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# HOSP PLANS APPEAL OF 12M RULING

By **ROBERTO SANTIAGO**  
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Long Island College Hospital will appeal a \$12.

2 million jury award to a Staten Island family whose son suffered brain damage. A Brooklyn Supreme Court jury found the hospital and Dr. Steven Berkman liable for brain damage suffered by Louis Baldassano in 1989. On Thursday, the jury ordered the defendants to pay the Baldassano family \$12.

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2 million in damages. Since late 1990, the family had battled the Cobble Hill hospital in court, charging that it and Berkman were responsible for brain damage diagnosed 11 months after Louis' September 1989 birth. Louis, now 10, was found to have incurred brain damage, cerebral palsy, seizure disorder and attention deficiency after Berkman allowed the child to remain in his mother's womb after her water broke prematurely. Berkman and the hospital argued that the infant was too small and premature to be delivered safely at that time. Shortly after her water broke, Baldassano developed a serious infection,

which went untreated. The infection was later deemed responsible for Louis' brain damage. The Baldassano family had hoped to set up a trust fund for Louis with the \$12.

2 million, "so he would be taken care of for the rest of his life, long after my husband and I have passed away," said the boy's mother, Mary DiMarco-Baldassano, 43. Long Island College Hospital on Monday released a statement that read: "While we empathize with the Baldassano family, we are distressed to

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" Baldassano family attorney Thomas Moore, who has spent nine years on the case, said the appeal is "standard practice" for the hospital. "It will now take in excess of another year to deal with the appeal," said Moore, who said he is confident the jury verdict and award will be upheld.

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