

**District Court for Prague 4 Court Regiment**

Na Míčánkách  
28th Regiment 1533 / 29b  
100 83 Prague 10 - Vršovice  
Česká republika

**Complainant:**

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**Defendants:**

1. European Patient Service s.r.o.
2. Uroklinum s.r.o.
3. MuDr. Joseph Stolz, Urologická klinika Uroklinum Praha

**Case number:** 60 C 328/2018

# Reply

to call for the formal deficiencies of the claim to be remedied

In response to the Court's request, dated January 7th 2019, delivered again on April 19<sup>th</sup> 2019, case number 60 C 328/2018, asking for formal deficiencies of the lawsuit which the Complainant filed in person on December 3rd 2018 in Prague to be remedied, the Complainant respectfully submits the following:

- 1) The Complainant seeks reimbursement in the amount of CZK 200,000.00 (*two hundred thousand Czech Korunas*). Any higher amount is as per Court's discretion, considering the extent of damages Defendants' actions brought upon the Complainant;
- 2) The amount of CZK 200,000.00 (*two hundred thousand Czech Korunas*) which Complainant seeks to be reimbursed by the Defendants—as outlined on pages 21st through 23rd of the lawsuit filed on December 3rd 2018—includes both:
  - (a) the cost of Defendants' deficient services—where Defendants failed to deliver on each and every arrangement established in writing as evidenced in annexed email communication, then failed to provide the Complainant with timely and sufficient refund—as well as
  - (b) the damages Defendants' actions brought upon the Complainant—including gross negligence in diagnosing Complainant's health problem, the resulting significant damages due to the delay in establishment of comprehensive diagnosis, the delay in undertaking of necessary treatment when Complainant's injuries could be repaired and resolved more easily, the delay in supplementation of evidence in criminal assault case being cause of these injuries, as well as the prolonged physical, mental and emotional suffering;
- 3) All three Defendants listed in the lawsuit filed on December 3rd 2018 are responsible, because—as evidenced in documents attached to the lawsuit—all three parties were involved:
  - (a) European Patient Service s.r.o.,
  - (b) Uroklínikum s.r.o.,
  - (c) MuDr. Joseph Stolz, Urologická klinika Uroklínikum Praha;
- 4) The cause of action qua the Defendants first arose on December 14, 2015;

Aside from the detailed information the Complainant provided in the lawsuit filed on December 3rd 2018 and, most importantly, in the 37 documents annexed to the lawsuit—including email communication and medical documentation—which fully corroborate all statements contained in the lawsuit, and extensively answer the who, when and what questions Honorable Court seeks answers to, the Complainant respectfully submits that the

Honorable Court conducts proper evidentiary proceedings, including studying evidence provided and ordering hearings if there any doubts or unanswered questions still remain. The Complainant therefore attaches to the herein reply the following:

- Four copies of the lawsuit filed on December 3rd 2018, where on page 23rd– mentioned next to CZK 200,000.00 (*two hundred thousand Czech Korunas*)–the word “at least” should be therefore disregarded, as the exact amount of CZK 200,000.00 (*two hundred thousand Czech Korunas*) is claimed, and any higher amount is as per Court's discretion considering the extent of damages Defendants' actions brought upon the Complainant, and the rest of the lawsuit contents remains unaltered,
- Four copies of all 37 attachments of which the Complainant provided 4 hard copies with the lawsuit filed on December 3rd 2018

Michał Siemaszko

Annexures:

1. 4 x Court fee payment confirmation
2. 4 x copies of the lawsuit filed on December 3rd 2018
3. 4 x Report from examinations and consultations with physician specializing in neurology and plastic surgery, conducted on April 6 and 20, 2018
4. 4 x Clinical images from examinations and consultations with physician specializing in neurology and plastic surgery, conducted on April 6 and 20, 2018
5. 4 x Report from Ultrasound examination of nervous system, conducted on April 6, 2018
6. 4 x Selected frames from Ultrasound examination of nervous system, conducted on April 6, 2018
7. 4 x Report from Magnetic Resonance examination of nervous system, conducted on March 12, 2018
8. 4 x Selected frames from DICOM data from Magnetic Resonance examination of nervous system, conducted on March 12, 2018
9. 4 x Report from Computed Tomography examination of pelvis, conducted on February 13, 2018
10. 4 x Selected images from Optical Coherence Tomography (OCT) examination of area where scars from stab/puncture wounds are visible, conducted on April 6, 2018
11. 4 x Report from Ultrasound examination of urinary tract (images, description), conducted on January 11, 2016
12. 4 x Report from Ultrasound examination of urinary tract (images, description), conducted on January 29, 2014
13. 4 x Email from the Complainant, dated 2015/10/24
14. 4 x Email from the Defendant No. 1, dated 2015/10/25

15. 4 x Email from the Complainant, dated 2015/10/29
16. 4 x Email from the Defendant No. 1, dated 2015/11/05
17. 4 x Email from the Complainant, dated 2015/11/08
18. 4 x Email from the Defendant No. 1, dated 2015/11/12
19. 4 x Email from the Complainant, dated 2015/11/12
20. 4 x Email from the Complainant, dated 2015/11/29
21. 4 x Email from the Defendant No. 1, dated 2015/11/30
22. 4 x Email from the Complainant, dated 2015/12/01
23. 4 x Email from the Defendant No. 1, dated 2015/12/03
24. 4 x Email from the Defendant No. 1, dated 2015/12/07
25. 4 x Email from the Complainant, dated 2015/12/08
26. 4 x Email from the Defendant No. 1, dated 2015/12/08
27. 4 x Email from the Complainant, dated 2015/12/09
28. 4 x Booking.com confirmation of 13-16 December, 2015, stay in Prague
29. 4 x Email from the Defendant No. 1, dated 2015/12/10
30. 4 x "Price List of Facultative Other Services", received in email from the Defendant No. 1, dated 2015/12/10
31. 4 x Email from the Complainant, dated 2015/12/14
32. 4 x Email from the Defendant No. 1, dated 2015/12/30
33. 4 x Invoice from the Defendant No. 1, dated 2015/12/30
34. 4 x Report from USG examination and consultation conducted with the Defendant No. 3 on December 14, 2015, first received by the Complainant in email message dated 2015/12/30
35. 4 x Results from blood and urine examinations conducted at facility operated by the Defendant No. 2, first received by the Complainant in email message dated 2015/12/30
36. 4 x Demand for payment letter, dated 2016/01/28
37. 4 x Response to demand for payment letter, dated 2016/02/12
38. 4 x Second demand for payment letter, dated 2016/02/29
39. 4 x Response to second demand for payment letter, dated 2016/03/10