



## Woman said doctor assaulted her during medical exam

**Type:** Decision-Plaintiff

**Amount:** \$313,550

**State:** California

**Venue:** Los Angeles County

**Court:** Superior Court of Los Angeles County, Torrance, CA

**Injury Type(s):**

- *mental/psychological* - emotional distress

**Case Type:**

- *Professional Negligence*
- *Intentional Torts* - Sexual Assault; Sexual Battery

**Case Name:** Jane Doe v. Phillip Chung Phil Paik, M.D., No.

**Date:** December 10, 2007

**Plaintiff(s):**

- Jane Doe (Female)

**Plaintiff Attorney(s):**

- Pejman A. Ben-Cohen; Novak & Ben-Cohen, LLP; Beverly Hills CA for Jane Doe
- Timothy A. Loranger; Novak & Ben-Cohen, LLP; Beverly Hills CA for Jane Doe

**Defendant(s):**

- Phillip Chung Phil Paik, M.D.

**Defense Attorney(s):**

- Phillip Chung Phil Paik; Pro Per for Phillip Chung Phil Paik, M.D.

**Facts:** On Sept. 14, 2004, the plaintiff went to the office of Phillip Chung Phil Paik in Torrance for a follow-up appointment after undergoing eyelash surgery. During the examination, she alleged that Paik made sexual comments and inappropriately groped and touched her buttocks, breasts, thighs and other parts of her body. He also allegedly unhooked her bra, rubbed her back and asked if she wanted a massage. She further claimed that he lifted her skirt and rubbed her inner thighs.

On Sept. 17, the plaintiff filed a report with the Torrance Police Department for sexual battery and also filed for a temporary restraining order. She later filed a complaint with the Medical Board of California and on Dec. 7, 2005, the board officially filed an accusation against Paik.

The plaintiff then sued Paik, alleging sexual assault, sexual battery and professional negligence.

Paik filed an answer denying the allegations, but when he did not appear at trial his answer was stricken.

**Injury:** The woman claimed she suffered severe emotional distress and psychological injuries as a result of the assault and battery. She sought and received extensive psychological counseling over a period of 19 months. While she made some improvements over time, she continues to suffer from the effects of the attack, she alleged.

She sought \$313,555 in medical expenses, as well as additional compensatory damages for emotional pain and suffering.

**Result:** Judge Cary H. Nishimoto issued a default judgment for the plaintiff in the amount of \$313,550.

### **Trial Information:**

**Judge:** Cary H. Nishimoto

**Editor's Comment:** This report is based on information that was provided by the plaintiff's counsel. The pro per defendant was not asked to contribute.

**Writer** Julie Bratvold