

**FOR IMMEDIATE RELEASE**

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**Excessive Force – Including Use of a Vacuum Extractor –  
Applied During Cesarean Section Led to Brain Damage**

**Lake Success, October 2024...** The [Pegalis Law Group, LLC](#) is pleased to announce that it has obtained a multimillion-dollar settlement for the benefit of a child who sustained disabling brain damage at birth.

The brain damage occurred during delivery by cesarean section. The incisions the defendant doctor (an obstetrician) made in the mother's abdomen and uterus proved to be too small to extract the baby's head. Rather than simply making the incision bigger the doctor tried force the head out of the opening with his hands, and then resorted to a vacuum device cupped onto the baby's head. The first attempt to pull the child out of the uterus with the vacuum device failed. He was able to extract the head through the small opening with the second pull.

The baby sustained a substantial brain bleed in his head (a subdural hemorrhage) which has left him with significant disabilities. His diagnosis is cerebral palsy.

Although the obvious cause of the brain injury was trauma to the head during birth, the defendant doctor claimed – without evidence – that the bleeding (and hence the brain injury) must have occurred in the uterus before the baby was born. The defendant clung to this defense through several years of litigation.

In response, the [Pegalis Law Group](#) assembled a team of medical experts, including an OB/GYN-Perinatologist, a Neonatologist, a Neuroradiologist and a Pediatric Hematologist who evaluated the medical records, including the brain scans taken of the baby while he was in the neonatal intensive care unit, and demonstrated that the only possible cause of the injury was excessive trauma to the baby's head during delivery. The experts noted that the use of the kind of excessive force that was used here amounts to medical malpractice.

Faced with this expert analysis, the defendant agreed to settle.

The [Pegalis Law Group](#) wishes only the best for this beautiful boy, who must now live out his life with multiple disabilities.

Pegalis Law Group, LLC, a New York Medical Malpractice and Personal Injury law firm, advocates for those suffering as a result of avoidable medical errors and personal injury. In 50 years of practice, they have won some of the largest verdicts in New York State history and strive for medical accountability to ensure safer medical practices for better patient care.

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