

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

LUZ CORREDOR and JOSE ALEJANDRO)
VASQUEZ, individually and as)
co-personal representatives of)
the estate of ALEJANDRO)
CORREDOR, a deceased minor,)
)
Petitioner,)
)
vs.) Case No. 02-1625N
)
FLORIDA BIRTH-RELATED)
NEUROLOGICAL INJURY)
COMPENSATION ASSOCIATION,)
)
Respondent.)
_____)

FINAL ORDER APPROVING STIPULATION AND JOINT PETITION FOR
COMPENSATION OF CLAIM ARISING OUT OF FLORIDA BIRTH-RELATED
NEUROLOGICAL INJURY PURSUANT TO CHAPTER 766, FLORIDA STATUTES

This cause came on to be heard pursuant to Section 766.304, Florida Statutes, upon the stipulation and joint petition of the parties, filed October 6, 2003, for the entry of an order approving the resolution of a formal claim for compensation benefits heretofore filed in this cause in accordance with the provisions of Chapter 766, Florida Statutes, and a resolution of the exclusive remedy otherwise available as outlined in Chapter 766, Florida Statutes.

By the terms of their stipulation, the parties have agreed that Petitioners, Luz Corredor and Jose Alejandro Vasquez, are the parents of, and co-personal representatives of the Estate

of, Alejandro Corredor (Alejandro), a deceased minor; that Alejandro was born a live infant on April 23, 1997, at Plantation General Hospital, a hospital located in Plantation Florida; and that his birth weight was in excess of 2,500 grams. The parties have further agreed that the physician delivering obstetrical services during the birth of Alejandro was Celina Poy-Wing, M.D., who was, at all times material hereto, a participating physician in the Florida Birth-Related Neurological Injury Compensation Plan, as defined by Section 766.302(7), Florida Statutes. Finally, by their stipulation, the parties have agreed that Alejandro suffered a "birth-related neurological injury," as that term is defined by Section 766.302(2), Florida Statutes.

After due consideration of the interests of all parties, and being otherwise fully advised in the premises, it is

ORDERED that:

1. The stipulation of the parties, filed October 6, 2003, is hereby approved, and the parties are directed to comply with the provisions thereof.

2. Petitioners, Luz Corredor and Jose Alejandro Vasquez, as the parents of Alejandro Corredor, a deceased minor, are accorded a lump sum award of One hundred thousand dollars (\$100,000.00).

3. Upon payment of the lump sum award of One hundred thousand dollars (\$100,000.00) to the parents (claimants), payment of attorney's fees and other expenses of Ten thousand five hundred dollars (\$10,500.00) incurred in pursuing the subject claim, and payment of past expenses, the claims of Petitioners (claimants) shall be deemed fully satisfied and extinguished.

4. The Division of Administrative Hearings retains jurisdiction over this matter to resolve any dispute as to the interpretation of any provision of the parties' stipulation and to resolve any disputes, should they arise, regarding the parties' compliance with the terms of such stipulation.

DONE AND ORDERED this 10th day of October, 2003, in Tallahassee, Leon County, Florida.



WILLIAM J. KENDRICK
Administrative Law Judge
Division of Administrative Hearings
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Filed with the Clerk of the
Division of Administrative Hearings
this 10th day of October, 2003.

COPIES FURNISHED:
(by certified mail)

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NOTICE OF RIGHT TO JUDICIAL REVIEW

A party who is adversely affected by this final order is entitled to judicial review pursuant to Sections 120.68 and 766.311, Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing the original of a notice of appeal with the Agency Clerk of the Division of Administrative Hearings and a copy, accompanied by filing fees prescribed by law, with the appropriate District Court of Appeal. See Section 766.311, Florida Statutes, and Florida Birth-Related Neurological Injury Compensation Association v. Carreras, 598 So. 2d 299 (Fla. 1st DCA 1992). The notice of appeal must be filed within 30 days of rendition of the order to be reviewed.