

Boy's parents settle malpractice suit for \$500,000

By ERIC RIEDER
Herald Staff Writer

The parents of an 11-year-old boy who died of brain injuries from playing soccer will receive \$500,000 from a Hialeah medical clinic and the Dade school system, in a settlement of a malpractice suit reached Wednesday.

Humberto and Marta Barreto of Hialeah filed suit after the unusual death four years ago of their son, Humberto Jr. The youth died six days after a soccer injury that went unnoticed by his coach and undiagnosed by his doctors at the Association Cubana Clinic of Hialeah.

The settlement came on the third day of a civil trial of the Barretos' suit before Dade Circuit Judge Lenore Nesbitt. The

Humberto Barreto, 11, died of injuries he received playing soccer. His parents blamed a clinic and the school system.

cost will be divided among the defendants, with the clinic and four doctors paying \$325,000 and the Dade County School Board paying \$175,000.

Herbert Virgin, one of the attorneys who brought the suit, called the settlement a fair one.

But Charles B. Patrick, attorney for the clinic and the doctors, said, "The case was settled because of expediency, because of the large verdicts we've been having re-

cently." He said the clinic and doctors were not guilty of the negligence of which they were accused.

School Board Attorney Cecyl Pickle couldn't be reached for comment.

Barreto, a goalie at Palm Springs Junior High School, was injured on Jan. 6, 1978, after being hit in the face by a soccer ball. His parents took him to the clinic three days later, after he began to experience headaches and vomiting.

Later that day, his brain died of acute obstructive hydrocephalus, or swelling of the brain. The child was pronounced dead on Jan. 12.

Medical evidence showed that after being hit in the face by the ball, his head had hit a goal post, causing the swelling that led to his death.

The lawsuit filed by Virgin and attorney Louis Stabinski charged the school system

with negligence for failing to prevent and detect the injury, and for failing to tell the parents he had suffered it.

The clinic and four physicians were accused of malpractice for not diagnosing Barreto's brain injury. The doctors were Antonio Castro, Gladys Lopez, Pedro Cuni and Celso Hernandez.

The actual cost of the clinic's and the doctors' share of the settlement will be borne by American Medical International, a national hospital company that owned a majority of the Hialeah clinic's stock at the time of the injury, attorney Patrick said. The national firm no longer has an interest in the local facility, he said.