

American Arbitration Association  
New York No-Fault Arbitration Tribunal

In the Matter of the Arbitration between:

BL Pain Management PLLC  
(Applicant)

- and -

New York City Transit Authority  
(Respondent)

|                          |                   |
|--------------------------|-------------------|
| AAA Case No.             | 17-25-1412-3458   |
| Applicant's File No.     | 00153490          |
| Insurer's Claim File No. | BU202401280004001 |
| NAIC No.                 | Self-Insured      |

**ARBITRATION AWARD**

I, Anne Malone, the undersigned arbitrator, designated by the American Arbitration Association pursuant to the Rules for New York State No-Fault Arbitration, adopted pursuant to regulations promulgated by the Superintendent of Insurance, having been duly sworn, and having heard the proofs and allegations of the parties make the following **AWARD**:

Injured Person(s) hereinafter referred to as: EIP

1. Hearing(s) held on 06/15/2026  
Declared closed by the arbitrator on 06/15/2026

Mikhael Guseynov, Esq. from Drachman Katz, LLP participated virtually for the Applicant

Laura Weiss, Esq. from Gottlieb Ostrager LLP participated virtually for the Respondent

2. The amount claimed in the Arbitration Request, **\$1,506.27**, was AMENDED and permitted by the arbitrator at the oral hearing.

The amount claimed was amended by the applicant to \$550.00 to conform to the appropriate fee schedule.

Stipulations WERE NOT made by the parties regarding the issues to be determined.

3. Summary of Issues in Dispute

The 65 year old EIP reported involvement in a motor vehicle accident on January 28, 2024; claimed related injury and underwent an office visit and x-ray studies of the neck and lumbar spine provided by the applicant on November 21, 2024.

The applicant submitted a claim for these medical services, partial payment of which was timely made by the respondent based upon its determination of the correct reimbursable amount pursuant to the New York Workers' Compensation Medical Fee Schedule.

The respondent made payment in full for the services at issue. However, the payment was late. The applicant contends that it is due interest and attorney's fees.

**The issue to be determined at the hearing is whether the applicant is entitled to interest and attorney's fees.**

4. Findings, Conclusions, and Basis Therefor
5. Optional imposition of administrative costs on Applicant.  
Applicable for arbitration requests filed on and after March 1, 2002.

I do NOT impose the administrative costs of arbitration to the applicant, in the amount established for the current calendar year by the Designated Organization.

**6. I find as follows with regard to the policy issues before me:**

- ☐ The policy was not in force on the date of the accident
- ☐ The applicant was excluded under policy conditions or exclusions
- ☐ The applicant violated policy conditions, resulting in exclusion from coverage
- ☐ The applicant was not an "eligible injured person"
- ☐ The conditions for MVAIC eligibility were not met
- ☐ The injured person was not a "qualified person" (under the MVAIC)
- ☐ The applicant's injuries didn't arise out of the "use or operation" of a motor vehicle
- ☐ The respondent is not subject to the jurisdiction of the New York No-Fault arbitration forum

Accordingly, the applicant is AWARDED interest only

**A. Attorney's Fees**

The insurer shall also pay the applicant for attorney's fees as set forth below

**The applicant is awarded interest in the amount of \$162.72 and attorneys fees of \$142.54. in**

- B. The respondent shall also pay the applicant forty dollars (\$40) to reimburse the applicant for the fee paid to the Designated Organization, unless the fee was previously returned pursuant to an earlier award.

This award is in full settlement of all no-fault benefit claims submitted to this arbitrator.

State of CT

SS :

County of Fairfield

I, Anne Malone, do hereby affirm upon my oath as arbitrator that I am the individual described in and who executed this instrument, which is my award.

07/09/2026

(Dated)

Anne Malone

#### **IMPORTANT NOTICE**

*This award is payable within 30 calendar days of the date of transmittal of award to parties.*

*This award is final and binding unless modified or vacated by a master arbitrator. Insurance Department Regulation No. 68 (11 NYCRR 65-4.10) contains time limits and grounds upon which this award may be appealed to a master arbitrator. An appeal to a master arbitrator must be made within 21 days after the mailing of this award. All insurers have copies of the regulation. Applicants may obtain a copy from the Insurance Department.*

## ELECTRONIC SIGNATURE

**Document Name:** Final Award Form  
**Unique Modria Document ID:**  
cfb5067840cfd7dc98fdbbb9354f30b0

### Electronically Signed

Your name: Anne Malone  
Signed on: 07/09/2026