

Petition

TO:

**Civil Procedural Rules Committee
Pennsylvania Judicial Center
601 Commonwealth Ave.
Suite 6200
P.O. Box 62635
Harrisburg, PA 17106
p. 717-231-9555**

FROM:

**The Rising Doctors of Podiatric Medicine
Temple University School of Podiatric Medicine
8th and Arch Street
Philadelphia, PA**

IN RE:

**Proposed Amendment to Supreme Court Rules of Civil
Procedure relating to Venue in Medical Malpractice Cases:**

To the Committee:

We, the undersigned, are students at the Temple University School of Podiatric Medicine. We have been made aware of the proposal of your Committee to amend certain rules of civil procedure which relate to the venue of professional liability, or medical malpractice cases.

We respectfully submit:

1. The proposed change would do away with the restriction on "forum shopping," which had been instituted because of a Malpractice Crisis seen in 2002.
2. In 2002., the Commonwealth was seeing costly medical malpractice litigation that was affecting the ability of doctors and hospitals to provide common or advanced care to the citizens of Pennsylvania.
3. "According to data from the Medical CAT Fund during 2001, physicians in active clinical practice decreased by nearly 11 percent between 1997 and 2000" Hospital and Healthsystem Association of Pennsylvania
4. In response to this crisis, the General Assembly of Pennsylvania passed MCARE (Medical Care Availability and Reduction of Error Act, 40 P.S. §§ 1303.101, et seq).



5. Pursuant to the terms in Act 13, after a statewide effort, the Supreme Court promulgated new rules aimed at "restoring balance and fairness to medical malpractice litigation" within the state.

6. The Supreme Court amended its rules of civil procedure related to venue in medical malpractice actions. These changes defined the venue within which a plaintiff could initiate a malpractice suit to the county in which the cause of action arose.

7. This limit was instituted in response to the process of "forum shopping", which had resulted in a flight of cases to Philadelphia County, even though the cause of action had taken place outside of Philadelphia County.

8. This 2003 rule change produced the exact results that it was intended to produce. Court cases filed in Philadelphia fell off dramatically as cases were brought in the county in which the cause arose.

9. This 2018 proposed rule change is published without reference to ANY fact which would justify the return to the forum shopping which the current rule prohibits.

10. The proposed repeal of the venue rule is uncalled for as the data upon which it is based supports the opposite conclusion.

- The system employing the venue rules, as structured for the past 15 years, is working.
- There is NO evidence that due process, court access, or justice has been denied any plaintiff, nor is there any evidence that forum shopping has ever promoted patient care.
- There is no state in which forum shopping, as promoted by the proposed rule change, has been shown to serve the community.

11. The Senate of the Commonwealth has proposed that a study be undertaken by the Senate Legislative Budget and Finance Committee in order to determine the "...the impact of the proposed venue change pending before the Supreme Court's Civil Procedural Rules Committee."

12. Should this rule change go into effect, then the climate for the practice of podiatric medicine and surgery in Pennsylvania will militate towards the undersigned seeking practice opportunities in other states.

We, the undersigned, respectfully submit that this proposed rule change is an unnecessary proposal that address a nonexistent problem; and that the proposal, if implemented, will create an unwarranted challenge to maintaining the finest healthcare system in the Commonwealth.

We implore, in the alternative, that: A. the Committee rescind the proposed rule change; B. the Court deny the proposed changes to Pennsylvania Rule of Civil Procedure 1006 or C. that the Court delay any action on the proposed rule change pending the outcome of the study proposed by the Senate of the Commonwealth.


The future of health care in the Commonwealth is in your hands.

Venue Petition

Name	Class
Akhil Korrapati AK	2021
Tyler Verdani TV	2021
Deon Guduru DG	2021
Neil Patel NP	2021
Colin Kalabanka	2021
Casser Farishata	2021
Ousmane Toure	2021
Jessica Charles	2021
Chirag Soni	2021
Elizabeth Connolly	2021
Timothy Vo	2021
Genise Kennedy	2021
A. Bruce Perkins III	2021
Avery Thomson AT	2021
Samuel Straus	2021
Robert Middleton	2021
Shaun Novoselski	2021
Ryan Callahan	2021
Brady Biscornier BB	2021
Ryan McCowan RM	2021
Rebecca Varney RV	2021
Alexander Colley AC	2021
_____	2021
Amir P. Alikhani	2021
Jammar Abueldoleh	2021

Forum Shopping Resolution

- Dr. Pontious

Name	Class
Ali Qadri - 	2021
John Roth	2022
John Campbell	2022
Ryan Sherry	2022
Amar Desai	2022
Taimur Hasan	2022
Sudashan Mullajudi	2022
Mamoon Barbandi	2022
Dan Austin	2022
Nicole Currier	2022
Sal Fazio	2022
Amanda Gallagher	2022
Saman Khatt	2022
Steffie Van	2022
Jensan Jeyanathan	2022
Jinny Link	2022
RON ADDER	2022
Mike Sicilia	2022
Tony Mina	2022
Maari Ahmad	2022
Dina Sadek	2022
Monica Parameswaran	2022
Ifeoma Nwaledzie	2022
Jess Somma	2022
Neelum Patel	2022

- Details in 2018/2019 Fb Group

Venue Petition

Name	Class
Stetson DeMartino	2021
Rachel Novick	2021
Talia Brown	2021
Kevin Diep	2021
Ivan Suarez	2021
Cindy Duong	2021
Vannhi Huynh	2021
Phi Huynh	2021
Sumadh Ambardar	2021
Marisa Mosier	2021
Husang Lee	2021
Noah Kirshner	2021
Arden Harada	2021
Dhara Doshi	2021
Michelle Garcia	2021
Molly Ichikawa	2021
Meily Machado	2021
Jaclyn D. Weinger	2021
Mai Pham	2021
Mimi Niktaoh	2021
Judy Tan	2021
Wei Tian	2021
Isana Fils-Aime	2021
Hafsah Dean	2021
Grant Schindler	2021

Name

Class

Brandon Kelemen	2021
Emily Lobos / Gang	2021
Victoria M. Polte	2021
MELISSA MURSKI MulMM	2021
Brooke Smith	2021
Eric Nam	2021
Kurt Henly	2021
Growtham Eamani	2021
Arish Patel	2021
Casey Gerety	2021
Bianca Kamden	2021
Jainik Moinis	2021
Isha Dora	2021
S. Shree	2021
Krishna Attabadi	2021
Riya Voe	2021
Varsha Atulurn	2021
Jessica Singh	2021
Jhanika A. McChauhan	2021
Esther Exantus	2021
Hoa Phan	2021
Shuja Abbas	2021
Shivani Kutwal	2021
Fahad Hussain	2021
Anna-Maria Burachek	2021

Name

Class

Priyanka Reddy

2022

Asha Blades

2022

Sarah Ayvazov

2022

Kaina Louis-Charles

2022

Christie Stawicki

2022

Georgia Xenophonter

2022

Jeffrey Ng

2022

Greg Aubertin

2022

Anthony Schwab

2022

Aaron Rathsam

2022

~~Matt~~ Lee Tiberi

2022

Alexandra Brown

2022

Fadi Issa

2022

Jennifer Kipp

2022

Mike Shulmister

2022

David Siegel

2022

Linsay Andrews

2022

Anthony Nihco

2022

Luis Caporusso

2022

Justin Garvin

2022

Patrick Robinson

2022

Sumadh Ambardar

2021

Stephanie Golding

2020

Jason Wellner (Jason Wellner)

2020

Name

Class

Sarah Wilmot	2021
Josef Elouze	2021
Sai Vemula	2021
Kristel Smith	2021
Ali Qadri	2021
Nicole Mosley	2021
Edward Kwon	2021
Andrew Lam	2021
Jackson Powers	2021
Binh Le	2021
Ciana Febrina	2020
Jae Tran	2020
Rami Basatneh	2019
Gabrielle Uptegraph	2022
Jacob Nassret	2020
Sam Gorelik	2020
Kalen Farr	2020
Sonya Wali	2020
Joyann Oakman	2019
Joshua Ekladios	2020
Meng Li	2020
Walter Payne	2019
Jennifer Levi	2019
COREY DREW	2019
Alyssa Mayer	2019