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STEVEN VIDAL, an infant, by his mother  
and natural guardian LETICIA HERNANDEZ, :  
and LETICIA HERNANDEZ, individually,

Index.: 20062/2013

Plaintiffs,

NEW YORK CITY HEALTH &  
HOSPITALS CORPORATION, LINCOLN  
HOSPITAL and BELLEVUE HOSPITAL  
CENTER

**INFANT'S  
COMPROMISE ORDER**

Defendants.

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Upon reading and filing the Petition of LETICIA HERNANDEZ dated August 21, 2013,  
and the Affirmation of MARTHA GOLD, ESQ., dated August 21, 2013, and the exhibits  
attached thereto; and,

It further appearing that the infant-plaintiff STEVEN VIDAL, was born on October 23,  
2007 and is presently approximately six years old, and it further appearing that the best interest of  
the infant-plaintiff will be served by settlement of the within action, and after due deliberation  
having been had thereon, and upon all the papers and proceedings heretofore had herein, the  
papers and proceedings heretofore had herein,

YORK CITY HEALTH AND HOSPITALS CORPORATION, LINCOLN HOSPITAL AND BELLEVUE HOSPITAL CENTER, for the sum of ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS to be paid as follows:

SIXTY EIGHT THOUSAND SEVEN HUNDRED FIFTY TWO AND SIXTY EIGHT CENTS (\$68,752.68) for conscious pain and suffering to be made payable and deposited to LETICIA HERNANDEZ as parent and natural guardian of the infant STEVEN VIDAL together with an officer of the following savings bank, in trust for the exclusive use and benefit of STEVEN VIDAL until he reaches his majority, to be deposited in such designated depositories in an insured, interest bearing account, certificate of deposit, bank money market fund or other bank instrument insured by the Federal Deposit Insurance Corporation, at the highest legal rate of interest available.

Such funds shall be deposited aforesaid with the following depositories:

1. The sum of Thirty One Thousand Two Hundred Thirty Nine Dollars and Twenty-Five Cents (\$31,239.25) jointly with an Officer of the Bank of America located 329 E. 149th Street, Bronx, NY 10459.
2. The sum of Thirty One Thousand Two Hundred Thirty Nine Dollars and Twenty-Six Cents (\$31,239.26) jointly with an Officer of Chase Bank located at 360 E. 149th Street, Bronx, NY 10455.

GOLD, in the sum of One Thousand Seven Hundred Eighty One Dollars and Eighty-Eight Cents (\$1,781.88), shall be deducted from the sum of the One Hundred Thousand (\$100,000.00) dollars as reimbursement to said attorney and the remaining sum thereof in the amount of Ninety Eight Thousand Two Hundred Eighteen Dollars and Twelve cents shall be subject to attorney fees payable to THE LAW OFFICE OF MARTHA GOLD, in the amount of Twenty Nine Thousand Four Hundred Sixty Five and Forty Four cents (\$29,465.44) pursuant to Judiciary Law § 474-a; and it is further

**ORDERED**, the loss of services cause of action for LETICIA HERNANDEZ is withdrawn; and it is further

**ORDERED**, that the filing of a bond be dispensed with; and it is further

**ORDERED**, that LETICIA HERNANDEZ hereby be granted leave to sign all necessary papers to effectuate this settlement; and it is further

**ORDERED**, that upon his eighteenth birthday the infant- plaintiff STEVEN VIDAL be given access to the money to which he is entitled to and the funds be released to his control.

ENTER,

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J.S.C

Plaintiffs, :

-against- :

**ATTORNEY'S  
AFFIRMATION**

NEW YORK CITY HEALTH & HOSPITALS  
CORPORATION, LINCOLN HOSPITAL, and BELLEVUE  
HOSPITAL CENTER

Defendants. :

STATE OF NEW YORK    )  
                                  ) ss.:  
COUNTY OF NEW YORK )

MARTHA GOLD, ESQ., an attorney duly admitted to practice law before the Courts of State of New York, hereby affirms the following pursuant to the penalties of perjury:

1. I am the attorney of record in the above-entitled action and as such I am fully fam with all the facts and circumstances contained herein.

2. This Affirmation is submitted in support of the plaintiff's application seek permission to settle and compromise the case of the infant-plaintiff, STEVEN VIDAL (hereina "STEVEN") against the above-named defendants NEW YORK CITY HEALTH AND HOSPITA CORPORATION, (hereinafter "NYCHHC") BELLEVUE HOSPITAL (hereinafter "BELLEVVU and LINCOLN HOSPITAL (hereinafter "LINCOLN").

3. On September 24, 2012 LETICIA HERNANDEZ, the mother and natural guard of the infant-plaintiff, retained THE LAW OFFICE OF MARTHA GOLD, to represent her inf son, STEVEN, and to represent her individually in a medical malpractice action regarding the c and treatment of STEVEN at LINCON HOSPITAL (hereinafter "LINCOLN") and BELLEV HOSPITAL CENTER (hereinafter "BELLEVUE").

4. At that time LETICIA HERNANDEZ signed a retainer agreement (Exhibit "

- (iii) 20 per cent of the next \$500,000 of the net sum recovered;
- (iv) 15 per cent of the next \$250,000 of the net sum recovered;
- (v) 10 per cent of any amount over \$1,250,000 of the net sum recovered.

5. THE LAW OFFICE OF MARTHA GOLD, filed a retainer statement with Offices of Court Administration and obtained retainer statement number 3688572 JAN 13.

6. On September 25, 2012 THE LAW OFFICE OF MARTHA GOLD filed a Notice of Claim against the defendants NYCHHC, LINCOLN, and BELLEVUE alleging medical malpractice in the care and treatment of infant-plaintiff STEVEN in that they failed to properly and promptly diagnose and treat the infant-plaintiff's ear infection causing it to spread. (Exhibit "B")

7. On January 30, 2013 THE LAW OFFICE OF MARTHA GOLD represented LETICIA HERNANDEZ at a 50-H Hearing where she appeared and gave sworn testimony regarding her sons's case.

8. When the 50-H Hearing transcript was received it was reviewed by this office and then sent to the plaintiff for correction.

9. On January 7, 2013 THE LAW FIRM OF MARTHA GOLD, instituted a medical malpractice lawsuit against NYCHHC, LINCOLN and BELLEVUE, claiming that because of medical and hospital negligence and malpractice, they failed to diagnose and treat the infant's ear infection leading to a sixth nerve palsy which has since resolved. The defendants NYCHHC, LINCOLN and BELLEVUE in the aforesaid actions answered the complaint by Schiavetti, Corgi & DiEdwards, Weinberg & Nicholson dated February 13, 2013. (Exhibit "C")

10. Additionally, an action was brought on behalf of LETICIA HERNANDEZ for 100 hours of services.

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