

16f
51
24

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

AUDREY M. SNOW,

*

Plaintiff,

*

Vs.

*

CIVIL ACTION NO.

CV 03-002238
JCW

ROY C. PAGE; JANE E. REEB;
ARIADNE MEDICAL GROUP;
Fictitious defendants A, B, C, D, E,
and F are those persons,
corporations, partnerships or other
entities who did conspire together
with defendants Reeb and/or Page
and/or AMG in their commission
of the fraudulent acts and practices
upon plaintiff herein alleged and/or
for whose benefit defendants Reeb
and/or Page were acting in
undertaking the conduct at issue
herein, all of whose identities are
presently unknown but who will be
added by amendment upon plaintiff
discovering their identities,

*

*

*

*

*

*

*

*

*

Defendants.

*

COMPLAINT

1. Plaintiff is an adult resident of Mobile County, Alabama.
2. Defendant Roy C. Page is licensed physician engaged in the practice of medicine in Memphis, Tennessee.
3. Defendant Jane E. Reeb is an adult resident of Atlanta, Georgia.

4. Defendant Ariadne Medical Group is a partnership or other entity doing business in Roswell, Georgia and Memphis, Tennessee (hereinafter "AMG. ").

5. Fictitious defendants A, B, C, D, E, and F are those persons, corporations, partnerships or other entities who did conspire together with defendants Reeb and/or Page and/or AMG in their commission of the fraudulent acts and practices upon plaintiff herein alleged and/or for whose benefit defendants Reeb and/or Page were acting in undertaking the conduct at issue herein, all of whose identities are presently unknown but who will be added by amendment upon plaintiff discovering their identities.

6. Defendants Page and Reeb were associated together in the marketing of health seminars and alternative cures for cancer through AMG. Defendant Reeb is the founder/president of AMG and defendant Page is the clinical investigator of AMG.

7. At all times material hereto, defendants Reeb and Page were the agents of one another and of AMG and/or of fictitious defendants A-F and were acting in the course and scope of said agency in engaging in the conduct alleged herein.

8. At all times material hereto, defendants Page and Reeb and fictitious defendants A-F did agree and conspire together to commit the fraudulent acts and practices upon plaintiff herein alleged, and undertook the actions herein alleged in furtherance of said conspiracy.

9. In or about January 1999, plaintiff was diagnosed with ovarian cancer. Subsequent to said diagnosis, defendant Reeb solicited plaintiff to attend a seminar in Memphis to learn more about certain alleged treatments for the potential cure of plaintiff's cancerous condition.

10. In the course of said solicitation, defendant Reeb represented that the treatment being provided by defendants AMG and Page had been previously provided in Germany and that Ms. Reeb was able to get an American doctor, defendant Page, interested in the treatment, which consisted of a so-called "stimulated autologous immune serum."

11. On February 25, 1999, plaintiff and her daughter flew to Memphis and met with defendant Page who represented to plaintiff that he considered there to be an excellent chance plaintiff would respond favorably to the serum treatment and that it could effect a cure of her cancerous condition.

12. Thereafter, plaintiff agreed to undergo treatment through the use of the serum, and gave a check to Dr. Page's office, made payable to AMG, in the amount of \$9,500.00, to pay for her participation in the treatment program.

13. Thereafter, in or about March of 1999, plaintiff received in the mail a bottle of serum from defendants in order to begin administering the serum by syringe to her abdomen, according to the instructions provided. Later, a second bottle of serum was also sent to plaintiff in Mobile.

14. On or about July 1, 1999, defendant Reeb wrote to plaintiff stating that the FDA was conducting a review of the autologous immune serum and that until the review was completed, no new serum or vaccine would be available.

15. Later, plaintiff received a call from defendant Reeb informing her that an orientation seminar would be held in Acapulco, Mexico and in order for her to receive more serum, she would need to have blood drawn and sent to defendant Reeb along with a check for \$5,500.00.

16. Thereafter, defendant Reeb sent a blood draw kit in the mail to plaintiff along with information about the seminar in Mexico and encouraging the plaintiff to have her blood drawn and returned to defendant Page's offices in Memphis, Tennessee.

17. On or about November 4, 2002, laboratory analysis of the serum sent to the plaintiff by defendants revealed it to contain water, lactic acid, a dye substance, and no protein material. Plaintiff was thereafter advised that said substance was without any potential to effect a cure of her cancerous condition.

First Cause of Action

17. Plaintiff hereby refers to and by this reference incorporates herein Paragraphs 1 through 17 hereinabove.

18. Defendants, and each of them, made representations of fact concerning the potential efficacy of the serum provided to her in curing her cancerous condition, which representations were false.

19. Said misrepresentations were made willfully to deceive or recklessly without regard to the truth or falsity of said representations.

20. Plaintiff relied upon said misrepresentations to her detriment.

21. As a proximate result, plaintiff has incurred damages in the loss of monies paid to defendants and other expenses incurred in connection with the serum treatment program marketed by defendants. Plaintiff has also suffered

emotional distress and mental anguish as a result of the fraud practiced upon her.

22. Said fraud was gross, malicious, oppressive and committed with an intent to injure the plaintiff.

WHEREFORE, the premises considered, plaintiff prays for a judgment against defendants and each of them, for compensatory and punitive damages in excess of the jurisdiction of this Court, for costs of suit herein incurred, and for such other and further relief as the Court may deem just and proper.

Second Cause of Action

23. Plaintiff hereby refers to and by this reference incorporates herein Paragraphs 1 through 17 hereinabove.

24. Defendants, and each of them, made representations of fact concerning the potential efficacy of the serum provided to her in curing her cancerous condition, which representations were false.

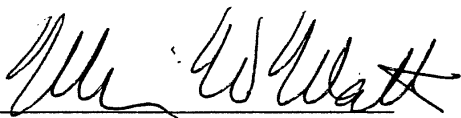
25. Said misrepresentations were made negligently or by mistake and innocently.

26. Plaintiff relied upon said misrepresentations to her detriment.

27. As a proximate result, plaintiff has incurred damages in the loss of monies paid to defendants and other expenses incurred in connection with the serum treatment program marketed by defendants. Plaintiff has also suffered emotional distress and mental anguish as a result of the fraud practiced upon her.

WHEREFORE, the premises considered, plaintiff prays for a judgment against defendants and each of them, for compensatory damages in excess of the jurisdiction of this Court, for costs of suit herein incurred, and for such other and further relief as the Court may deem just and proper.


VICTOR T. HUDSON (HUD012)


WILLIAM W. WATTS, III (WAT028)
Attorneys for Plaintiff

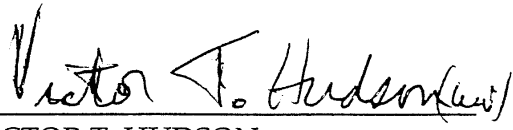
OF COUNSEL:

HUDSON & WATTS, LLP
Post Office Box 989
Mobile, Alabama 36601
(251) 432-7200

STATE OF AL. MOBILE CO.
I CERTIFY THIS
PLEADING WAS FILED
2003 JUN 25 P 1:39 E003


CLERK CIRCUIT COURT

PLAINTIFF REQUESTS TRIAL BY JURY


VICTOR T. HUDSON

PLEASE SERVE DEFENDANTS BY CERTIFIED MAIL:

Ariadne Medical Group
1580 Warsaw Road
Roswell, Georgia 30076

Dr. Roy C. Page
Midsouth Surgical Oncology Center
6005 Park Avenue, Suite 828-B
Memphis, Tennessee 38119

Ms. Jane E. Reeb
4685 Chamblee Dunwoody Road-E2
Atlanta, Georgia 30338

STATE OF AL. MOBILE CO.
I CERTIFY THIS
PLEADING WAS FILED IN

2003 JUN 25 P 1:38


CLERK CIRCUIT COURT