

At an ~~IAS Part 19A~~ ¹⁷⁰ of the Supreme Court of the State of New York to be held in and for the County of Bronx, State of New York at the courthouse located at 851 Grand Concourse, New York, New York on the 16 day of May, 2008

P R E S E N T:

Honorable Justice Howard Silver

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
ANDREW MORALES as Administrator of the
Estate of CYNTHIA QUINTANA-MORALES

ORDER OF COMPROMISE

Plaintiff,

Index No: 13093/03

-against-

RONALD D. BLATT, M..D. RONALD D. BLATT,
M.D., P.C., EASTSIDE GYNECOLOGY, P.C., and
FRANK HALCOND, RN,

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Defendants.

MAY 19 2008

-----X

PAID

NO FEE

Upon Affirmation of LOUIS G. SOLIMANO, ESQ., attorney for the plaintiff, ANDREW MORALES as the Administrator of the Goods, Chattels and Credits of CYNTHIA QUINTANA-MORALES dated the 7 day of July 2008; and after due deliberation thereon,

NOW, upon the motion of WILLIAM A. GALLINA, ESQ.. Attorneys for the plaintiff herein, pursuant to the New York Estates Powers & Trust Law § 5-4,6, it is hereby:

ORDERED, that ANDREW MORALES, as Administrator of the Goods Chattels and Credit of CYNTHIA QUINTANA-MORALES, deceased, be and is hereby authorized and permitted to settle and compromise the above action for wrongful death and conscious pain and suffering of the decedent CYNTHIA QUINTANA-MORALES are as follows: defendants RONALD D. BLATT, M..D.

RONALD D. BLATT, M.D., P.C., EASTSIDE GYNECOLOGY, P.C. and FRANK HALCOND, RN through their insurance company, Medical Liability Mutual Insurance Company shall pay \$1,000,000.00 and the same defendants through their excess carrier, Hospitals Insurance Company, Inc. Shall pay \$250,000.00, and it is further ordered;

ORDERED, that the Administrator be and is hereby authorized and permitted to execute and deliver a General Release to counsel for RONALD D. BLATT, M.D. RONALD D. BLATT, M.D., P.C., EASTSIDE GYNECOLOGY, P.C. and FRANK HALCOND, RN, together with any and all papers necessary to effectuate the settlement herein, and it is further;

ORDERED, that RONALD D. BLATT, M.D. RONALD D. BLATT, M.D., P.C., EASTSIDE GYNECOLOGY, P.C. and FRANK HALCOND, RN, shall pay the sum of \$1,250,000.00 by check payable to ANDREW MORALES, as Administrator of the Goods, Chattels and Credit of CYNTHIA QUINTANA-MORALES and THE LAW OFFICE OF WILLIAM A. GALLINA, as Attorneys, and it is further;

ORDERED, that upon receipt of the settlement monies, plaintiff's attorney shall deposit said funds in an interest bearing checking account, and it is further;

ORDERED, that upon submission to this Court of proof of filing of a petition for allocation and distribution in the Surrogate's Court on behalf of the decedent's estate, plaintiff's attorney may draw a check in the sum of \$283,318.47 as and for their legal fees and disbursements herein, and it is further;

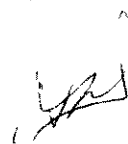
ORDERED, The grounds of Your Affirmant's belief is that the sum offered in settlement is fair, reasonable as was discussed before the Honorable Howard Silver and should be accepted. There is no reason to believe that a significantly greater sum could be recovered by jury verdict had this matter proceeded to trial and there is always the possibility the sum recovered after trial could be substantially

less. In fact, should this case be brought to trial, there is the possibility that a jury could render a defense verdict leaving the Administrator and distributees with nothing.

ORDERED, that the balance of the settlement monies in the sum of \$936,940.44 be held in an interest bearing escrow account pending a further order from the Surrogate's Court in regard to the allocation and distribution of said funds, and it is further;

ORDERED, that plaintiff's counsel, THE LAW OFFICE OF WILLIAM A. GALLINA shall continue to serve as attorney for the estate until the entry of a final decree in the Surrogate's Court.

ENTER,



J.S.C.

HOWARD R. SILVER

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PAID

NO FEE