

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF FREDERICKSBURG

TAMARA HENRY,

Plaintiff,

v.

Case No. CL10-80

CENTRAL VIRGINIA ORTHOPAEDICS &
SPORTS MEDICINE, P.C., and
MICHAEL H. SNEDDEN, M.D.,

Defendants.

FILED

2010 MAR 30 AM 9:14

FREDERICKSBURG CIRCUIT COURT
SHARON S. MITCHELL, CLERK

[Signature]
D.C.

ANSWER

COME NOW Defendants, Central Virginia Orthopaedics & Sports Medicine, P.C. and Michael H. Snedden, MD., by counsel, and state as follows for their Answer to Plaintiff's Complaint:

1. Defendants admit the allegations in Paragraphs 1, 2 and 3 of the Complaint.
2. The allegations in Paragraph 4 are admitted to the extent that Dr. Snedden was at all times relevant to this Complaint acting within the scope of his professional relationship with Central Virginia Orthopaedics & Sports Medicine, P.C. as a member of the professional corporation.
3. The allegations in Paragraphs 5 through 16 appear to be based on excerpted entries from Plaintiff's medical records. Defendants admit these allegations only to the extent that they are corroborated by the actual medical records in appropriate clinical context. To the extent that any allegations are selectively taken out of context, characterized or paraphrased; or if the allegations

are not corroborated by the medical records and/or the testimony of the parties and witnesses in this case, the Defendants deny them and call for strict proof thereof.

4. The allegations in Paragraph 17 are not factual allegations, but require a legal conclusion and, therefore, no response is necessary.

5. The allegations in Paragraphs 18, including subparts (a) through (j), 19, 20 and 21 are denied and Defendants call for strict proof thereof.

AFFIRMATIVE DEFENSES

1. Defendants deny all allegations made in the Complaint, which are not expressly admitted in their Answer.


2. Defendants deny that they or anyone for whom they are responsible in law or in fact breached any duty or were guilty of any negligence proximately causing or efficiently contributing to the damages and injuries complained of and accordingly, call for strict proof thereof.

3. Defendants intend to rely on the provision of Va. Code § 8.01-581.15 and, without admitting liability in any fashion, assert that they cannot be held responsible for any damage in excess of the limit provided for in said statute.

4. Defendants affirmatively assert that they, and their agents and employees, complied with the standard of care for similarly situated health care providers in the Commonwealth of Virginia.

5. Defendants reserve the right to expand, alter, enlarge or amend their Answer and Affirmative Defenses as additional information is developed through the discovery process or trial of this matter.

CENTRAL VIRGINIA ORTHOPAEDICS AND SPORTS
MEDICINE, P.C., and MICHAEL H. SNEDDEN, M.D.

By 
Counsel

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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of March, 2010, I sent via mail,
postage prepaid, a true copy of the foregoing to:

Jonathan M. Petty, Esquire
Williamson & Lavecchia, L.C.
6800 Paragon Place, Suite 233
Richmond, Virginia 23230
Counsel for Plaintiff

