

9781CV04305 DiMartino v Walleigh et al

- Case Type:
- Torts
- Case Status:
- Closed
- File Date
- 08/18/1997
- DCM Track:
- A - Average
- Initiating Action:
- Malpractice - Medical
- Status Date:
- 08/18/1997
- Case Judge:
-
- Next Event:
-

[All Information](#) [Party](#) [Event](#) [Docket](#) [Disposition](#)

Party Information

DiMartino, Laurie
- Plaintiff

[Alias](#)

Party Attorney

- Attorney
- Partlow, Esq., R Keith
- Bar Code
- 390570
- Address
- ==STATUS:Suspension from the practice of law for==
- Arlington, MA 02476
- Phone Number
- (617)523-1144
- Attorney
- White, Jr., Esq., David Westcott
- Bar Code
- 543797
- Address
- Breakstone, White and Gluck, P.C.
- Two Center Plaza Suite 530
- Boston, MA 02108-1906
- Phone Number
- (617)723-7676

[More Party Information](#)

Walleigh, Leslie Ann
- Defendant

[Alias](#)

Party Attorney

- Attorney
- Hamrock, Jr., Esq., James S
- Bar Code
- 219400
- Address
- James S. Hamrock, Jr.
- 133 Stayner Drive
- none
- Hingham, MA 02043
- Phone Number
- (781)771-0289

[More Party Information](#)

Hamlin, Cheryl Lynn
- Defendant

[Alias](#)

Party Attorney

- Attorney
- Hamrock, Jr., Esq., James S
- Bar Code

- 219400
- Address
- James S. Hamrock, Jr.
133 Stayner Drive
none
Hingham, MA 02043
- Phone Number
- (781)771-0289

[More Party Information](#)

Cook, Maureen
- Defendant

[Alias](#)**Party Attorney**

- Attorney
- Hamrock, Jr., Esq., James S
- Bar Code
- 219400
- Address
- James S. Hamrock, Jr.
133 Stayner Drive
none
Hingham, MA 02043
- Phone Number
- (781)771-0289

[More Party Information](#)

Barry, Jr, Richard L
- Other interested party

[Alias](#)**Party Attorney**[More Party Information](#)

Alex C Vidaeff, MD
- Other interested party

[Alias](#)**Party Attorney**[More Party Information](#)**Events**

Date	Session	Location	Type	Event Judge	Result
07/08/1998 09:00 AM	Civil J Rm 520		Malpractice Tribunal		Canceled
09/22/1998 08:30 AM	Civil A Rm 420		Malpractice Tribunal		Held as Scheduled
09/27/2001 02:00 PM	Civil A Rm 420		Status Review		Rescheduled
10/17/2001 02:00 PM	Civil A Rm 420		Status Review		Held as Scheduled

Docket Information

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
08/18/1997	Complaint & civil action cover sheet filed	1	
08/18/1997	Origin 1, Type B06, Track A.		
09/24/1997	SERV RETRND: Maureen Cook (Defendant) 9-9-97 in hd 57 Bedford Street, Lexington	2	
10/06/1997	SERV RETRND: Cheryl Lynn Hamlin (Defendant) 09/09/97 in hd, Cambridge Hospital, Cambridge	3	
10/27/1997	ANSWER: Cheryl Lynn Hamlin (Defendant)	4	
10/27/1997	ANSWER: Maureen Cook (Defendant)		
10/27/1997	Reqst of Defs'. Leslie Ann Walleigh, M.D. and Maureen Cook, M.D. for Medical Tribunal.	5	
10/27/1997	ANSWER by Leslie Ann Walleigh to COMPLAINT (jury reqstd)(docketed on 3/6/98, see Order #9)		
12/05/1997	ORDER OF DISMISSAL re: Leslie Ann Walleigh (w/o prejudice; service not complete by 1-88 deadline)	6	

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
12/05/1997	Case status changed to "Needs review for answers" at service deadline review		
12/29/1997	Affidavit of Compliance with proof of service by certified mail return receipts attached on Leslie Ann Walleigh, M.D., 10/16/97, P.O. Box 229, West Rockport, Me (out of state)	7	
03/02/1998	Default re: Leslie Ann Walleigh (no answer by 1-88 deadline); Pltf directed to move for appropriate judgment by 04/01/98 N/M 03-02-98	8	
03/02/1998	Case status changed to "Needs discovery" at answer deadline review		
03/06/1998	ORDER: Default under 1-88 as to defendant Leslie Ann Walleigh entered on March 2, 1998 is hereby Vacated due to clerical error. Answer was received on October 27, 1997 and was not docketed. By the Court (Zobel, J.) copies mailed 03/06/98	9	
06/08/1998	ORDER for medical malpractice tribunal		
07/08/1998	Plff's motion to continue tribunal	10	
08/19/1998	ORDER for medical malpractice tribunal		
09/22/1998	Medical malpractice tribunal report: RE: Leslie Ann Walleigh et als: The Tribunal upon its consideration determine that there is not sufficient evidence as to all Defts to raise a legitimate question of liability appropriate for judicial inquiry, at the Request of the Plffs. (Zobel, J.) notices sent 9/28/98	11	
09/28/1998	Notice sent to board of registration in medicine		
11/17/1998	Defts' motion to dismiss (12b), with prejudice for failure to file bond and affidavit of compliance to 9a	12	
11/20/1998	Motion (P#12) allowed without opposition. Judgment to enter forthwith as follows: Complaint dismissed with prejudice as to all defendants (Zobel, J.) notices sent 12/02/98		
11/30/1998	JUDGMENT OF DISMISSAL: The within Complaint is this day dismissed as to all defendants and with prejudice for failure to file bond (Zobel, J.) copies mailed 12/02/98	13	
08/03/2001	Plaintiff's Motion for Relief from Judgment pursuant to MRCP 60b(6), Defendants' Opposition, Request for Hearing.	14	
10/22/2001	MEMORANDUM and ORDER: MEMORANDUM: (Which see 2 pages) ORDER: Accordingly, it is ORDERED, that the Motion of the Plaintiff, Laurie DiMartino, for Relief from Judgment Pursuant to MRCP 60(b)(6) be, and the same hereby is, after hearing, DENIED. (Hiller B. Zobel, Justice) Dated October 18, 2001. Entered on dcoket and copies mailed 10/22/2001.	15	
10/22/2001	Motion (P#14) Plaintiff's Motion for Relief from Judgment pursuant to MRCP 60b(6): After hearing, Denied See Memorandum & Order. (Hiller B. Zobel, Justice) Dated October 18, 2001. Notices mailed October 22, 2001		

Case Disposition

Disposition	Date	Case Judge
Dismissed	11/30/1998	