



CJ-11-921

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FEB 10 2011

PATRICIA PRESLEY, COURT CLERK
by [Signature]

Case No.: CJ-2011-921

HENRY A. MEYER, III, as Guardian Ad)
Litem of IVAN ROMERO, JARELL)
FIGUEROA, MADISON CERNOBYL,)
LESLEY LOPEZ, NOAH GONZALEZ,)
JUAN RAMIREZ, ROGELIO ESQUIVEL,)
RAMIRO DE LOS REYES, JUAN ORTIZ,)
JUSTIN MARQUEZ, JESUS ESQUIVEL,)
ANGEL DE LOS REYES, ISRAEL)
CASAS, JESUS JULIAN AGUIRRE,)
JONATHAN CARCAMO, EMMANUEL)
MARTINEZ, MATTHEW CAVAZOS,)
JOSELYN ESPARZA, LESLIE SANTOS,)
KAREN SANTILLAN, YOLANDA)
FLORES, EMILY SIANEZ, BRIDGETTE)
GUZMAN, JOSE CARRILLO, BREANNA)
MENDEZ, LEONARDO RAMIREZ,)
ANGEL PANDO, JESSICA BARBOZA,)
TRINITY DOUGHTY, MICHELLE)
FIERRO, HECTOR FIERRO, RUBEN)
CARCAMO, CARLOS DUENEZ, SARA)
DELOERA, CHEYENNE DOUGHTY,)
WENDY TRAVIZO, ABRIELLA)
CHAVEZ, ARIANNA CAMARILLO,)
ANNA OLIVAS, CRYSTAL ESTRADA,)
MAYRA LOZANO, EDUARDO)
BEDOLLA, Minor Children,)

Plaintiffs,

vs.

FORBA HOLDINGS, LLC; FORBA)
SERVICES, INC.; SMALL SMILES)
HOLDING COMPANY, LLC; SMALL)
SMILES HOLDING COMPANY, LLC)
d/b/a SMALL SMILES DENTAL CLINIC)
of OKLAHOMA CITY a/k/a OKLAHOMA)
SMILES DENTAL CENTER OF SOUTH)
OKLAHOMA CITY a/k/a CHILDREN'S)
DENTAL CLINIC OF OKLAHOMA)
CITY, PLLC; and JIMEMA POITEVIEN,)
D.D.S.; RON QUADE, D.D.S.; DOUGLAS)

DURST, D.D.S.; ERIN HEATHCOCK,)
D.D.S.; MONICA SWITZER, D.D.S.;)
MEGANN SCOTT, D.D.S.; GIANG BINH)
PHAM, D.D.S.; STEPHEN CASH, D.D.S.;)
EUNA CHANG, D.D.S.; ROBERT)
WATSON, D.D.S.; and STEPHEN)
PARKER, D.D.S.;)

Defendants.

PETITION

COME NOW the Plaintiffs, HENRY A. MEYER, III, as Guardian Ad Litem of Ivan Romero, Jarrell Figueroa, Madison Cernobyl, Lesley Lopez, Noah Gonzalez, Juan Ramirez, Regelio Esquivel, Ramiro De Los Reyes, Juan Ortiz, Justin Marquez, Jesus Esquivel, Angel De Los Reyes, Israel Casas, Jesus Julian Aguirre, Jonathan Carcamo, Emmanuel Martinez, Matthew Cavazos, Joselyn Esparza, Leslie Santos, Karen Santillan, Yolanda Flores, Emily Sianez, Bridgette Guzman, Jose Carrillo, Breanna Mmendez, Leonardo Ramirez, Angel Pando, Jessica Barboza, Trinity Doughty, Michelle Fierro, Hector Fierro, Ruben Ccarcamo, Carlos Duenez, Sara Deloera, Cheyenne Doughty, Wendy Travizo, Abriella Chavez, Arianna Camarillo, Anna Olivas, Crystal Estrada, Mayra Lozano, Eduardo Bedolla, Minor Children, and for their complaints against the Defendants, FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC, and Jimema Poitevien, D.D.S.; Ron Quade, D.D.S.; Douglas Durst, D.D.S.; Erin Heathcock, D.D.S.; Monica Switzer, D.D.S.; Megann Scott, D.D.S.; Giang Binh Pham, D.D.S.; Stephen Cash, D.D.S.; Euna Chang, D.D.S.; Robert Watson, D.D.S.; and Stephen Parker, D.D.S.; allege and state as follows:

PARTIES

1. Plaintiff HENRY A. MEYER, III is a resident and attorney in Oklahoma City, Oklahoma. HENRY A. MEYER, III is petitioning the court to be appointed Guardian Ad Litem of the minor children.

2. Defendant FORBA Holdings, LLC, is a limited liability corporation organized under the laws of the State of Delaware, with its principle place of business in Colorado, and is registered and authorized to do business within the State of Oklahoma.

3. Defendant FORBA Holdings, LLC owns, operates, develops, manages and supervises a nationwide chain of clinics, including Defendant, Small Smiles Dental Clinics of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC.

4. Defendant FORBA Services, Inc. is a corporation organized under the laws of the State of Delaware, with its principle place of business in Tennessee.

5. Defendant FORBA Services, Inc., is a wholly owned and/or controlled subsidiary or affiliate company to Defendant FORBA Holdings, LLC.

6. Defendant Small Smiles Holding Company, LLC is a limited liability corporation organized under the laws of the State of Delaware, with its principle place of business in Tennessee.

7. Defendant Small Smiles Holding Company, LLC is the 100% owner of FORBA Holdings, LLC.

8. Defendant Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC, is a for-profit professional limited liability company owned and

operated by Defendants Small Smiles Holding Company, LLC, FORBA Services, Inc. and FORBA Holdings, LLC organized and existing under the laws of the State of Oklahoma with the sole purpose of rendering professional services of dentistry.

9. Defendant Jimema Poitevien, D.D.S. is an Oklahoma dentist licensed to practice dentistry in the State of Oklahoma. At all times mentioned herein, Defendant Jimema Poitevien, D.D.S. was an agent, servant and employee of FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC, and was acting within the course and scope of her employment.

10. At all times relevant herein, Defendant Jimema Poitevien, D.D.S., performed medically substandard, medically unnecessary and painful dental procedures on Ivan Romero on or about August 22, 2007, Jarell Figueroa on or about January 26, 2007, Madison Cernobyl on or about January 4, 2007 and February 12, 2008, Justin Marquez on or about July 9, 2007, Rogelio Esquivel on or about February 12, 2007, Juan Ramirez on or about June 19, 2007 and Lesley Lopez on or about July 25, 2007 for the sole purpose of obtaining compensation from third party payors pursuant to production guidelines promulgated by Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC.

11. Defendant Ron Quade, D.D.S. is an Oklahoma dentist licensed to practice

dentistry in the State of Oklahoma. At all times mentioned herein, Defendant Ron Quade, D.D.S. was an agent, servant and employee of FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC, and was acting within the course and scope of his employment.

12. At all times relevant herein, Defendant Ron Quade, D.D.S., performed medically substandard, medically unnecessary and painful dental procedures on Cheyenne Doughty on or about February 4, 2009, Anna Olivas on or about February 10, 2009, Crystal Estrada on or about February 10, 2009, Bridgette Guzman on or about April 10, 2009 and May 18, 2009, Joselyn Esparza on or about July 22, 2009 and Israel Casas on or about March 10, 2009 and April 7, 2009 for the sole purpose of obtaining compensation from third party payors pursuant to production guidelines promulgated by Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC.

13. Defendant Douglas Durst, D.D.S. is an Oklahoma dentist licensed to practice dentistry in the State of Oklahoma. At all times mentioned herein, Defendant Douglas Durst, D.D.S. was an agent, servant and employee of FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma

Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC, and was acting within the course and scope of his employment.

14. At all times relevant herein, Defendant Douglas Durst, D.D.S., performed medically substandard, medically unnecessary and painful dental procedures on Abriella Chavez on or about June 14, 2007 and Noah Gonzalez on or about September 26, 2006 for the sole purpose of obtaining compensation from third party payors pursuant to production guidelines promulgated by Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC.

15. Defendant Monica Switzer, D.D.S. is an Oklahoma dentist licensed to practice dentistry in the State of Oklahoma. At all times mentioned herein, Defendant Monica Switzer, D.D.S. was an agent, servant and employee of FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC, and was acting within the course and scope of her employment.

16. At all times relevant herein, Defendant Monica Switzer, D.D.S., performed medically substandard, medically unnecessary and painful dental procedures on Jose Carrillo on or about July 7, 2008, Hector Fierro on or about December 28, 2007, Angel Pando on or about June 11, 2008, Leonardo Ramirez on or about July 7, 2008, Noah Gonzalez on or about April 17, 2007, Bridgette Guzman on or about July 10, 2009, Yolanda Flores on or about November 9, 2007, Ramiro De Los Reyes on or about August

10, 2009, Juan Ortiz on or about June 4, 2008, Justin Marquez on or about July 16, 2007, Jesus Esquivel on or about September 18, 2006, Matthew Cavazos on or about September 25, 2008, Joselyn Esparza on or about January 21, 2009, Leslie Santos on or about October 16, 2008, October 19, 2008 and May 26, 2009 and Karen Santillan on or about February 23, 2009 for the sole purpose of obtaining compensation from third party payors pursuant to production guidelines promulgated by Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC.

17. Defendant Megann Scott, D.D.S. is an Oklahoma dentist licensed to practice dentistry in the State of Oklahoma. At all times mentioned herein, Defendant Megann Scott, D.D.S. was an agent, servant and employee of FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC, and was acting within the course and scope of her employment.

18. At all times relevant herein, Defendant Megann Scott, D.D.S., performed medically substandard, medically unnecessary and painful dental procedures on Hector Fierro on or about December 4, 2007, Michelle Fierro on or about April 14, 2008, Trinity Doughty on or about January 21, 2009 and February 4, 2009, Jessica Barboza on or about July 9, 2009, Angel Pando on or about November 5, 2007, Sara Deloera on or about June 11, 2008, Cheyenne Doughty on or about February 28, 2009,

Wendy Trevizo on or about September 4, 2008 and September 19, 2008, Arianna Camarillo on or about June 30, 2008 and September 10, 2009, Mayra Lozano on or about December 27, 2007 and January 12, 2009, Bridgette Guzman on or about March 17, 2009, Breanna Mendez on or about April 14, 2008, Yolanda Flores on or about February 10, 2009, Juan Ramirez on or about June 14, 2007, Ramiro De Los Reyes on or about May 7, 2008, Juan Ortiz on or about April 6, 2007, Jesus Esquivel on or about February 12, 2007, Angel De Los Reyes on or about February 13, 2008, Israel Casas on or about April 3, 2009, Jesus Julian Aguirre on or about October 2, 2007, Jonathan Carcamo on or about July 5, 2007, Emmanuel Martinez on or about April 4, 2007, Matthew Cavazos on or about August 12, 2007, Joselyn Esparza on or about September 23, 2009, Leslie Santos on or about March 8, 2010 and Karen Santillan on or about May 10, 2007 and August 20, 2008 for the sole purpose of obtaining compensation from third party payors pursuant to production guidelines promulgated by Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC.

19. Defendant Erin Heathcock, D.D.S. is an Oklahoma dentist licensed to practice dentistry in the State of Oklahoma. At all times mentioned herein, Defendant Erin Heathcock, D.D.S. was an agent, servant and employee of FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma

Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC, and was acting within the course and scope of her employment.

20. At all times relevant herein, Defendant Erin Heathcock, D.D.S. performed medically substandard, medically unnecessary and painful dental procedures on Carlos Duenez on or about August 8, 2008, Sara Deloera on or about May 14, 2008, Abriella Chavez on or about June 8, 2008, and Emily Sianez on or about June 16, 2008 for the sole purpose of obtaining compensation from third party payors pursuant to production guidelines promulgated by Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC.

21. Defendant Giang Binh Pham, D.D.S. is an Oklahoma dentist licensed to practice dentistry in the State of Oklahoma. At all times mentioned herein, Defendant Giang Binh Pham, D.D.S. was an agent, servant and employee of FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC, and was acting within the course and scope of her employment.

22. At all times relevant herein, Defendant Giang Binh Pham, D.D.S., performed medically substandard, medically unnecessary and painful dental procedures on Angel Pando on or about November 5, 2007 for the sole purpose of obtaining compensation from third party payors pursuant to production guidelines promulgated by

Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC.

23. Defendant Stephen Cash, D.D.S. is an Oklahoma dentist licensed to practice dentistry in the State of Oklahoma. At all times mentioned herein, Defendant Stephen Cash, D.D.S. was an agent, servant and employee of FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC, and was acting within the course and scope of his employment.

24. At all times relevant herein, Defendant Stephen Cash, D.D.S., performed medically substandard, medically unnecessary and painful dental procedures on Angel De Los Reyes on or about July 26, 2006, Jesus Esquivel on or about August 24, 2005, Rogelio Esquivel on or about August 24, 2005, Carlos Duenez on or about August 1, 2008 and Ruben Carcamo on or about June 13, 2005 for the sole purpose of obtaining compensation from third party payors pursuant to production guidelines promulgated by Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC.

25. Defendant Euna Chang, D.D.S. is an Oklahoma dentist licensed to practice

dentistry in the State of Oklahoma. At all times mentioned herein, Defendant Euna Chang, D.D.S. was an agent, servant and employee of FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC, and was acting within the course and scope of her employment.

26. At all times relevant herein, Defendant Euna Chang, D.D.S., performed medically substandard, medically unnecessary and painful dental procedures on Ruben Carcamo on or about July 5, 2007, Cheyenne Doughty on or about January 21, 2009, Wendy Trevizo on or about August 22, 2007, Arianna Camarillo on pr about November 30, 2007, Justin Marquez on or about January 15, 2008, and Jesus Julian Aguirre on or about August 20, 2008 for the sole purpose of obtaining compensation from third party payors pursuant to production guidelines promulgated by Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC.

27. Defendant Robert Watson, D.D.S. is an Oklahoma dentist licensed to practice dentistry in the State of Oklahoma. At all times mentioned herein, Defendant Robert Watson, D.D.S. was an agent, servant and employee of FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma

Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC, and was acting within the course and scope of his employment.

28. At all times relevant herein, Defendant Robert Watson, D.D.S., performed medically substandard, medically unnecessary and painful dental procedures on Wendy Trevizo on or about September 12, 2005 for the sole purpose of obtaining compensation from third party payors pursuant to production guidelines promulgated by Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC.

29. Defendant Stephen Parker, D.D.S. is an Oklahoma dentist licensed to practice dentistry in the State of Oklahoma. At all times mentioned herein, Defendant Stephen Parker, D.D.S. was an agent, servant and employee of FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC, and was acting within the course and scope of his employment.

30. At all times relevant herein, Defendant Stephen Parker, D.D.S., performed medically substandard, medically unnecessary and painful dental procedures on Eduardo Bedolla on or about October 12, 2006 and Rogelio Esquivel on or about February 27, 2006 for the sole purpose of obtaining compensation from third party payors pursuant to production guidelines promulgated by Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding

Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC.

31. Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, own, operate, develop, manage and supervise Defendant Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC.

32. Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC pressured dentists, including Defendants Jimema Poitevien, D.D.S., Ron Quade, D.D.S.; Douglas Durst, D.D.S.; Erin Heathcock, D.D.S.; Monica Switzer, D.D.S.; Megann Scott, D.D.S.; Giang Binh Pham, D.D.S.; Stephen Cash, D.D.S.; Euna Chang, D.D.S.; Robert Watson, D.D.S.; and Stephen Parker, D.D.S. to increase production levels and instituted "contests" to encourage greater production by the dental centers which fostered medically unnecessary, substandard dental care.

33. Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC negligently recruited, hired and trained dentist, including Defendants Jimema Poitevien, D.D.S. Ron

Quade, D.D.S.; Douglas Durst, D.D.S.; Erin Heathcock, D.D.S.; Monica Switzer, D.D.S.; Megann Scott, D.D.S.; Giang Binh Pham, D.D.S.; Stephen Cash, D.D.S.; Euna Chang, D.D.S.; Robert Watson, D.D.S.; and Stephen Parker, D.D.S. and/or other employees employed by its clinics.

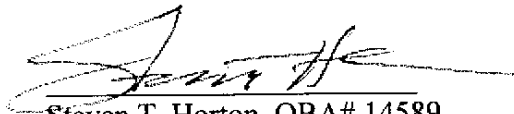
34. Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC threatened and berated its dentists, including Defendants Jimema Poitevien, D.D.S. Ron Quade, D.D.S.; Douglas Durst, D.D.S.; Erin Heathcock, D.D.S.; Monica Switzer, D.D.S.; Megann Scott, D.D.S.; Giang Binh Pham, D.D.S.; Stephen Cash, D.D.S.; Euna Chang, D.D.S.; Robert Watson, D.D.S.; and Stephen Parker, D.D.S. in an effort to increase production which fostered medically unnecessary, substandard dental care.

35. Defendants FORBA Holdings, LLC, FORBA Services, Inc., Small Smiles Holding Company, LLC; Small Smiles Holding Company, LLC, d/b/a Small Smiles Dental Clinic of Oklahoma City a/k/a Oklahoma Smiles Dental Clinic of South Oklahoma City a/k/a Children's Dental Clinic of Oklahoma City, PLLC encouraged and promoted the use of physical restraining methods without the benefit of sedation to increase production.

36. Defendants' conduct constitutes malicious, oppressive, egregious, and reckless disregard for the safety of children justifying an award of punitive damages in excess of \$75,000.00.

WHEREFORE, premises considered, Plaintiffs HENRY A. MEYER, III, as Guardian Ad Litem of Ivan Romero, Jarrell Figueroa, Madison Cernobyl, Lesley Lopez, Noah Gonzalez, Juan Ramirez, Regelio Esquivel, Ramiro De Los Reyes, Juan Ortiz, Justin Marquez, Jesus Esquivel, Angel De Los Reyes, Israel Casas, Jesus Julian Aguirre, Jonathan Carcamo, Emmanuel Martinez, Matthew Cavazos, Joselyn Esparza, Leslie Santos, Karen Santillian, Yolanda Flores, Emily Sianez, Bridgette Guzman, Jose Carrillo, Breanna Mmendez, Leonardo Ramirez, Angel Pando, Jessica Barboza, Trinity Doughty, Michelle Fierro, Hector Fierro, Ruben Ccarcamo, Carlos Duenez, Sara Deloera, Cheyenne Doughty, Wendy Travizo, Abriella Chavez, Arianna Camarillo, Anna Olivas, Crystal Estrada, Mayra Lozano, Eduardo Bedolla, Minor Children, prey this Court award actual and punitive damages in excess of \$75,000.00; and award costs of this action and reasonable attorney's fees of counsel.

Respectfully submitted,



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**ATTORNEY'S LIEN CLAIMED
JURY TRIAL DEMANDED**