

Date of This Payment: 08/06/2013  
 This Payment Represents: A SINGLE FINAL PAYMENT  
 Total Amount Paid or to Be Paid by This Payer for This Practitioner: \$ 1,000,000.00  
 Payment Result of: SETTLEMENT  
 Date of Judgment or Settlement, if Any: 06/03/2013  
 Adjudicative Body Case Number: 800304/11  
 Adjudicative Body Name: NYS SUPREME COURT COUNTY OF NEW YORK  
 Court File Number:  
 Description of Judgment or Settlement and Any Conditions, Including Terms of Payment: CASE SETTLED FOR \$1,000,000 ON BEHALF OF THIS INSURED.  
**PAYMENTS BY THIS PAYER FOR OTHER PRACTITIONERS IN THIS CASE**  
 Total Amount Paid or to Be Paid by This Payer for All Practitioners in This Case: \$ 1,000,000.00  
 Number of Practitioners for Whom This Payer Has Paid or Will Pay in This Case: 1

**PAYMENTS BY OTHERS FOR THIS PRACTITIONER**

Has a State Guaranty Fund or State Excess Judgment Fund Made a Payment for This Practitioner in This Case, or Is Such a Payment Expected to Be Made?: NO  
 Amount Paid or Expected to Be Paid by the State Fund:  
 Has a Self-Insured Organization and/or Other Insurance Company/Companies Made Payment(s) for This Practitioner in This Case, or Is/Are Such Payment(s) Expected to Be Made?: NO  
 Amount Paid or Expected to Be Paid by Self-Insured Organization(s) and/or Other Insurance Company/Companies:

**CLASSIFICATION OF ACT(S) OR OMISSION(S)**

Patient's Age at Time of Initial Event: 29 YEARS  
 Patient's Gender: FEMALE  
 Patient Type: OUTPATIENT  
 Description of the Medical Condition With Which the Patient Presented for Treatment: 29 YEAR OLD FEMALE UNDERWENT FERTILITY TREATMENTS AND BECAME PREGNANT WITH A MULTIFETAL PREGNANCY.  
 Description of the Procedure Performed: ON 5/9/11, PATIENT UNDERWENT A SELECTIVE TERMINATION OF ONE FETUS DUE TO A LIMB ABNORMALITY FOUND ON ULTRASOUND. AT THE CONCLUSION OF THE PROCEDURE, IT WAS DISCOVERED THAT THE WRONG FETUS WAS TERMINATED AND THE PARENTS DECIDED TO TERMINATE THE REMAINING FETUS WITH THE LIMB ABNORMALITY.  
 Nature of Allegation: OBSTETRICS RELATED (050)  
 Specific Allegation: IMPROPER PERFORMANCE (306)  
 Date of Event Associated With Allegation or Incident: 05/09/2011  
 Outcome: EMOTIONAL INJURY ONLY (01)  
 Description of the Allegations and Injuries or Illnesses Upon Which the Action or Claim Was Based: PLAINTIFF ALLEGED TERMINATION OF INCORRECT FETUS RESULTED IN EMOTIONAL DISTRESS AND POST-TRAUMATIC STRESS DISORDER.



If the subject identified in Section B of this report has submitted a statement, it appears in this section.