KNOX CO CLERK OF COURTS
08/05/2026 11:56 AM
CHRISTY MILLIGAN STATON
Case # 26OT08-0312

IN THE COURT OF COMMON PLEAS
KNOX COUNTY, OHIO

THOMAS FRAZEE Executor of the Estate of Lloyd W. Frazee, Deceased c/o Michael Hill Trial Law 815 Superior Avenue, Suite 623 Cleveland, OH 44114 Plaintiff, vs. OAK HEALTH CARE INVESTORS OF MT. VERNON, INC. d/b/a THE LAURELS OF MT. VERNON 13 Avalon Road Mount Vernon, OH 43050 Also Serve c/o Registered Agent: Registered Agent Solutions, Inc. 4400 Easton Commons Way Suite 125 Columbus, OH 43219 and LAUREL HEALTH CARE COMPANY c/o Registered Agent: Registered Agent Solutions, Inc. 4400 Easton Cmns Ste 125 Columbus, OH 43219 and CIENA HEALTHCARE c/o Registered Agent: Tami L. Hunt 4000 Town Center Suite 2000 Southfield, MI 48075 and MOHAMMED QAZI, President and CEO of Ciena Healthcare	CASE NO. JUDGE **COMPLAINT (REFILED)** **WITH JURY DEMAND AND AFFIDAVIT OF MERIT ATTACHED** Previously filed Case No.: 24MM01-0003 (Previously assigned to: Judge Richard D. Wetzel)

4000 Town Center)
Suite 2000)
Southfield, MI 48075)
)
and)
)
LAUREL OHIO OPERATIONS GROUP,)
LLC)
c/o Registered Agent:)
Registered Agent Solutions, Inc.)
4400 Easton Commons Way)
Suite 125)
Columbus, OH 43219)
)
and)
)
LAUREL HEALTH CARE HOLDINGS, INC.)
c/o Registered Agent:)
Registered Agent Solutions, Inc.)
4400 Easton Cmns Ste 125)
Columbus, OH 43219)
)
and)
)
LAUREL ACQUISITION HOLDING)
CORPORATION)
c/o Registered Agent:)
Registered Agent Solutions, Inc.)
4400 Easton Cmns Ste 125)
Columbus, OH 43219)
)
and)
)
FINANCING VI HEALTHCARE)
PROPERTY, LP)
c/o Registered Agent:)
CT Corporation System)
4400 Easton Commons Way)
Suite 125)
Columbus, OH 43219)
)

Plaintiff, Thomas Frazee, as the Executor of the Estate of Lloyd W. Frazee, refiles his Complaint against the above-named Defendants, and states and avers upon information and belief as follows:

1. Plaintiff, Thomas Frazee, was appointed Executor of the Estate of Lloyd W. Frazee, Deceased, by the Probate Court of Knox County, Ohio, Case No. 20231107. He brings this action for survivorship pursuant to Ohio Revised Code §2305.21, as well as a wrongful death action on behalf of the survivors and beneficiaries of Lloyd W. Frazee, pursuant to Ohio Revised Code §2125.01, et seq. Letters of Authority are attached hereto as Exhibit "A."

2. Defendant, Oak Health Care Investors of Mt. Vernon, Inc. d/b/a The Laurels of Mt. Vernon is a Michigan corporation that holds itself out to the public as a provider of medical and nursing care, including but not limited to, rehabilitation and skilled nursing care, through its agents, operatives and/or employees and does business as The Laurels of Mt. Vernon. The Laurels of Mt. Vernon is managed by Laurel Health Care Company and Ciena Healthcare.

3. Defendant, Laurel Health Care Company, is a Delaware corporation with its principal place of business in Westerville, Ohio that holds itself out to the public as a provider of medical and nursing care, including but not limited to, rehabilitation and skilled nursing care, through its agents, operatives and/or employees and does business as "The Laurels" throughout the Midwest, The Laurels of Mt. Vernon aka Oak Health Care Investors of Mt. Vernon, Inc. Laurel Health Care Company is a part of the Ciena Healthcare Brand.

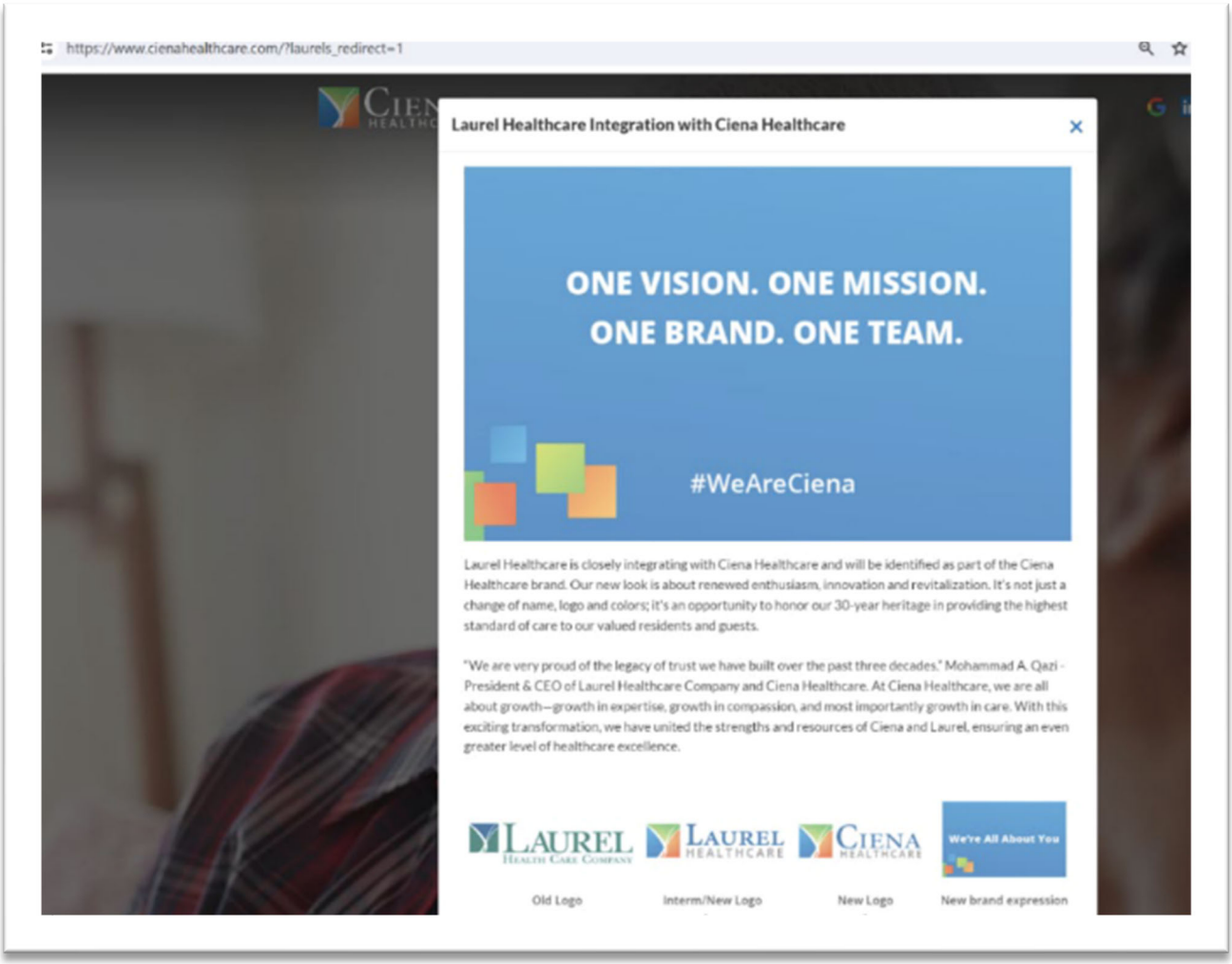


Figure 1: https://www.cienahealthcare.com/?laurels_redirect=1, accessed May 31, 2024.

4. Ciena Healthcare is a Delaware corporation with its principal place of business in Southfield, Michigan that controls all aspects of the Laurel Healthcare Company and holds itself out to the public as a provider of provider of medical and nursing care, including but not limited to, rehabilitation and skilled nursing care, through its agents, operatives and/or employees and does business under the name Laurel Healthcare Company. Laurel Healthcare Company is part of the Ciena Healthcare Brand. Ciena Healthcare manages The Laurels of Mt. Vernon.



Figure 2: https://www.cienahealthcare.com/locations, accessed May 31, 2024.

5. Mohammed Qazi is the Chief Operating Officer and President of Ciena Healthcare and Laurel Healthcare Company. Mr. Qazi is responsible for approving the marketing and advertising, corporate image, staffing, budgeting—including budgeting for staffing, training, and capital expenditures, policies and procedures, and other aspects of the various facilities that are part of the Ciena Healthcare/Laurel Healthcare brand and personally signs contracts on their behalf, including contracts at the local facility level,

such as The Laurels of Mt. Vernon, which affect the day-to-day care provided to individual residents, including Lloyd Frazee.

6. Laurel Ohio Operations Group, LLC is an Ohio corporation that holds itself out to the public as a provider of medical and nursing care, including but not limited to, rehabilitation and skilled nursing care, through its agents, operatives and/or employees and does business as The Laurels of Mt. Vernon aka Oak Health Care Investors of Mt. Vernon, Inc.

7. Laurel Health Care Holdings, Inc. is an Ohio corporation that holds itself out to the public as a provider of medical and nursing care, including but not limited to, rehabilitation and skilled nursing care, through its agents, operatives and/or employees and does business as The Laurels of Mt. Vernon aka Oak Health Care Investors of Mt. Vernon, Inc.

8. Laurel Acquisition Holding Corporation is an Ohio corporation that holds itself out to the public as a provider of medical and nursing care, including but not limited to, rehabilitation and skilled nursing care, through its agents, operatives and/or employees and does business as The Laurels of Mt. Vernon aka Oak Health Care Investors of Mt. Vernon, Inc.

9. Financing VI Healthcare Property, LP is a Delaware corporation that holds itself out to the public as a provider of medical and nursing care, including but not limited to, rehabilitation and skilled nursing care, through its agents, operatives and/or employees. Financing VI Healthcare Property, LP owns the real property where The Laurels of Mt. Vernon aka Oak Health Care Investors of Mt. Vernon, Inc. operates its facility. Financing VI Healthcare Property, LP manages and controls The Laurels of Mt. Vernon aka Oak Health Care Investors of Mt. Vernon, Inc.

10. Defendants The Laurels of Mt. Vernon, Laurel Health Care Company, Ciena Healthcare, Mohammed Qazi, Laurel Ohio Operations Group, LLC, Laurel Healthcare Holdings, Inc., and Laurel Acquisition Holding Corporation are collectively referred to at times as "The Laurels Defendants."

11. The Laurels Defendants employ, manage, and direct the care and service providers who were responsible for Lloyd Frazee's care, treatment, and safety at The Laurels of Mt. Vernon while he was a resident there, and/or are responsible for creating unsafe conditions at the Facility through their control of the Facility management that directly led to Lloyd Frazee's injuries and untimely and wrongful death on January 18, 2023.

12. The Laurels Defendants direct and control operations at the Facility and are therefore directly liable for mismanagement of the Facility without regard to piercing the corporate veil.

13. The Laurels Defendants' organization controls the other corporations in a way that is so complete that the corporations have no separate mind, will, or existence of their own, is exercised in such a manner as to commit fraud or an illegal act against the person seeking to disregard the corporate entity; and injury or unjust loss resulted to the Plaintiff from such control and wrong, meaning The Laurels Defendants should be held directly liable for such harms and losses.

14. The Laurels Defendants collectively own, manage, control, and/or are responsible for the care delivered to residents of Oak Health Care Investors of Mt. Vernon, Inc. d/b/a The Laurels of Mt. Vernon directly or through their domination and control of any putative entity license holder.

15. Plaintiff's decedent, Lloyd W. Frazee, was admitted to The Laurels of Mt. Vernon as a resident on or about March 29, 2022.

16. Lloyd W. Frazee depended on the Defendants, and their respective nursing and medical staff for medical and nursing care, treatment, evaluation and assistance.

17. Throughout his admission, Plaintiff's decedent suffered many fall incidents including a fall on August 2, 2022, resulting in a fractured left hip and a fall on December 4, 2022, resulting in a fractured right hip.

18. On January 3, 2023, Plaintiff's decedent suffered another fall and was transported to the hospital.

19. Lloyd W. Frazee never recovered and died on January 18, 2023.

20. The death certificate, certified by the coroner or medical examiner, lists Decedent Lloyd Waldo Frazee's immediate cause of death as "complications of right hip fracture" due to the fall that occurred on January 3, 2023, at the Defendants' skilled nursing facility. Pursuant to Ohio Revised Code § 313.19, this cause of death is the legally accepted caused of death.

21. Defendants, acting by and through their agents and/or employees, failed to provide proper care and treatment to Lloyd W. Frazee, which they knew or should have known he required, resulting in his injury and death.

22. As a direct and proximate result of these negligent failures and statutory violations, Lloyd W. Frazee suffered conscious pain and suffering, severe and debilitating injuries, including but not limited to hip fractures, and ultimately died on January 18, 2023.

23. Defendants, by and through their agents and/or employees, were negligent in providing personal care services, nursing care and treatment, resident supervision, fall

prevention, fall interventions, and breached its agreement to provide a safe environment for Decedent, Lloyd W. Frazee. As a direct and proximate result of their negligence and breach, Decedent, Lloyd W. Frazee died.

24. Defendants are responsible, inter alia, under the doctrines of respondeat superior and/or agency by estoppel for the negligence of its agents and/or employees.

25. As a result of the wrongful death of Lloyd W. Frazee, the survivors of Plaintiff's Decedent, and other next of kin, suffered damages as set forth in the Ohio Wrongful Death statute, including but not limited to, loss of services of Plaintiff's Decedent; loss of society of Plaintiff's Decedent, including loss of companionship, care, assistance, attention, protection, advice, guidance, counsel, instruction, training and education; mental anguish and grief, caused by the wrongful death of Plaintiff's Decedent; funeral and burial expenses for Decedent in an amount to be determined at trial, and also loss of consortium. The foregoing entitles Plaintiff's decedent's survivors and next of kin to compensation in an amount reasonable, proper and commensurate with their losses herein.

26. Plaintiff's Decedent, Lloyd W. Frazee, is survived, among others, by his son, Thomas Frazee.

27. Plaintiff is also entitled to survivorship damages associated with Decedent's conscious pain and suffering from prior falls, the January 3, 2023 fall, up until his untimely death on January 18, 2023.

28. Defendants, directly or through their employees or agents, violated Plaintiff's decedent's rights as a resident of Defendant's facility, as enumerated in O.R.C. 3721.13, including, but not limited to, the right to a safe environment and adequate and appropriate medical treatment and nursing care.

29. These violations constitute negligence and give rise to a statutory cause of action.

30. As a direct and proximate result of Defendants' violations of O.R.C. 3721.13, Plaintiff's decedent endured conscious pain and suffering and disability, incurred medical expenses, and was otherwise harmed.

WHEREFORE, Plaintiff requests a jury trial and requests judgment against Defendants, jointly, in an amount in excess of Twenty-Five Thousand Dollars ($25,000.00), plus interest, costs, attorneys' fees and expenses, punitive and exemplary damages, and any other relief to which the court finds is appropriate and/or equitable.

A TRIAL BY JURY IS HEREBY DEMANDED

Respectfully Submitted,

/s/ Michael A. Hill
MICHAEL A. HILL (0088130)
MOLLY MORRIS (0102510)
C. JOSEPH MCCOY (0092669)
MICHAEL HILL TRIAL LAW
815 Superior Avenue, Suite 623
Cleveland, Ohio 44114
(800) 659-2712 | (216) 716-2507 (f)
michael.hill@protectseniors.com
molly.morris@protectseniors.com
joe.mccoy@protectseniors.com
www.protectseniors.com

Danny M. Newman Jr. (0074740)
THE DONAHEY LAW FIRM, LLC
471 e. Broad Street, Suite 1520
Columbus, Ohio 43215
(t) 614-224-8166 / (f) 614 849-0475
danny@donaheylaw.com

Counsel for Plaintiff

IN THE COURT OF COMMON PLEAS, KNOX COUNTY, OHIO

THOMAS FRAZEE, Executor
of the Estate of Lloyd W. Frazee, Deceased

Plaintiff,

v. Case No. 24MM01-0003

OAK HEALTH CARE INVESTORS OF
MT. VERNON, INC., et al., Judge Richard D. Wetzel

Defendants.

AFFIDAVIT OF MERIT

Now comes affiant, Charles Jeffrey Lee, D.O., and hereby deposes and affirms as follows:

1. I am an adult, over the age of eighteen (18), of sound mind and competent to testify to the matters herein.
2. I am a physician licensed in the State of Ohio as such.
3. I am the Chief Forensic Pathologist and Deputy Coroner of Licking County, Ohio.
4. I submit this Affidavit of Merit in accordance with Ohio Rules of Civil Procedure 10(D)(2)(a).
5. I was provided with, and have reviewed, certain medical records reasonably available to the Plaintiff and certain documents reasonably available to the applicable coroner's office concerning the allegations contained in Plaintiff's Complaint.
6. I have reviewed the aforementioned records, documents and investigative file related to the death of Lloyd Waldo Frazee as investigated by the applicable coroner's office.

7. As the Deputy Coroner that executed the Certificate of Death regarding the death of Plaintiff's decedent, Lloyd Waldo Frazee, I investigated the death of Lloyd Waldo Frazee as it relates his immediate cause of death and conditions that led to his immediate cause of death.

8. Based on the information and documentation provided to me and my review of same, as well as my investigation, and based on my education, training and experience, it is my professional opinion, to a reasonable degree of medical certainty, that the immediate cause of death of Lloyd Waldo Frazee on January 18, 2023, was "complications of right hip fracture" that was due to or a consequence of a "ground level fall" and that specific fall occurred on January 3, 2023, at a facility located at 13 Avalon Road, Mount Vernon, Ohio, whereby Mr. Frazee suffered a "fall from standing position."

Further Affiant sayeth naught.

Charles J. Lee, D.O.

Charles Jeffrey Lee, D.O.

Sworn to and signed in my presence this 09 day of January, 2025.

Brittany Mitchell

Notary Public



IN THE COURT OF COMMON PLEAS, KNOX COUNTY, OHIO

THOMAS FRAZEE, Executor
of the Estate of Lloyd W. Frazee, Deceased,

Plaintiff,

v. Case No. 24MM01-0003

OAK HEALTH CARE INVESTORS OF
MT. VERNON, INC., et al., Judge Richard D. Wetzel

Defendants.

AFFIDAVIT OF MERIT

I, Gina D'Angelo, R.N., B.S.N., do hereby depose and affirm as follows:

1. I am an adult and competent to testify to the matters herein.
2. I am a Registered Nurse licensed in the States of Delaware and New York.
3. I submit this Affidavit of Merit in accordance with Ohio Rules of Civil Procedure 10(D)(2)(a).
4. I am familiar with the standards of care applicable to this case, including but not limited to, nursing care and treatment of residents of skilled nursing facilities and the standards of care involving nursing practice, patient care, and patient safety in skilled nursing facilities.
5. I was provided with, and have reviewed, all of the medical records and facility records of the Defendant skilled nursing facility reasonably available to the Plaintiff concerning the allegations contained in Plaintiff's First Amended Complaint.
6. Based upon the information and documentation provided to me and my review of same, and based on my education, training, and experience, it is my opinion that the standards of care relative to the skilled nursing facility, nursing practice, fall prevention and intervention, patient care, and patient safety regarding Plaintiff's decedent, Lloyd W.

Frazee, were breached by the Defendant Oak Health Care Investors of Mt. Vernon, Inc., d/b/a The Laurels of Mt. Vernon, Defendant Laurel Health Care Company, Defendant Ciena Healthcare, Defendant Mohammed Qazi, Defendant Laurel Ohio Operations Group, LLC, Defendant Laurel Health Care Holdings, Inc., Defendant Laurel Acquisition Holding Corporation and Defendant Financing VI Healthcare Property, LLC, and that said breaches caused Lloyd W. Frazee to suffer various falls and such falls caused injuries.

Further Affiant sayeth naught.

GINA D'ANGELO, R.N.

Sworn to and subscribed in my presence by Gina D'Angelo, R.N., this 21 day of Jan, 2025.

Notary Public

My Commission Expires: Dec 10 2025

MICHELE C. EWING NOTARY PUBLIC STATE OF DELAWARE MY COMMISSION EXPIRES DECEMBER 10, 2025

EXHIBIT

A

exhibitsticker.com

FILED
KNOX COUNTY
2023 DEC -1 PM 2:44
PROBATE/JUVENILE COURT
MT. VERNON, OHIO

PROBATE COURT OF KNOX **COUNTY, OHIO**

ESTATE OF LLOYD W. FRAZEE **, DECEASED**

CASE NO. 20231107

ENTRY APPOINTING FIDUCIARY; LETTERS OF AUTHORITY

[For Executors and all Administrators]

Name and Title of Fiduciary Thomas Frazee, Executor

On hearing in open Court the application of the above fiduciary for authority to administer decedent's estate, the Court finds that;

Decedent died **[check one of the following]** ☒ testate - ☐ intestate - on January 18, 2023, domiciled in Gambier, Knox County, Ohio.

[Check one of the following] ☒ Bond is dispensed with by the Will - ☐ Bond is dispensed with by law - ☐ Applicant has executed and filed an appropriate bond, which is approved by the Court; and

Applicant is a suitable and competent person to execute the trust.

The Court therefore appoints applicant as such fiduciary, with the power conferred by law to fully administer decedent's estate. This entry of appointment constitutes the fiduciary's letters of authority.

12-1-23
Date

PROBATE JUDGE

CERTIFICATE OF APPOINTMENT AND INCUMBENCY

The above document is a true copy of the original kept by me as custodian of the records of this Court. It constitutes the appointment and letters of authority of the named fiduciary, who is qualified and acting in such capacity.

Probate Judge/Clerk

by Lisa Maeland

[Seal]

12-1-23
Date