notify

Commonwealth of Massachusetts County of Suffolk The Superior Court

SUCV15-3356

Eava Vasquez et al
_{VS}
Julianna Schantz-Dunn MD

FINDING OF THE MEDICAL MALPRACTICE TRIBUNAL

(Pursuant to M.G.L. Chapter 231, Section 60(b) as amended)

The above entitled action came on for hearing before the appointed medical tribunal on	
May 5, 2017, and was argued by counsel, and thereupon, upon consideration thereof, the	
plaintiff (s) offer of proof, pleadings, hospital reco	ords and other documents presented, the
tribunal finds:	1 0
*(1) For the plaintiff	and that
the evidence presented if properly substant	iated is sufficient to raise a legitimate question
of liability appropriate for judicial inquiry.	
*(2) For defendant	because
the plaintiff(s) action is merely an unfortur	nate medical result.
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If a finding is made for the defendant or de	fendants in the above entitled action the
plaintiff may pursue the claim through the usu	al judicial process only upon filing bond
in the amount of Six Thousand (\$6,000.00) Doll	ars in the aggregate secured by cash or its
equivalent with the Clerk/Magistrate of this court,	payable to the defendant or defendants in said
action for costs assessed, including witness and ex	pert fees and attorney fees if the plaintiff(s)
does/do not prevail in the final judgment. The pre	siding justice may, within his/her discretion,
increase the amount of the bond required to be file	ed. If said bond is not posted within thirty
(30) days of the tribunal's finding the action sh	all be dismissed. Upon motion filed by the
plaintiff(s), and a determination by the court that t	he plaintiff(s) is/are indigent said justice may
reduce the amount of the bond but may not elimin	ate the requirement thereof.
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Dated: May 5, 2017	
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Justice of the Superior Court	Karen Green, Associate Justice
-	Associate Justice of the Superior Court
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Legal Member:	Karen Wier Esq.
	Attorney-Tribunal Member
·	and facto
Medical Member:	Dr Patricia Falcao-Blumenfekd MD, MCH,
	Dr Patricia Falcao-Blumenfeld MD, MCH, Physician-Tribunal Member F4006
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