorite statement “I can’t prescribe you anything”, and then turned the story around on Fernandez with statements like, “I can’t make you take your medication”. Lee would switch to phone calls, instead of video conferences, during these periods when Lee refused to prescribe medication. Phone conversations were typically filled with malicious statements and fraudulent accusations directed at Fernandez.

194. Fernandez was unable to save his marriage, due to not being aware that his family had been provided misleading information from Lee. Lee’s fraud directly caused Fernandez’s loss of affection, divorce, significant financial, emotional, and personal harm and damages.

195. The Plaintiff incorporates the list of damages stated later herein, as damages resulting hereunder.

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count IX of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT X
DEFAMATION, SLANDER, AND
LIBEL

196. Plaintiff incorporates and re-alleges paragraphs 1 through 195 of the Complaint as though fully set forth herein.

197. The fraudulent statements Lee relayed to both his wife, and his family, and stating that Fernandez said it, was intentional and malicious, and was defamation, slander, and libel.

198. Fernandez's mother relayed the statement that "I feel like everyone is trying to keep me medicated" to Fernandez's entire family, and directly contributed to damage to Fernandez, his relationships, reputation, and good standing with his mother, father, immediate family, and extended family. This statement was made to Lee, AFTER asking Lee to not contact his family, and was not directed at his family, but at Lee due to the threat of medication increase and hospitalization.

199. Fernandez's wife received the "I feel like my medication is being weaponized against me". Dr. Lee stated to Fernandez's wife, that Fernandez said, "My wife is weaponizing my medication and is psychotic". Fernandez never said his wife was psychotic. Fernandez never directed this statement at his wife. The statement, "I feel like my medication is being weaponized against me..." was directed at Lee, AFTER asking Lee to not contact his wife, and was not directed at his wife, but at Lee due to the threat medication increase and hospitalization.

200. Fernandez does not know who his wife directed the "weaponization" comment to in the family.

201. Fernandez was accused, at the time, and during the period of divorce, of "leveraging his mental health", while under threat of medication increase, and hospitalization, and actively being coerced out of his home, while defenseless and incapacitated from inappropriate weening from medication, due to Lee's medication mismanagement, for a fifth (5) time.

202. The entire family seemed to be aware of the “weaponization” and “everyone” statements, at the time, except Fernandez, because he had zero (0) idea what had happened.

203. Fernandez assumes wisely that the damage to his reputation, relationships, and good standing in the family, is catastrophic. He has since, done further damage due to frustration with the people around him, and their silence.

204. Fernandez is the only divorce in the family, or extended family, on either side.

205. Lee caused Fernandez’s divorce, and directly contributed to catastrophic damage to Fernandez, his relationships, reputation, and good standing with his mother, father, immediate family, and extended family.

206. Fernandez said “weaponized”, one singular time, during one singular phone, in one direction, to one person. He said it to Steve Lee, not his wife, and not his mother, in the month of October 2021.

207. Lee intentionally back dated these statements in an attempt to make Fernandez look like he caused his own divorce.

208. Fernandez spoke to Lee, Once (1) in October of 2021, having not spoken to him since A month earlier. Not two (2) times. Not three (3) times. Once (1).

209. This one (1) singular conversation ended with Lee saying “I can’t prescribe you anything”, hanging up, and incapacitating Fernandez.

210. Fernandez NEVER EVER said “weaponized” or any variation of the word, to his wife, or family, until long after his relationship with Lee was terminated.

211. Fernandez wrote the word “weaponized” once, in email correspondence to Lee and his family in May of 2022.

212. Fernandez never stated that his wife was psycho. Lee did.

213. Fernandez was unaware that Lee had contacted his wife, and said that Fernandez said, “My wife is weaponizing my medication, and is psychotic”, long after the divorce.

214. Fernandez approximates, that he became aware of this statement, in his wife’s “Notes on Divorce”, sometime in August of 2022, he had the notes for a period before that.

215. Fernandez was unable to save his marriage, due to not being aware that his family had been provided misleading information from Lee.

216. Lee caused, and directly contributed, to catastrophic damage to Fernandez, his relationships, reputation, and good standing with his mother, father, immediate family, and extended family.

217. Lee’s fraud, misdirection, slander, libel and defamation, while trying to make it look like Fernandez, directly caused Fernandez’s loss of affection, divorce, significant financial, emotional, and personal harm and damages.

218. The Plaintiff incorporates the list of damages stated later herein, as damages resulting

hereunder.

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count X of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT XI
FALSE ADVERTISING

219. Plaintiff incorporates and re-alleges paragraphs 1 through 218 of the Complaint as though fully set forth herein.

220. That the Expert Institute states that they are an expert witness service, and were unable to find an expert to certify all-encompassing medical malpractice.

221. Meier Clinic states that they are a “Christian Counseling” service.

222. Fernandez states he no longer believes in God, due to those actions of the defendant between March of 2020, and May of 2022.

223. Fernandez was an alter boy.

224. Fernandez was a devout catholic. Catholics get married ONCE. Christians try to do the same.

225. After the actions of the defendant causing Fernandez's divorce, he feels that they should rebrand, or remarket their services.

226. Fernandez found nothing close to "Christian Counseling", in his experience with the Defendant, and believes like his entire experience with Lee, that the Defendant is being flat out hypocritical, and is dragging good god-fearing Christians through the dirt, face first.

227. Also, Lee refused to take any "Personal Responsibility" for causing Fernandez's divorce, and instead, did the absolute opposite and blamed Fernandez, for Lee's actions.

228. Fernandez was told to "Move Forward" within a week of his divorce, having suffered catastrophic losses, divorce, loss of family, wife, home, and extensive financial damages, and injuries. That's cold and uncaring.

229. Fernandez was told to "Work on himself" during the period of the divorce, by his wife, due to his doctors incapacitation of Fernandez. These are words commonly used in the mental health industry and are a scam, and flat-out false advertising, and cruel.

230. Fernandez has more college credit hours than, Lee and most of his peers, being told to "Work on Himself" during the divorce, was insulting and derogatory.

231. The Plaintiff incorporates the list of damages stated later herein, as damages resulting hereunder.

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count XI of this Complaint in an amount in excess of \$50,000.00, and for any

other relief the Court deems just and appropriate.

COUNT XI
BREACH OF CONTRACT

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count XI of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT XII
BREACH OF DUTY

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count XII of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT XIII
DUE DILIGENCE FAILURE

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count XIII of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT XIV
EXCESSIVE PAIN AND SUFFERING

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count XIV of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT XV
BREACH OF TRUST

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count XV of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT XVI
INTENTION TO DEPRIVE CIVIL
LIBERTIES

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count XVI of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT XVII
INTENTION TO DO BODILY HARM

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count XVII of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT XVIII
ATTEMPTED MANSLAUGHTER

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count XVIII of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT XIX
SERIOUS MISCONDUCT

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count XIX of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT XX
THREATS

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count XX of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

COUNT XXI
COERCION

WHEREFORE, the Plaintiff prays this honorable Court find in its favor and enter judgment against the Defendant as to Count XXI of this Complaint in an amount in excess of \$50,000.00, and for any other relief the Court deems just and appropriate.

DAMAGES

232. Due to the Dr. Lee's lack of a specific diagnosis, the lack of testing, the extended period of drug prescription past last occurrence of symptoms, the undisclosed side effects, the psychiatrist's refusal to listen to Fernandez concerning the side effects, the psychiatrist's failure to monitor or to disclose to Fernandez the side effects of the drugs being prescribed, the failure of the psychiatrist to monitor or advise Fernandez or his spouse of drug withdrawal symptoms, the psychiatrist's failure to continue prescribing medication for a pre-diagnosed health issue, the psychiatrist threatening hospitalization without ever informing or consulting Fernandez, HIPPA violations, and causing excessive pain, suffering, misery, and loss of affection, Fernandez incurred the following damages:

233. **Divorce:** during the treatment period, Fernandez's relationship with his spouse deteriorated to the point where his spouse filed, and received a divorce. Also, the fact that Lee contacted Fernandez's spouse, in violation of HIPPA/Breach of privacy, and Fernandez's wishes, lied to Fernandez's spouse about what he said, misquoted, misdirected, and said Fernandez called his wife a psycho, and lied about the date, didn't help. While Fernandez was also: under the threat of medication increase and hospitalization; cognitively incapacitated from Olanzapine; had repeatedly relayed life ending side-effects at every single appointment which were ignored; couldn't function like a human being because of repeated medication mismanagement; lost the ability to speak, and breath; after his wife had a bad reaction to the vaccine and screamed at him everyday for months, because he was nonfunctional; making it impossible for him to save his marriage; and in the end because there was absolutely nothing else he could do, he was given no choice, he was given no help, he had a lack of informed consent - coercion multiplier stacked against him, he was sabotaged at every opportunity by Lee, and given ZERO information about

how to work through divorce in regards to mental health, after his doctor tried to murder him with medication mismanagement, and also his divorce attorney gave him almost no advice whatsoever, he got divorced, and his soul is burning in hell.

- 234. **Legal Fees of Divorce:** Fernandez incurred \$2,500 in attorney's fees.
- 235. **Loss of Affection:** \$50,000
- 236. **Pain and Suffering:** \$50,000
- 237. **Loss of Marriage & Emotional Support Structure:** \$50,000
- 238. **Gross Negligence:** \$50,000
- 239. **Divorce Under the Care of a Mental Health Professional, who Caused the Divorce,
After Causing the Divorce:** \$50,000

- 240. **Loss of Children:** Fernandez and his spouse had undertaken three IVF procedures and produced viable eggs. The divorce settlement provides the wife custody of the eggs, and Fernandez accepted the classification of "sperm donor". Fernandez knew this may be his spouse's only opportunity to have children and wanted her to have this chance. Fernandez and his ex-spouse have 10 viable embryos. He has relinquished his parental rights to the embryos but could potentially be made to pay child support. Six of the 10 embryos are deviant and could require life-time care due to deficiencies in their DNA. Fernandez has been advised that his ex-spouse may break the marital settlement agreement and seek child support without visitation rights. The life-time support for a healthy child is projected at \$2,625,480.00. The life-time support for a disabled child is projected to be \$4,970,000.00. This combines for a total life-time liability for the healthy embryos of \$10,501,920.00. The life-time liability for the deviant embryos is \$29,820,000.00.

- 241. **IVF Reimbursement Expense:** \$20,000.00
- 242. **Future Life-Time Support Liability Incurred:** \$40,321,920

243. **Loss of Home:** Fernandez conceded his marital interest in his home to his spouse. Moving and storage expenses also added an extra burden to Fernandez's recovery and ability to move forward with his life. Fernandez's state of mind due to withdrawal symptoms caused him to concede everything to his spouse. sold. Fernandez received \$12,500.00 from his spouse as the marital settlement. These funds came from the marital estate and would have remained part of the estate, except for the divorce.

244. **Reimbursement Expense for MSA Settlement (Moral Obligation to Repay):** \$12,500.00

245. **Moving and Storage Expense:** \$2,340

246. **Rental Expense:** \$14,400

247. **Replacement Value of Home per Independent Appraisal:** \$350,000

248. **Physical Injuries:** Physical injuries during the period of anti-psychotic prescription: severely sprained or broken leg, broken bone in the hand, and five bruised ribs due to falls. Fernandez also has four cracked teeth due to stress, night terrors, extensive scarring of the face from dermatological issues, known to be a side effect of Olanzapine, malnutrition and loss of weight due to stress and loss of appetite. This expense is non-reimbursable and will affect Fernandez for the rest of his life.

249. **Plastic Surgery (Scar Removal, Face):** \$30,000

250. **Various Medical Expenses:** \$25,000

251. **Car flight:** Fernandez spent a significant amount of time in his car, thinking it was the only safe place for him to be after threatened hospitalization during an extended period of withdrawal side effects. Fernandez drove 70,000 miles during the period of forced withdrawal from the

medication. The resale value on the vehicle is significantly decreased due to excessive mileage, year over year.

252. **Replacement Value of Vehicle:** \$60,000.00

253. **Loss of Community:** Fernandez has a strained relationship with his friends and family due to no one understanding what was going on. The divorce that Fernandez was going through, the withdrawal symptoms affecting Fernandez's communication skills, and Fernandez not knowing what was wrong with him have put an inordinate amount of strain on Fernandez, his ex-spouse, his family, and his friends. Fernandez's loss of community is irreplaceable.

254. **Loss of Community:** \$50,000

255. **Loss of Goodwill and Lifetime Favors:** \$50,000

256. **Professional Reputation:** Fernandez has had an inability to consistently work, which has affected his relationship with his clients, and created stress in his workplace. Fernandez has also had to take out an employee loan.

257. **Employee Loan Reimbursement Expense:** \$70,000

258. **Loss of Professional Reputation:** \$50,000

259. **Loss of Marital Property:** Almost everything that was non-personal effects was given to spouse.

260. **Replacement Value of Marital Property:** \$100,000.00

261. **Loss of Credit:** A 60-point reduction to Fernandez's credit score occurred due to the loss of a credit account that he and his spouse maintained. Prior to paying down his credit cards, Fernandez's credit usage was at over 60%. This can be attributed, yet again, to a false sense of wellbeing while on the medication. Once Fernandez came off of the medication, he began having panic attacks due to his dire financial situation. Fernandez was unable to get an apartment for months after coming off his medication due to poor credit score.

262. **Loss of Financial Stability:** All assets with present and future value have been turned over to Fernandez's spouse. Fernandez was essentially incapable of caring for himself towards the end of their relationship and couldn't handle the responsibilities of maintaining material assets due to medication withdrawal

263. **Loss of Trust:** Fernandez states that he no longer has trust in the people around him including medical, legal, mental health and other professionals.

264. **Breach of Trust:** \$50,000

265. **Loss of Hope for the Future:** The complete and catastrophic collapse of Fernandez's life due to the issues listed above has significantly impacted his ability to function, both personally and professionally. Fernandez states that he has concerns about the present and future use of his medical information, loss of confidentiality, loss of privacy, a general sense of unwellness and an inability to move forward in his life. Fernandez suffers panic attacks when discussing his previous marriage, his mental health (which turned out to be the side effects and withdrawal of strong medication) and

his life in general. Fernandez has panic attacks when talking to medical professionals. Fernandez is also worried about the potential for negative future implications as he moves through his life. Fernandez states that he has suffered unbearable pain, heartache, extreme stress, and major emotional trauma due to the losses listed. He fears that some of his memories may never return. He has fears that he could potentially end up homeless. He mourns the loss of his self-respect and his reputation. He also wishes that the time wasted rebuilding his memory (months), his time rebuilding the perception of his now new and unwanted life, and the real and actual time he has spent attempting to rebuild his relationships in the prime of his life, had been used in other ways. Fernandez also has a general sense that people are always messing with him after the traumatic statements from his psychiatrist, who he believes never took him seriously. Fernandez currently is sleeping on a couch, is worried about being alone, and is unmotivated to rebuild his life.

266. **Loss of Future Income:** \$6,500,000

267. **Negative Legal Impact:** Shortly after the divorce was entered, and prompted by Dr. Lee, Fernandez sent a variety of e-mails concerning his psychiatrist's treatment to his psychiatrist. His ex-spouse, family, and his family were also included. Due to his general condition from the withdrawal from the drugs and as they were excerpts from his journal during withdrawal, the emails further damaged his relationships

268. **Legal Fees and Attorney Expense:** \$11,500

269. **Medical Malpractice Attorney's Fees and Expenses:** \$40,000

270. **Loss of Marital Settlement Agreement Rights:** Fernandez is also prevented from seeing his dog.

271. **Replacement Value of Dog (Priceless):** \$1,000

272. **Medical Expense:** Fernandez is undergoing weekly therapy to deal with the aftermath of what occurred. The cost of the weekly therapy is \$189.00 an hour.

273. **Therapy Expense:** \$9,828

MEDICAL RECORDS

274. Fernandez, unless otherwise stated, disputes Dr. Lee's medical records provided after September of 2021, as self-serving, fictitious, and a complete misrepresentation of what actually occurred between Fernandez and Dr. Lee.

275. In March of 2020, Dr. Lee put Fernandez on a drug regimen, which included 5 milligram Olanzapine (an anti-Psychotic drug), 50 milligram Trazadone (Sleep Aid), 1 milligram Risperidone, .5 milligram Lorazepam (Anti-anxiety), 20 milligram D-Amphetamine (ADHD - continuation of prior medication). This was obtained from Walgreens records, the summary of which is attached hereto as "Exhibit A".

276. Fernandez generally accepts the Walgreens records, with the acceptance concerning the medication prescribed in September and October of 2021, where he believes some prescriptions, records may be missing.

277. Although medical records have been requested from Meier, they have not produced any

records prior to 2021.

278. Video records of appointments have also been requested from Meier; but they have not produced any of the video records.

279. According to the medical records produced by Dr. Lee for February 3rd, 2021, the auditory hallucinations ceased May 22, 2020.

280. Dr. Lee continued Fernandez under the drug regimen described in paragraph 24 above through the fall of 2021.

281. For instance, in June of 2020, the drug regimen prescribed by Dr. Lee included 15 milligrams of Olanzapine (anti-Psychotic - up from 5 milligrams), 50 milligrams of Sertraline were added, 50 milligrams of Trazadone (Sleep Aid) were continued, 2 milligrams of Lorazepam (Anti-anxiety - up from .5 milligrams), 20 milligrams of D-Amphetamine (ADHD).

282. The medical records provided, which begin February 3rd, 2021, state that Fernandez was sleeping 10-11 hours and was not able to remember things in the morning, and was only working 5-6 hours a day. The records also indicate that Fernandez was not experiencing panic attacks.

283. Fernandez disputes this and states he advised Dr. Lee that he was sleeping 14-16 hours a day at some points.

284. The diagnosis provided on February 3rd, 2021 was that Fernandez experienced an unspecified psychotic disorder.

285. The drug regimen in February of 2021 prescribed by Dr. Lee included 7.5 milligrams of

Olanzapine (anti-psychotic - down from 10 milligrams in November of 2020 and 7.5 milligrams in December of 2020), 50 milligrams of Sertraline (continuing dosage), 50 milligrams of Trazadone (sleep aid - continuing dosage), 1 milligram of Lorazepam (Anti-anxiety - (continuing dosage), 60 milligrams of D-Amphetamine (ADHD - daily dosage).

286. The above drug regimen was continued until October 28th, 2021, with slight alterations in the Olanzapine and Adderall prescriptions.

287. During the period of October 28th of 2021 through April of 2022, when Dr. Lee terminated the relationship, Fernandez was prescribed by Dr. Lee only the ADHD medication, with the exception of a first-generation mood stabilizer - which was only prescribed once, in contradiction to the Walgreens prescription records, and taken for a short period of time.

288. The medical records for March 3rd, 2021 state that Fernandez still had issues with energy in the morning and was still having memory issues and poor work production. The medical records show that these were continuing issues through September 27th, 2021.

289. On October 6th, 2021, medical records indicate, Dr. Lee had a 25-minute conversation with Fernandez's wife and parents (Fernandez was not present for this conversation), wherein Dr. Lee concluded that Fernandez was decompensating with suspicious thinking causing doubtful/critical thoughts. That Fernandez was blaming the meds for poor memory, and may have taken more ADHD medication than prescribed. Dr. Lee wanted to increase the Olanzapine (anti-psychotic) to 7.5 milligrams. Dr. Lee advised Fernandez's wife and parents that he should be taken to the emergency room for psychiatric evaluation, and in a later conversation with Fernandez's mother, Dr. Lee advised her that Fernandez should be hospitalized.

290. Fernandez disputes the date of this conversation, and had no communication with his doctor in over a month before the threat of hospitalization was levied against him.

291. Fernandez's spouse and parents did not take action to have Fernandez hospitalized, and did not follow Dr. Lee's recommendation on this point.

292. The October 28th, 2021 medical transcript appears to be a duplicate of the October 11th, 2021 transcript, wherein on October 11th, 2021, Dr. Lee talked to Fernandez's spouse. She indicated he was frustrated with his family, that he doesn't feel like he was cognitively functioning until later in the day, the he had rolling negative thoughts, was not sleeping, was exhibiting irritability and impulsivity at night. That he had a hard time switching tasks, was being unfairly scrutinized and harped on by his wife and parents. He briefly tried some more Adderall (ADHD medication) to combat AM symptoms, and was frustrated to the point that he just wanted off all medications. She states that he was dragging in the morning and had poor memory. She was not sure if he was taking Olanzapine.

293. Fernandez disputes the date of this conversation and had no insight into what his wife, family and doctor had discussed. Additionally, he continued his medications through October 28th, 2021.

294. As a note to his October 11th 2021 phone call with Fernandez's spouse, Dr. Lee finally states "There may be some truth though to his complaint that he is dysphonic and not thinking as well on the Olanzapine thus the offered med change".

295. Fernandez disputes the use of the word "some".

296. The October 28th, 2021 medical records state that Fernandez had been off medication for three weeks without hint of psychosis/instability. That he was not experiencing a mental fog. Fernandez mentions that his wife may decide on divorce.

294. Fernandez strongly disputes this as on this date, he was forced off all of his medication by

Dr. Lee which effectively ended his marriage, as his wife left for 8 days and filed for divorce when Fernandez told her “Dr. Lee won’t prescribe me anything”. She packed a bag and left.

295. Fernandez states that his condition reported above was not reported on the above date. That Dr. Lee advised Fernandez on October 28th, 2021 that Dr. Lee could not prescribe him any medication. Fernandez states that he was taking his medication through October 28th, 2021.

296. Fernandez states that he did not talk to Dr. Lee between September 27th, 2021 and October 28th, 2021, and was COMPLETELY UNAWARE of Dr. Lee advising his wife and family that he should be hospitalized, until October 25th, 2021, when Fernandez walked out on his wife and family.

297. On October 28th, 2021, Fernandez called his doctor to try and explain the situation from one human being to another. Fernandez explained that he thought his wife might be going for divorce. He relayed that he still felt overmedicated. He relayed that he believed Lee screwed up on hospitalization without talking to Fernandez in over a month. He asked that his wife and family be removed as points of contact for his medical information.

298. Dr. Lee responded by saying “I can’t prescribe you anything”, bouncing Fernandez off of all of his medication, throwing Fernandez into a downward spiral of physiological, psychological and neurological shock which caused him to enter into a withdrawal stupor for the better part of a month, with continuing withdrawal effects through June of 2022.

299. After October 28th, 2021 after briefing his then wife about Dr. Lee’s decision to not prescribe him anything, she left for 8 days and began divorce proceedings on November 6th, 2021.

300. On November 12th, 2021, Dr. Lee reports Fernandez reported significant marital strife and

Dr. Lee re-prescribed the ADHD medication.

301. Fernandez disputes this characterization. Dr. Lee caused the marital strife, prior to October 28th, 2021.

302. On December 21st, 2021, the medical records state that Fernandez discussed his marital difficulties, and the ADHD medication was continued.

303. Fernandez disputes this characterization.

304. On January 21st, 2022, the medical records state that Fernandez advised Dr. Lee that divorce papers had been served on him, and the ADHD medication was continued.

305. Fernandez disputes this, as divorce papers were served on December 6th, 2021. Dr. Lee was aware of on-going marital issues going back to October 28th, 2021 or earlier, and that he was fully aware of the divorce proceeding before the January date above.

306. On January 31st, 2022, the medical records indicate that Depakote ER 250 (a first-generation mood stabilizer) was prescribed.

307. Fernandez disputes this, as it was prescribed in late December or Early January.

308. On February 7th, 2022, Fernandez was referred to Dr. Mateusz Dzikowski, who practices with Meier, for therapy. Dr Dzikowski performed an Initial Clinic Assessment, the first Clinic Assessment to be found in the medical records. The report found that Fernandez did not pose imminent risk of serious harm to himself or others.

309. Fernandez disputes the date, but agrees with Dr. Dzikowski's assessment.
310. On March 31st, 2021, the medical records state that Fernandez took Depakote (first generation mood stabilizer) briefly, and that stress levels were down and his mood was more stable.
311. Fernandez disputes this date, as the medication was taken for the first time in late December or early January.
312. On May 3rd, 2021, Dr. Lee had a 20-minute conversation with Fernandez concerning lengthy emotional pleading emails concerning the devolution of his marriage the prior year. Fernandez was trying to make sense of what occurred and could not remember events from the prior two years. Dr. Lee prescribed Abilify 1 as a mood stabilizer and Ativan (anti-anxiety) to deal with panic and anxiety.
313. Fernandez disputes this, as the emails were sent to Dr. Lee to relay a sense of the pain and suffering, that Dr. Lee had caused.
314. Fernandez denies that he was advised of the Abilify 1 prescription.
315. May 7th, 2022 medical records indicate a telephone conversation with Dr. Lee in which Fernandez states he is feeling better, and did not fill the Abilify 1 prescription.
316. Fernandez disputes this and was never advised on prescription of Abilify and has no idea what that is.

317. Fernandez also disputes the May 7th, 2022 date. There is also no record of this being prescribed in the Walgreens records.
318. The April, 29th, 2021 medical records indicate that Fernandez was reporting a larger issue. That his memory is clearer and he is quite distressed with regard to his relationship with ex-wife and parents.
319. Fernandez disputes this date, and the content of the medical record, and specifically denies making the above comment.
320. The May 29th, 2021 medical records reflect an unsolicited comment made by Dr. Lee to Fernandez, that Fernandez should talk with someone about how he talked to his now ex-wife. The record includes an e-mail wherein Fernandez cites certain instances to Dr. Lee concerning his recovering memory that reference his request, beginning in March of 2020 to lower the medication dosages, as during the time of treatment he could not get up in the morning, and that he could not remember anything until 5-6 p.m. each day.
321. Fernandez disputes this summary as the attached email references a whole lot more than Dr. Lee's depiction.
322. Dr. Lee terminated his services and made three referrals.
323. Prior to the above meeting although not in the medical records, Dr. Lee apparently sent some type of e-mail notice to Meier's personal injury law firm in Ohio.

324. Fernandez was notified of this by e-mail from Meier. The medical record attachments did not open, and the address of the law firm was an empty store front in an Ohio strip mall.
325. This email was sent between March 1st, and March 7th of 2022.
326. Fernandez responded to Meier's email by asking them what the email was for and notifying them that the attachment with the medical records was corrupt and would not open.
327. Fernandez did not receive a response from Meier.
328. After the above meeting, although not in the medical records, Dr. Lee blocked Fernandez e-mail correspondence. Fernandez received a blocked e-mail acknowledgement from Dr. Lee and more than five other members associated with Meier.
329. The medical records state that at no time was Fernandez a risk to himself or anyone else.
330. Fernandez believes that the medical records after September 27, 2021, unless specifically stated as agreed to above, have significant shifts in timing or are otherwise untrue.
331. Fernandez believes that Dr. Lee is trying to establish that he came off the drug regimen before October 28, 2021, when Dr. Lee advised Fernandez that he could not prescribe any medication for him.
332. Fernandez believes that Dr. Lee is attempting to cover for his professional incompetence and drug mismanagement.

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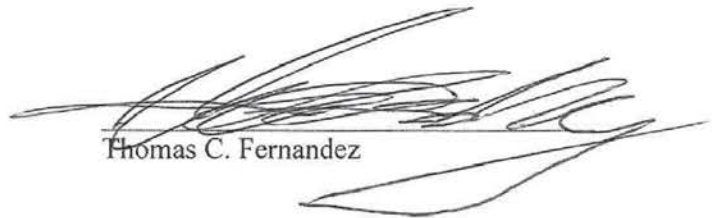
Respectfully Submitted

Thomas Fernandez

VERIFICATION

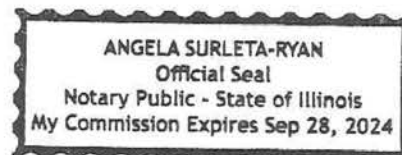
State of Illinois }
County of DuPage } SS

The undersigned, deposes and states that he is the Plaintiff in this matter, and under penalties of perjury, does hereby state that the information contained herein is true and correct to his best knowledge and belief.


Thomas C. Fernandez

Subscribed and sworn to before me this
25th Day of March, 2023


Notary Public



Filer:
Thomas Fernandez
480 Roosevelt Rd., Suite 203
West Chicago, IL 60185
630-649-4467
Pro Se