

IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO

ALLEN SYKALUK	)	<b>CASE NO. CV-23-562091</b>
5282 Pepper St.	)	
Westlake, OH 44145	)	
	)	
PLAINTIFF	)	
	)	
v.	)	<b>JUDGE KELLY A. GALLAGHER</b>
	)	
DR. MARK STARK	)	
12854 Berry Rd.	)	
Hudson, OHIO 44224	)	
	)	
and	)	
	)	
DR. PENNY QUARTERS	)	<b>COMPLAINT</b>
11100 Lovers Ct.	)	
Youngstown, Ohio 44405	)	
	)	
and	)	<b>MEDICAL MALPRACTICE</b>
	)	
UNIVERSITY HOSPITAL MAIN CAMPUS	)	
11100 Euclid Ave.	)	
Cleveland, Ohio 44106	)	<b>Jury Demand Endorsed Hereon</b>
	)	
Defendants,	)	
	)	

**PARTIES AND JURSDICTION**

1. Plaintiff ALLEN SYKALUK, hereon referred to as "Plaintiff", resides at 5282 Pepper St., Westlake, OH 44145.
2. On information and belief, defendant Dr. Mark Stark, hereon referred as "Dr. Stark" resides at 12854 Berry Rd., Hudson, OH 44224. He has been employed by UNIVERSITY HOSPITAL MAIN CAMPUS as a Resident Doctor for two years.

3. On information and belief, defendant Dr. Penny Quarters, hereon referred as “Dr. Quarters” resides at 11100 Lovers Ct., Youngstown, OH 44405. She has been employed by UNIVERSITY HOSPITAL MAIN CAMPUS as an Attending Doctor for seven years.
4. Defendant UNIVERSITY HOSPITAL MAIN CAMPUS is located at 11100 Euclid Ave., Cleveland, OH 44106, organized and registered to do business in Ohio.
5. The Court has subject matter jurisdiction over this matter, because Plaintiff seeks compensatory as well as punitive damages within the jurisdiction limits of this Court.
6. Venue is proper because Defendants conducted the activity that gave rise to claim for relief in Cuyahoga County, State of Ohio.

**COUNT ONE:**  
**MEDICAL MALPRACTICE OF EMOTIONAL DISTRESS**

7. Plaintiff incorporates by reference the allegations contained in paragraph 1 through and including 6.
8. On February 1, 2023, Plaintiff went to the Emergency Room at UNIVERSITY HOSPITAL MAIN CAMPUS due to complaining of being nauseous and dizzy from the surgery three days prior.
9. Plaintiff was told that defendant, Dr. Stark, was going to do to an easy procedure called a Lumbar puncture.
10. Plaintiff told Defendant, Dr. Stark, his history with curvature spine and suggested maybe an X-ray to help with procedure.
11. Dr. Stark pokes Plaintiff that he has done this multiple times with this condition and beings the procedure.

12. Dr. Stark pokes Plaintiff three times and he screams that it hurts and just having surgery on his nose he cannot bend his head down.
13. Dr. Stark gets Dr. Quarters to pin down Plaintiff while Dr. Stark pokes again, seven more times while Plaintiff screams and cries.
14. Plaintiff begs Dr. Quarters to perform the procedure.
15. Dr. Quarters pokes Plaintiff ten more times until scheduling the procedure with a radiologist.
16. When in Radiology, the radiologist told Plaintiff that if they were successful at the procedure plaintiff would be paralyzed from the waist down.
17. Due to the pokes Plaintiff does not have any feelings in both legs.
18. The defendants, UNIVERSITY HOSPITAL MAIN CAMPUS, Dr. Mark Stark, and Dr. Penny Quarters owed the Plaintiff duty.
19. The defendants, UNIVERSITY HOSPITAL MAIN CAMPUS, Dr. Mark Stark, and Dr. Penny Quarters breached their duty to the Plaintiff.
20. As an employee of UNIVERSITY HOSPITAL MAIN CAMPUS, Dr. Mark Stark, and Dr. Penny caused physical harm and emotional distress by putting the Plaintiff that much harm and pain.
21. The Plaintiff suffered harm.

WHEREFORE, Plaintiff demands judgement against defendants for the following:

- a) exemplary damages an amount of in excess of \$25,000 as determined by the jury
- b) cost and expenses of this suit; and,
- c) such other and further relief to which the Plaintiff may be justly entitled.

Respectfully submitted,

SYKALUK LAW LLC

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ATTORNEY FOR PLAINTIFF

JURY DEMAND

Plaintiff hereby demands a trial by jury.

By: /s/Axel Sykaluk  
Axel Sykaluk (0021968)  
ATTORNEY FOR PLAINTIFF