



# Judge awards family \$42 million after birth injury leaves lasting brain damage

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by CBS21 WEB STAFF  
Friday, April 21st 2017

HARRISBURG, Pa — A federal judge awarded a Chambersburg family almost \$42 million after their child suffered a forceps injury at birth that left severe brain damage.

Christina Late and Nathan Armolt, of Chambersburg, sued the United States government after the incident occurred at Keystone Women's Health Center, which is a federally supported facility. The suit went to trial in September of 2016 and the bench trial lasted six days.

According to U.S. District Judge Sylvia Rambo's decision the incident occurred as follows:

Orndork later acknowledged "that using forceps increases the risk of injury to the mother and baby and 'admitted protraction of the first stage of labor is never an appropriate indication for forceps delivery,'" according to Judge Rambo.

Judge Rambo says that the child, who is now five-years-old, will need life-long supervision and will likely need to be institutionalized later in life, because he "will be too difficult for his parents to handle."

The child "understands language but is unable to express himself, will not be able to read or write, fatigues quickly and will be confined to a motorized wheelchair as he gets older," according the Judge Rambo.

The child has had six brain and spinal surgeries and may need future operations, according to Judge Rambo.

**"Judge Rambo appropriately held the government and Dr. Orndorf responsible for the catastrophic injuries caused to this little boy. The court recognized the severity of D.A.'s injuries and awarded what plaintiffs argued was necessary to care for him throughout his lifetime," said Regan Safier, plaintiffs' attorney with Philadelphia-based Kline & Specter, PC.**

Judge Rambo awarded \$33 million for future medical and attendant care, \$5 million for pain and suffering, \$2.7 million for loss of future earnings, \$820,000 for the loss of the value of fringe benefits and \$104,000 for past medical expenses.