



## \$1.9M in Home-Birth Medmal Suit

**F***lores v. Aucott*: An Ocean County judge on June 17 approved a \$1.9 million settlement in a medical malpractice suit on behalf of a child who suffered brain damage due to loss of oxygen during a home birth.

Ara and Justin Flores of Brick alleged that the midwife they hired, Louise Aucott, was negligent for failing to arrange for Ara to be taken to the nearest hospital after she had been pushing for two hours.

The baby, Maddox, was born after two hours and 47 minutes of pushing.

The defense maintained that Aucott could not be found liable because the parents agreed to have a birth without the use



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of an electronic fetal monitor, according to the plaintiff's lawyer, Daryl Zaslow of Eichen Crutchlow Zaslow & McElroy in Edison.

The parents signed a detailed home birth consent

form, which advised them that certain emergencies might occur during a delivery at home and that the level and type of care would be less than at a hospital.

But Zaslow says the dangers associated with the lack of fetal monitoring were not explained to the parents.

The settlement was reached on May 23 and approved at a friendly hearing with Superior Court Judge E. David Millard the next month.

The lawyer for Aucott and her group, Midwifery Care Associates, Martin McGreevey of Eatontown, did not return a call.

— **By Charles Toutant**