

\$3,300,000 Structured Settlement During Trial for Malpractice Against Therapist Who Fractured Hemophiliac's Leg

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Porrino v. Leslie Ocher, et. al.: The Sports and Orthopedic Rehabilitation Institute in New Brunswick and one of its physical therapists agreed to a \$600,000 present- value settlement that will pay \$3.3 million to a 10-year old hemophiliac whose leg was fractured by a physical therapist.

The insurer for the New Brunswick rehabilitation facility and physical therapist Leslie Ochner will pay the sum over the lifetime of Michael Porrino, of Metuchen, who suffered permanent loss of movement in his right leg as a result of fracturing his femur during a Dec. 24, 1992, circulation therapy session, according to Porrino's lawyer at Eichen Crutchlow Zaslow, LLP in Edison.

Porrino's leg was put in a cast and when it was removed, he couldn't move his knee. "The range of motion in his knee is permanently limited," The Firm says.

Middlesex County Superior Court Judge George Nicola had begun the trial before the defendant's insurer, Princeton Insurance Co., made an offer, according to defense attorney Thomas Chansky. The parties tentatively agreed to the structured settlement while the jury was deliberating. "In the eleventh hour they agreed to pay us a small amount," says his attorney. "We were moments away from a verdict."

Chansky, a partner in North Brunswick's Lynch Martin, says that the defendants were reluctant to settle with Porrino because the plaintiff's claims were so unusual. "All the doctors we talked to agreed they'd never heard of this kind of injury," says Chansky.

Nicola signed off on it three weeks ago.

By Lisa Brennan

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