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Couple gets 950G in malpractice suit

By TOM COCOLA
ADVANCE STAFF WRITER

A Huguenot man who was left with permanent facial paralysis and his wife were awarded a total of \$950,000 by a six-member jury during a medical malpractice judgment reached in Manhattan Supreme Court on Tuesday.

Alphonse Gentile, 60, a former assistant principal for New Dorp High School, was awarded \$850,000 in damages and his wife, Josephine, was awarded \$100,000, according to a law clerk for Justice Michael Dontzin who presided over the jury. The Gentiles were seeking \$1 million.

The clerk said the lawsuit was initiated against Dr. Augusto Ongsiako, an ear, nose and throat specialist with an office in Annadale, and the New York Eye and Ear Infirmary in Manhattan.

The four-man, two-woman jury ruled that Ongsiako, a member of the Staten Island Medical Group, H.I.P., was negligent in severing Gentile's facial nerve during an operation for removal of a small

facial growth. The operation was performed on May 11, 1983 at the Manhattan hospital.

The jury ruled that Ongsiako is responsible for 83 percent of the damages while the hospital is required to pay the remaining 17 percent.

Gentile's attorney, Judith A. Livingston, of the Manhattan law firm of Kramer, Dillof, Tessel, Duffy and Moore, said Gentile's right eye had to be surgically closed halfway to avoid blindness.

Ms. Livingston also said Ongsiako changed medical records about the operation, and the jury ruled that Ongsiako was negligent in severing the nerve.

Ms. Livingston said the right side of Gentile's face has been left with permanent paralysis. He is unable to move the right side of his mouth, she said.

The defense argued that paralysis had been caused during post-operative care.

Ongsiako was represented by Thomas Doyle, a member of the Manhattan law firm of Schiavetti, Devita, Bagos and Nicholson. Doyle could not be reached for comment yesterday. It is not known if an appeal will be filed.

The hospital was represented by Howard Richmond of the Manhattan law firm Goldsmith and Tabak.