

CHARLES VACCARO and MARISSA
VACCARO, Individually and as parents and
natural guardians of EMMA VACCARO, a
minor,

Plaintiffs

vs.

SCRANTON QUINCY HOSPITAL
COMPANY, LLC d/b/a MOSES TAYLOR
HOSPITAL, SCRANTON QUINCY CLINIC
COMPANY, LLC d/b/a PHYSICIANS
HEALTH ALLIANCE, INC., OB-GYN
CONSULTANTS, LTD, AND RAYMOND
C. DeCESARE, M.D.,

Defendants

IN THE COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY

CIVIL ACTION - LAW

JUDICIAL RECORDS
2016 NOV 18 PM 12:31
MARISSA VACCARO

NO. 14 CV 7675

ORDER

AND NOW, this 18th day of November, 2016, the Clerk of Judicial Records of
Lackawanna County is directed to file the attached Order and Petition for Court Approval
of Settlement and Allocation and Distribution of Settlement Proceeds **UNDER SEAL** until
further Order of the court.

BY THE COURT:



Terrence R. Nealon

cc: *Written notice of the entry of the foregoing Order has been provided to each party pursuant to Pa. R. C. P. 236 (a)(2) and (d) by transmitting time- stamped copies via electronic mail to:*

Matt Casey, Esquire
Ryan P. Chase, Esquire
Ross Feller Casey, LLP
Suite 3450, One Liberty Place
1650 Market Street
Philadelphia, PA 19103
Counsel for Plaintiffs

mcasey@rossfellerchase.com

rchase@rossfellerchase.com

James A. Young, Esquire
Richard S. Margulies, Esquire
Christie & Young, PC
1880 John F. Kennedy Boulevard, 10th Floor
Philadelphia, PA 18503

jayoung@christieyoung.com

rmargulies@christieyoung.com

Stuart T. O'Neal, Esquire
M. Sean Maravich, Esquire
Courtney C. Barbacane, Esquire
Burns White LLC
Suite 515, 100 Four Falls
1001 Conshohocken State Road
West Conshohocken, PA 19428

soneal@burnswhite.com

smaravich@burnswhite.com

cbarbacane@burnswhite.com

Counsel for Defendants, Scranton Quincy Hospital Company, LLC d/b/a Moses Taylor Hospital and Scranton Quincy Clinic Company, LLC d/b/a Physicians Health Alliance, Inc.

Gary M. Samms, Esquire
Obermayer Rebmann Maxwell & Hippel, LLP
Centre Square West, 34th Floor
1500 Market Street
Philadelphia, PA 19102

gary.samms@obermayer.com

Steven L. Lubell, Esquire
Thomas L. Mueller, Esquire
Lubell & Associates
Suite 220, 1012 West 9th Avenue
King of Prussia, PA 19406

slubell@lubellassociates.com

Tmueller@lubellassociates.com

Counsel for Defendant, Raymond C. DeCesare, M.D.

CHARLES VACCARO and MARISSA VACCARO, Individually and as Parents and Natural Guardians of **EMMA VACCARO**, a minor

Plaintiffs,

v.

SCRANTON QUINCY HOSPITAL COMPANY, LLC d/b/a MOSES TAYLOR HOSPITAL; SCRANTON QUINCY CLINIC COMPANY, LLC d/b/a PHYSICIANS HEALTH ALLIANCE, INC.; and RAYMOND C. DECESARE, M.D.

Defendants.

COURT OF COMMON PLEAS

LACKAWANNA COUNTY
NO: 14-CV-7675

JURY TRIAL DEMANDED

ORDER

AND NOW, this ^{7th} day of ~~NOVEMBER~~, 2016, upon consideration of Plaintiffs' Petition for Court Approval of Settlement and Allocation and Distribution of Settlement Proceeds, it is hereby **ORDERED** and **DECREED** that Plaintiffs are authorized to enter into a settlement with Defendants for the gross present dollar value sum of \$19,300,000.00.

IT IS FURTHER ORDERED and **DECREED** that the settlement proceeds shall be allocated as follows:

| | |
|--|------------------------|
| GROSS SETTLEMENT | \$19,300,000.00 |
| To Ross Feller Casey, LLP Attorneys' Fee | \$7,720,000.00 |
| To Ross Feller Casey, LLP Reimbursement of Litigation Costs | \$282,506.08 |
| To Ross Feller Casey, LLP Escrow of Additional Costs To Be Collected ¹ | \$75,000.00 |
| To Pa. Dept. of Human Services (DHS) for repayment of Lien | \$173,062.63 |

¹ The costs listed on this order are current as of November 4, 2016. There are costs outstanding in an approximate amount of \$75,000.00. Therefore, \$75,000.00 will be held in the client's escrow account to pay these outstanding costs. All remaining funds held in escrow that are not used to satisfy outstanding costs will be distributed directly to Plaintiffs.

To Corporate Fiduciary (to be appointed)
on Behalf of Emma Vaccaro, a minor² \$9,049,431.29

To Marissa Vaccaro \$2,000,000.00

The gross settlement proceeds will be distributed in two installments. The first installment, in the amount of \$18,300,000.00, which shall be paid immediately, shall be distributed as follows, upon Court approval of the settlement:

To Ross Feller Casey, LLP \$7,320,000.00

To Ross Feller Casey, LLP
Reimbursement of Litigation Costs \$282,506.08

To Ross Feller Casey, LLP
Escrow of Additional Costs To Be Collected \$75,000.00

To Pa. Dept. of Human Services (DHS)
for repayment of Lien \$173,062.63

To Corporate Fiduciary
(to be appointed) on Behalf of Emma Vaccaro,
a minor \$8,549,431.29

To Marissa Vaccaro \$1,900,000.00

The second installment of settlement proceeds, in the amount of \$1,000,000.00, payable by the Medical Care Availability and Reduction of Error (M-CARE) Fund on December 31, 2017, shall be distributed as follows:

To Ross Feller Casey, LLP
Attorneys' Fee \$400,000.00

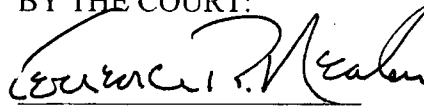
To Corporate Fiduciary (to be appointed)
on Behalf of Emma Vaccaro, a minor \$500,000.00

To Marissa Vaccaro \$100,000.00

² It is anticipated that PNC Bank, N.A. will be proposed as the Corporate Fiduciary for Emma Vaccaro. It is further anticipated that a petition for appointment of the Corporate Fiduciary and the establishment of an appropriate trust will be filed separately with the Court.

Upon the filing of this Order, counsel is authorized to mark the Civil Docket in this matter settled, discontinued and ended.

BY THE COURT:



TERRENCE R. NEALON, J.

ROSS FELLER CASEY, LLP
By: MATTHEW A. CASEY, ESQUIRE
RYAN P. CHASE, ESQUIRE
I.D. NOS: 84443/203224
One Liberty Place, Suite 3450
1650 Market Street
Philadelphia, PA 19103
(215) 574-2000

Attorneys for Plaintiffs

CHARLES VACCARO and MARISSA VACCARO, Individually and as Parents and Natural Guardians of **EMMA VACCARO**, a minor

Plaintiffs,

v.

SCRANTON QUINCY HOSPITAL COMPANY, LLC d/b/a MOSES TAYLOR HOSPITAL; SCRANTON QUINCY CLINIC COMPANY, LLC d/b/a PHYSICIANS HEALTH ALLIANCE, INC.; and RAYMOND C. DECESARE, M.D.

Defendants.

COURT OF COMMON PLEAS

LACKAWANNA COUNTY
NO: 14-CV-7675

JURY TRIAL DEMANDED

PETITION FOR COURT APPROVAL OF SETTLEMENT AND ALLOCATION AND DISTRIBUTION OF SETTLEMENT PROCEEDS

Petitioners Charles and Marissa Vaccaro, individually and as parents and natural guardians of the minor-plaintiff, Emma Vaccaro, by and through their undersigned attorneys, Ross Feller Casey, LLP, hereby petition this Court for approval of settlement of this action, and for approval of allocation and distribution of the settlement proceeds as set forth herein. In support of their petition, Mr. and Mrs. Vaccaro aver as follows:

1. Petitioners Charles and Marissa Vaccaro are the plaintiffs in the underlying medical malpractice action, both individually and as parents and natural guardians of their daughter, Emma Vaccaro.
2. Emma Vaccaro, is a minor-plaintiff in the within action. She was born on December 13, 2012 at Moses Taylor Hospital in Scranton.
3. Emma Vaccaro resides with her mother and father at 315 Tedrick Street, Pittston Twp., PA 18640.
4. Emma Vaccaro is now almost four years old. She has a brain injury.

5. The settling defendants are Raymond DeCesare, II, M.D. and Scranton Quincy Hospital Company, LLC d/b/a Moses Taylor Hospital.

6. Throughout the litigation, the defendants aggressively contested the plaintiffs' allegations, did not admit liability, maintained that the medical care and treatment provided to Marissa and Emma Vaccaro was at all times in compliance with the accepted standards of care, and denied that their care in any way contributed to and/or caused Marissa and/or Emma's injuries. Defendants still deny the same.

7. This was an extremely complex medical malpractice action which involved extraordinary pretrial discovery, extensive medical research, multiple expert witness reviews and significant preparation by Petitioners' counsel leading up to the settlement.

8. In support of their liability and damages case, plaintiffs retained 12 eminently qualified experts specializing in the fields of obstetrics, material fetal medicine, pediatric neurology, perinatal pathology, pediatric neuroradiology, pediatric neuromuscular rehabilitation, neonatology, nursing and economics.

9. Jury selection began on November 1, 2016 and continued on November 2, 2016.

10. After settlement negotiations and three pre-trial settlement conference, on November 2, 2016, on the second day of jury selection, counsel for defendants and counsel for plaintiffs reached a global settlement to resolve all claims for the gross present value sum of Nineteen Million Three Hundred Thousand Dollars (\$19,300,000.00).

11. Of the gross settlement, Eighteen Million and Three Hundred Thousand Dollars (\$18,300,000.00) will be payable on behalf of defendants within twenty (20) days from receipt of the Court's Order approving settlement, with the remaining One Million Dollars (\$1,000,000.00) payable on December 31, 2017 by the Medical Care Availability and Reduction of Error (M-CARE) Fund.

12. Petitioners' counsel is of the professional opinion that the settlement is reasonable, fair and equitable based on a variety of considerations, including the contested liability and causation issues in the case, the permanency and nature of Emma Vaccaro's condition, the significant economic and non-economic damages involved, and the inherent risks and uncertainties attendant

to any jury trial. *See* Verification of Counsel attached as **Exhibit A**.

13. Counsel further is of the professional opinion that the settlement represents a sum which, after the reimbursement of litigation costs and deduction of attorneys' fees, will be sufficient to provide for Emma Vaccaro's future medical and personal care needs. *See* Verification of Counsel attached as **Exhibit A**.

14. Petitioners retained the law firm of Ross Feller Casey, LLP to represent them pursuant to a contingent fee agreement which provides for a forty percent (40%) fee on the gross recovery, before the reimbursement of case-specific litigation costs and expenses. *See* Contingent Fee Agreement attached as **Exhibit B**.

15. Counsel respectfully submits that the requested attorneys' fee is reasonable and just under the decisional law of the Commonwealth of Pennsylvania based on the following criteria:

(a) Amount of Work. This was a matter which required extensive preparation and sophisticated legal work. The case was staffed by two Ross Feller Casey, LLP attorneys, founding partner Matthew A. Casey, Esquire and associate Ryan P. Chase, Esquire, who were responsible for the work-product in this file, including pre-trial investigation, preparation of pleadings, written discovery, depositions, expert consultations, medical and legal research and extensive pre-trial preparation. The work-product in this case is substantial. Written pre-trial discovery was exchanged and twelve depositions were taken. Petitioners' counsel spent hundreds of hours researching and reading medical literature, identifying and working with twelve medical experts to develop Petitioners' liability and causation theories against the defendants and their agents and to understand the complex medical issues involving the obstetrical issues and brain injury at issue in this case, conducting pre-trial discovery, including the production of 17 expert reports, and preparing the case fully for trial that started with jury selection.

(b) The Character of the Services. Counsel was able to achieve the result obtained through a tremendous amount of work, skill, individual attention and dedication to the case and to the Vaccaro family. Liability and causation were aggressively prosecuted by plaintiffs' counsel and vigorously contested by defendants throughout the history of litigation leading up to the settlement. The development of this case required a substantial amount of counsel's professional time and

resources, including the risk and advancement of \$282,506.08 in case costs, a thorough understanding of the medical issues involved in the case, as well as sophisticated legal skills in developing liability theories against the individual and institutional defendants, and successfully mediating the case to resolution.

(c) Amount of Money in Question. The gross settlement of Nineteen Million Three Hundred Thousand Dollars (\$19,300,000.00) is a reasonable result in a medical malpractice case with vigorously contested liability and causation in this or in any other venue. The net sum payable to the Corporate Fiduciary (to be appointed) after the deduction of litigation costs and fees will be more than adequate to fund Emma's reasonably foreseeable lifetime medical care and needs.

(d) The Fund Was Created by the Attorney. The amount of the settlement is directly attributable to counsels' creation of the fund, which was the result of aggressive litigation of the claims and effective negotiation of the settlement.

(e) The Professional Skill and Standing of the Attorneys in Their Profession. The result achieved in this case is directly attributable to the work, dedication, expertise, and skill of Petitioners' counsel. The law firm of Ross Feller Casey, LLP and the individual attorneys responsible for the prosecution of Petitioners' claims - - Matthew A. Casey, Esquire and Ryan P. Chase, Esquire - - have practices dedicated exclusively to the representation of catastrophically injured individuals and their families. Mr. Casey is a founding partner of the firm and has extensive trial experience resulting in numerous seven- and eight-figure settlements and jury verdicts. Mr. Chase is an associate with the firm and concentrates his practice in the prosecution of catastrophic medical malpractice cases, and also has contributed to numerous settlements and jury verdicts.

(f) The Results Obtained. The gross settlement of Nineteen Million Three Hundred Thousand Dollars (\$19,300,000.00) is a reasonable result under the particular facts and circumstances of this case. Counsel was able to achieve the result obtained through a tremendous amount of work, skill, individual attention and dedication to the case and to the Vaccaro family.

16. Counsel has not and will not receive collateral payment fees from any third parties as counsel fees for this representation.

17. Litigation costs in the amount of \$282,506.08 were incurred by counsel in the prosecution of Petitioners' claims, for which reimbursement is sought. A detailed itemization and

accounting of these expenses is attached as **Exhibit C**, a copy of which has been provided to, reviewed and approved by Marissa and Charles Vaccaro. Importantly, all costs represent expenses specific to this litigation; none are attributable to the undersigned law firm's general overhead expenses. Given the complexity of the medical issues involved in the case, a substantial portion of the litigation costs were incurred in connection with expert discovery and medical research, including the reproduction cost of the voluminous file materials necessary to the formulation of the experts' opinions, articles from medical journals and medical texts, deposition transcripts, travel expenses, and fees for time spent reviewing the file materials, formulating their opinions, consulting with counsel, drafting their written reports, and reviewing the defense reports.

18. To the knowledge of Petitioners and their counsel, other than the costs identified in this Petition, there are approximately \$75,000.00 in costs to be collected given the recent nature of the settlement. Therefore, Petitioners' request \$75,000.00 to be placed in the client's escrow account to pay these additional litigation case-specific costs. As referenced in the footnote in other order, all remaining money that is not paid to these outstanding costs will be given directly to plaintiffs

19. The terms of the settlement and the manner of distribution have been explained to the Petitioners who, by separate Verifications, request Court approval of the proposed settlement and distribution of the settlement proceeds in the manner described in this Petition, including the reimbursement of litigation costs and payment of attorneys' fees. *See* Verifications of Marissa and Charles Vaccaro, attached as **Exhibit D**.

20. Petitioners request the allocation in the proposed order in recognition of the significant losses suffered by Marissa Vaccaro for her own individual claim in this case. The allocation to plaintiff-mother as set forth in the attached order is both reasonable and appropriate.

21. With respect to liens, as of September 16, 2016, medical expenses had been incurred on behalf of Emma Vaccaro, \$173,062.63 of which is subject to repayment from the net settlement proceeds in satisfaction of a lien asserted by the Pennsylvania Department of Human Services (DHS).³ *See* **Exhibit E**.

³ It is anticipated that the Department's standard compromise will be afforded, resulting in a reduction of the final claim by one-third. Any reduction amount will be given directly to the plaintiffs.

22. There is no claim or lien asserted by Medicare of which Petitioners and/or their counsel has been made aware. Petitioners have notified Medicare of this action and no claim or lien has been asserted by Medicare. *See Exhibit F.*

23. According to Pennsylvania Child Support Enforcement, there is no claim or lien in regard to child support or arrears owed by Mr. Vaccaro. *See Exhibit G.*

24. According to Pennsylvania Child Support Enforcement, there is no claim or lien in regard to child support or arrears owed by Mrs. Vaccaro. *See Exhibit H.*

25. To Petitioners' knowledge, no other entity has a valid claim or lien at law for medical or any other special expenses which must be repaid out of the settlement proceeds.

26. With respect to the net settlement proceeds payable to a Corporate Fiduciary to be appointed on behalf of Emma Vaccaro, such funds shall be held by Petitioners' counsel in escrow, pending Court appointment of a Corporate Fiduciary, which shall be the subject of a separate petition to be filed with the Court.

27. It is anticipated that the net settlement proceeds payable to Emma will be placed in a trust, to hold, invest, disburse, distribute and/or otherwise administer on Emma's behalf, which also shall be the subject of a separate petition to be filed with the Court.⁴

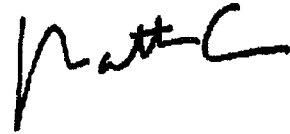
28. Petitioners have served a copy of this petition and proposed Order on defense counsel, and defense counsel has agreed to waive objections thereto.

29. Finally, pursuant to the agreement of the parties, it is requested that the within Petition and Order approving the settlement, allocation and distribution of the settlement proceeds be immediately sealed.

⁴ It is anticipated that PNC Bank, N.A. will be proposed as the Corporate Fiduciary for Emma Vaccaro, a minor. It is further anticipated that a petition for appointment of the Corporate Fiduciary and the establishment of an appropriate trust will be filed separately with the Court.

WHEREFORE, Petitioners respectfully request that they be permitted to enter into the proposed settlement recited above, and that the Court enter an Order approving the settlement, allocation and distribution of the settlement proceeds as follows:

Respectfully submitted,
ROSS FELLER CASEY, LLP



By _____
MATTHEW A. CASEY, ESQUIRE
RYAN P. CHASE, ESQUIRE
Attorneys for Plaintiffs/Petitioners

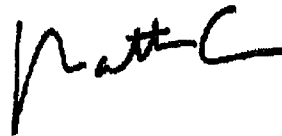
Dated: November 7, 2016

Exhibit “A”

**VERIFICATION OF COUNSEL ATTESTING TO THE REASONABLENESS OF THE
SETTLEMENT, ALLOCATION AND DISTRIBUTION OF SETTLEMENT
PROCEEDS**

I, Matthew A. Casey, Esquire, counsel for Petitioners, hereby verify the following:

1. I have personally served as Petitioners' counsel in this case and am fully familiar with all of the facts of the case and the circumstances recited in this Petition.
2. The Petitioners have reached a settlement with the settling defendants to resolve all of their claims for a gross sum of Nineteen Million Three Hundred Thousand dollars (\$19,300,000.00).
3. The terms of the settlement and the manner of distribution have been explained to the Petitioners who, by separate verifications, request Court approval of the settlement, allocation and distribution of the settlement proceeds in the manner described in this Petition, including the reimbursement of litigation costs and payment of attorneys' fees.
4. I believe that the settlement is reasonable, fair and equitable and that the allocation and distribution of settlement proceeds is proper and just under the particular facts and circumstances of this case.
5. The net sum payable to the Corporate Fiduciary (to be appointed) after the deduction of litigation costs and fees will be sufficient to provide for Emma Vaccaro's future medical and personal care needs.
6. By separate verifications, Petitioners Marissa Vaccaro and Charles Vaccaro support the attorneys' fee application and reimbursement of litigation costs set forth in this Petition, in accordance with the contingent fee agreement executed by the Petitioners.
7. I hereby verify that the facts stated in the foregoing Petition are true and correct to the best of my information, knowledge and belief. I understand that the statements made herein are subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.



MATTHEW A. CASEY, ESQUIRE

Date: November 7, 2016

**AUTHORIZATION TO INVESTIGATE CLAIM AND
CONTINGENT FEE AGREEMENT**

We, Charles Vaccaro and Marissa Vaccaro, individually and as natural parents and guardians of Emma Vaccaro a minor hereby appoint Ross Feller Casey, LLP as my attorneys to investigate and prosecute a potential claim for injuries sustained on December ~~13, 2013~~ ²⁰¹²

The compensation of Ross Feller Casey, LLP shall be forty percent (40%) of any recovery, plus reimbursement of expenses, which shall include court filings, exhibits, photography, videography, expert witnesses, investigators, transcripts, photocopying, medical and other records, travel and meal expenses, computer research, printing, binding, postage, telephone, telefax and courier services. If there is no recovery, there will be no fee or expenses reimbursed.

I hereby acknowledge receipt of a duplicate original of this Agreement.

Dated: 5/21/14

NAME:

Charles Vaccaro
Charles Vaccaro, individually and as natural parent and guardian of Emma Vaccaro a minor

Dated: 5-21-14

NAME:

Marissa Vaccaro
Marissa Vaccaro, individually and as natural parent and guardian of Emma Vaccaro a minor

Exhibit “C”

SUMMARY OF CASE-SPECIFIC LITIGATION COSTS

| | |
|---|---------------------|
| Expert Fees (Case Materials, Evaluations, Consulting, Review, Reports, Rebuttal Reports/Trial Reservation, Trial Preparation and Trial) | \$229,885.50 |
| Trial Preparation/Trial Expenses (Bill Heilman Litigation Services, Inc., ArchieMD Trial Animation, Michelle Long illustrations; Day-in-the-Life Video). | \$23,561.69 |
| Court Filing Fees, (Lackawanna County)/Service Fees/Subpoenas/ Travel Expenses Court Dates/Trial Witness fees (Dennis Richman Services, Related legal Services) | \$1,245.40 |
| Medical and Legal Research, Texts, Journal Articles, Literature (West Publishing/Transcript Finder/Science Direct) | \$1,331.90 |
| Investigation (Accident Investigative Services) | \$1,733.05 |
| Court Reporting/Depositions/Video Depositions/Deposition Preparation (Zanaras Reporting and Video/Veritext/Decision Quest Bill Heilman Litigation services, Inc.) | \$13,125.01 |
| Medical Records, Radiology Studies (Direct from Providers and Third-Party vendors: IOD, Inc., The MCS Group, Inc., MRO Corporation, Healthport Technologies, Inc.) | \$11,315.35 |
| Facsimile/Postage Expense | \$308.18 |
| TOTAL: | \$282,506.08 |

**VERIFICATION IN SUPPORT OF MARISSA VACCARO
IN SUPPORT OF PETITION FOR COURT APPROVAL OF SETTLEMENT,
ALLOCATION AND DISTRIBUTION OF SETTLEMENT PROCEEDS**

1. I, Marissa Vaccaro, am an individual plaintiff and parent and natural guardian of Emma Vaccaro, the minor plaintiff in the within action.

2. I hereby verify that the statements made in the foregoing Petition are true and correct to the best of my knowledge, information and belief.

3. I have been represented throughout this action by Matthew Casey, Esquire and Ryan P. Chase, Esquire of the law firm of Ross Feller Casey, LLP.

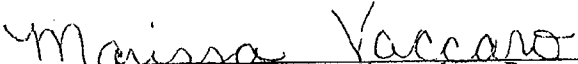
4. I am completely and totally satisfied with the legal representation by Mr. Casey, Mr. Chase and Ross Feller Casey, LLP and attribute the successful resolution of this litigation to the substantial efforts of counsel.

5. The terms of the settlement have been fully explained to me at length by counsel.

6. I approve of the settlement of this action, without reservation, and approve the proposed distribution of settlement proceeds, as described in the Petition.

7. I further acknowledge entering into the contingent fee agreement referenced in the Petition and approve the fee application of counsel and reimbursement of all litigation costs in recognition of the nature, amount and quality of work that was required of counsel to prosecute this case to a successful conclusion and to achieve the extraordinary result obtained.

8. I understand that the statements made herein are subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.



Marissa Vaccaro, Individually and as Parent and
Natural Guardian of Emma Vaccaro, a Minor

**VERIFICATION OF CHARLES VACARO
IN SUPPORT OF PETITION FOR COURT APPROVAL OF SETTLEMENT,
ALLOCATION AND DISTRIBUTION OF SETTLEMENT PROCEEDS**

1. I, Charles Vaccaro, am an individual plaintiff and parent and natural guardian of Emma Vaccaro, the minor plaintiff in the within action.

2. I hereby verify that the statements made in the foregoing Petition are true and correct to the best of my knowledge, information and belief.

3. I have been represented throughout this action by Matthew Casey, Esquire and Ryan P. Chase, Esquire of the law firm of Ross Feller Casey, LLP.

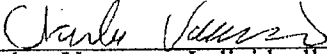
4. I am completely and totally satisfied with the legal representation by Mr. Casey, Mr. Chase and Ross Feller Casey, LLP and attribute the successful resolution of this litigation to the substantial efforts of counsel.

5. The terms of the settlement have been fully explained to me at length by counsel.

6. I approve of the settlement of this action, without reservation, and approve the proposed distribution of settlement proceeds, as described in the Petition.

7. I further acknowledge entering into the contingent fee agreement referenced in the Petition and approve the fee application of counsel and reimbursement of all litigation costs in recognition of the nature, amount and quality of work that was required of counsel to prosecute this case to a successful conclusion and to achieve the extraordinary result obtained.

8. I understand that the statements made herein are subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.



Charles Vaccaro, Individually and as Parent and
Natural Guardian of Emma Vaccaro, a Minor

Exhibit “E”

COMMONWEALTH OF PENNSYLVANIA
BUREAU OF PROGRAM INTEGRITY
DIVISION OF THIRD PARTY LIABILITY
RECOVERY SECTION
PO BOX 8486
HARRISBURG, PA 17105-8486

September 16, 2016

STATEMENT OF CLAIM SUMMARY

| | |
|------|---------------|
| NAME | VACCARO, EMMA |
| ID | 740 336 193 |

| MEDICAL | USUAL CHARGES | AMT APPROVED |
|---------|---------------|--------------|
| CLAIMS | 199,202.10 | 173,062.63 |

| CASH | PERIOD COVERED | DOLLAR AMOUNT |
|-------------|----------------|---------------|
| CURRENT SOC | -- | .00 |

| | |
|----------------------|------------|
| REIMBURSEMENT TO DPW | 173,062.63 |
|----------------------|------------|

| |
|--|
| COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE EIN - 23-6003113 |
|--|

Exhibit “F”

May 31, 2016

622 I MB 0.419
***MIXED AADC 720 R:622 T:7 P:7 PC:1 F:623101
ROSS FELLER CASEY, LLP
1650 MARKET ST STE 3450
PHILADELPHIA, PA 19103-7331



Beneficiary/Claimant: MARRISA VACCARO
Date of Incident: December 13, 2012
Document Control Number: 25051316-0002095

Subject: Unable to Identify Beneficiary

Dear ROSS FELLER CASEY, LLP:

The Benefits Coordination & Recovery Center (BCRC) received a request regarding the above-referenced individual.

Please be advised, we are not able to confirm Medicare coverage for this individual. Please contact the beneficiary/claimant to obtain the correct Health Insurance Claim Number (HICN) from their red, white and blue Medicare identification card and resubmit your letter.

If the correct HICN cannot be obtained, please contact the Social Security Administration (SSA) at 1-800-772-1213 to verify Medicare entitlement.

If you have any questions concerning this matter, please contact the Benefits Coordination & Recovery Center (BCRC) by phone at 1-855-798-2627 (TTY/TDD: 1-855-797-2627 for the hearing and speech impaired), in writing at the address below, or by fax at 405-869-3309. When sending correspondence, please include the Beneficiary Name along with the Medicare Number.

Sincerely,

BCRC Case Analyst

8E000000022104630





May 31, 2016

623 1 MB 0.419
***MIXED AADC 720 R:623 T:7 P:7 PC:1 F:623101
ROSS FELLER CASEY, LLP
ONE LIBERTY PLACE
1650 MARKET ST STE 3450
PHILADELPHIA, PA 19103-7331



Beneficiary/Claimant: CHARLES VACCARO
Date of Incident: December 13, 2012
Document Control Number: 25051316-0001980

Subject: Unable to Identify Beneficiary

Dear ROSS FELLER CASEY, LLP :

The Benefits Coordination & Recovery Center (BCRC) received a request regarding the above-referenced individual.

Please be advised, we are not able to confirm Medicare coverage for this individual. Please contact the beneficiary/claimant to obtain the correct Health Insurance Claim Number (HICN) from their red, white and blue Medicare identification card and resubmit your letter.

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If you have any questions concerning this matter, please contact the Benefits Coordination & Recovery Center (BCRC) by phone at 1-855-798-2627 (TTY/TDD: 1-855-797-2627 for the hearing and speech impaired), in writing at the address below, or by fax at 405-869-3309. When sending correspondence, please include the Beneficiary Name along with the Medicare Number.

Sincerely,

BCRC Case Analyst

8-F000000022104840





March 23, 2015

504 1 MB 0.435
***AUTO**MIXED AADC 720 R:504 T:8 P:8 PC:1 F:488501
ROSS FELLER CASEY LLP
ONE LIBERTY PLACE
1650 MARKET ST STE 3450
PHILADELPHIA, PA 19103-7331



Beneficiary/Claimant: EMMA VACCARO
Date of Incident: December 13, 2012
Document Control Number: 25022715-0004413

Dear ROSS FELLER CASEY LLP:

This letter is in response to your March 27, 2015 letter about the above-named individual.

Please be advised we are not able to confirm Medicare coverage for this individual. Please contact the beneficiary/claimant to obtain the correct Health Insurance Claim Number (HICN) from their red, white and blue Medicare identification card and resubmit your letter.

If the correct HICN cannot be obtained, please contact the Social Security Administration (SSA) at 1-800-772-1213 to verify Medicare entitlement.

If you have any questions concerning this matter, please contact the Benefits Coordination & Recovery Center (BCRC) by phone at 1-855-798-2627 (TTY/TDD: 1-855-797-2627 for the hearing and speech impaired), in writing at the address below, or send a fax to 405-869-3309. When sending correspondence, please include the Beneficiary Name along with the Medicare Number.

Sincerely,

BCRC Case Analyst


ABQ



Exhibit “G”

PA Child Support Program

Lien Search Results

 [Print](#) [Print All](#)

As of 09-MAR-15

Logged In As: MATT CASEY

arrears amounts must be obtained from the local Domestic Relations Sections under 23 Pa.C.S. § 4352(d.1)(3) and (7). The Department of Public Welfare is not liable if the information provided by this Internet site is incorrect or out of date.

The information provided by this Internet site does meet the requirements for insurance intercept purposes defined under 23 Pa.C.S. 4308.1(a) and (b). The arrears balance returned under the search criteria may be utilized to process the insurance intercept action. The Department of Public Welfare is not liable if the information provided by this Internet site is incorrect or out of date. An Insurance Intercept may be disputed in accordance with 23 Pa.C.S. 4308.1(h) and must be based on a mistake in the amount of overdue support, or a mistake in the identity of the obligor. If an insurer receives a Nondisbursement Order whether issued from the Child Support Lien Network or a Pennsylvania Domestic Relations Section, the provisions of the Nondisbursement Order must be adhered to in accordance with 23 Pa.C.S. 4305(b)(10).

Your Search Criteria

| | | | |
|-------------------------|-----------|----------------|------------|
| Last Name: | Vaccaro | First Name: | Charles |
| Social Security Number: | 194687927 | Date of Birth: | 04/20/1978 |

[Return To Liens Search](#)

No Results has been found for your Search Criteria


The data is as of 09-MAR-15. Please try again with different criteria.

Exhibit “H”

PA Child Support Program

Lien Search Results

As of 09-MAR-15

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arrears amounts must be obtained from the local Domestic Relations Sections under 23 Pa.C.S. § 4352(d.1)(3) and (7). The Department of Public Welfare is not liable if the information provided by this Internet site is incorrect or out of date.

The information provided by this Internet site does meet the requirements for insurance intercept purposes defined under 23 Pa.C.S. 4308.1(a) and (b). The arrears balance returned under the search criteria may be utilized to process the insurance intercept action. The Department of Public Welfare is not liable if the information provided by this Internet site is incorrect or out of date. An Insurance Intercept may be disputed in accordance with 23 Pa.C.S. 4308.1(h) and must be based on a mistake in the amount of overdue support, or a mistake in the identity of the obligor. If an insurer receives a Nondisbursement Order whether issued from the Child Support Lien Network or a Pennsylvania Domestic Relations Section, the provisions of the Nondisbursement Order must be adhered to in accordance with 23 Pa.C.S. 4305(b)(10).

Your Search Criteria

| | | | |
|-------------------------|-----------|----------------|------------|
| Last Name: | Vaccaro | First Name: | Marissa |
| Social Security Number: | 184647359 | Date of Birth: | 05/20/1981 |

[Return To Liens Search](#)

No Results has been found for your Search Criteria

The data is as of 09-MAR-15. Please try again with different criteria.

ROSS FELLER CASEY, LLP
By: MATTHEW A. CASEY, ESQUIRE
RYAN P. CHASE, ESQUIRE
I.D. NOS: 84443/203224
One Liberty Place, Suite 3450
1650 Market Street
Philadelphia, PA 19103
(215) 574-2000

Attorneys for Plaintiffs

| | | |
|--|---|-----------------------|
| CHARLES VACCARO and MARISSA | : | COURT OF COMMON PLEAS |
| VACCARO , Individually and as Parents | : | |
| and Natural Guardians of EMMA | : | LACKAWANNA COUNTY |
| VACCARO , a minor | : | NO: 14-CV-7675 |
| | : | |
| Plaintiffs, | : | |
| | : | |
| v. | : | |
| | : | JURY TRIAL DEMANDED |
| | : | |
| SCRANTON QUINCY HOSPITAL | : | |
| COMPANY, LLC d/b/a MOSES TAYLOR | : | |
| HOSPITAL; SCRANTON QUINCY CLINIC | : | |
| COMPANY, LLC d/b/a PHYSICIANS | : | |
| HEALTH ALLIANCE, INC.; and | : | |
| RAYMOND C. DECESARE, M.D. | : | |
| | : | |
| Defendants. | : | |

CERTIFICATE OF SERVICE

I, Elizabeth Barnett, hereby certify that on this 7th day of November, 2016, I caused a true and correct copy of the foregoing petition for Court approval of settlement to be served upon the following persons by electronic mailing:

Counsel for Scranton Quincy Hospital Company, LLC d/b/a Moses Taylor Hospital and Scranton Quincy Clinic Company, LLC d/b/a Physicians Alliance, Inc.

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Courtney C. Barbacane, Esquire
Burns White LLC
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West Conshohocken, PA 19428

**Co-Counsel for Scranton Quincy Hospital Company, LLC d/b/a Moses Taylor Hospital
and Scranton Quincy Clinic Company, LLC d/b/a Physicians Alliance, Inc.**


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Elizabeth Barnett