



**STOLZENBERGCORTELLI** LLP  
ATTORNEYS AT LAW



## A NEWSLETTER FOR FRIENDS AND FAMILY

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**Serious Lawyers  
for Serious  
Injuries**

## It's Time To Get Your Dog Ready For Spring

Spring is finally here! It's time to get outside and take advantage of all the season has to offer and do things that the cold winter may have prevented you from doing. To help you and your dog get ready for spring, the American Kennel Club offers the following tips:

### **Get a clean bill of health.**

It's good to take your dog for a check up after being cooped up in the house for the winter. This will ensure your dog is healthy and ready to start springtime activities.

### **Drop the winter weight.**

Many of us pack on a few pounds during the cold winter months, and chances are our dogs have too. If your dog is looking a little fuller these days it's time to talk to your veterinarian about a safe weight loss regimen for Fido. Try cutting back on treats that add calories to your dog's diet. Instead, try giving him baby carrots.


### **Play outside.**

Now that the weather is warming up, take the opportunity to get outside with your dog. Start slowly if your dog hasn't exercised much over the winter. Try taking a walk to the local dog park, or playing fetch in your yard.

### **Beware of the grass.**

Your dog will finally be able to run and play on the grass, but be careful where you let Fido go. The chemicals used on lawns don't belong on your dog's paws. Make sure you clean his pads after playing on grass.

### **Groom the coat.**

Shedding increases in the springtime as dogs lose their winter coats. Make sure to brush your dog regularly. This will help keep the shedding under control, as brushing loosens and removes dead hair and dandruff from Fido's coat. 



Howie with his dog Rylee



Tommy Cortelli with Puck

### **A REFERRAL FROM YOU IS OUR HIGHEST COMPLIMENT**

**A referral from our valued clients, friends, family and fellow attorneys is the highest compliment we can receive. If you know of someone who can benefit from our services at StolzenbergCortelli, LLP, please let us know. Call Us Today.**



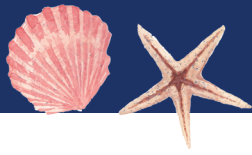
305 Old Tarrytown Road  
White Plains, New York 10603  
**mailing address**

99 Main Street  
Nyack, New York 10960  
**by appointment only**

26 Court Street  
Brooklyn, New York 11242  
**by appointment only**

**T** (914) 361-4888 (main)  
**F** (914) 361-4478  
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**W** [www.stolzcortlaw.com](http://www.stolzcortlaw.com)





## StolzenbergCortelli LLP – Recent Verdicts/Settlements

**\$2 million (and a waiver of the \$330,000 workers' compensation lien)** – In this case, our client was hurt when he tripped and fell at a New York City Board of Education construction project. The project was to renovate a kitchen in a school in Queens. Our client fell over a conduit – or “stub up” – that was to be used to bring hot and cold water to a sink in the new kitchen. In defending the case, the lawyers for the school were adamant that the stub up was not a defective condition as it was a part of and thus integral to the construction of the building. The lawyers relied on various provisions of the Industrial Code, which was meant to protect workers, to support their claim. In responding to the school's motion, we were able to find a long line of cases from the early 1900's explaining that a defective condition is a defective condition and that whether or not the condition is part of the ultimate design of the building makes no difference – the safety of the worker is paramount. The Court sided with our arguments. Once we successfully opposed the motion, the parties stipulated to a \$2 million settlement, along with a waiver of the \$330,000 workers' compensation lien.

**\$950,000** – In another construction accident at a local public school, we represented a worker who fell from a stepladder as he attempted to run a computer cable along the ceiling of a school lobby. Here, the worker's supervisor told the worker to use a 6 foot step ladder and told the worker that he needed to stand on the very top of the ladder to actually reach the ceiling. In doing so, the step ladder shifted, he fell, hitting his head and suffering multiple fractures, including of his wrist. Although the school argued that the accident was our client's fault, we were able to locate video showing the accident. That video showed the supervisor actually watching our client as he climbs to the top of the ladder. In New York, if your supervisor tells you to climb a ladder in a dangerous manner, that will render the party that retains the contractor liable as a matter of law.

**\$250,000** – In another case, within a year of retaining the case, and even before conducting depositions, we were able to settle the case for this amount where our client fell on an ice covered sidewalk in Westchester County and fractured his ankle.

**\$125,000** – car accident, shoulder surgery and broken toe. 

## Don't Get Burned by the Statute of Limitations

In New York, the time you have to file a claim after you were injured—the Statute of Limitations (SOL)—is generally three years from when you were hurt in an accident (there can be exceptions especially if it is a claim against a municipal entity), though, and your best bet is always immediately to reach out to an experienced personal injury attorney to review the facts of your situation).

Unfortunately, some folks that we speak with are under the mistaken impression that as long as they have initiated conversations with the insurance company, exchanged paperwork, or are actively negotiating with the adjuster, they're in good shape as far as the SOL is concerned. This could not be further from the truth.

Fact is, in order to meet the requirements of the SOL, your injury claim has to be filed in court within the timeframe allowed by the SOL.

Simply getting things rolling and chatting with the insurance adjuster are not enough. Remember, the insurance adjuster is not your friend and is not your buddy. His or her job is to settle your claim for as little money as possible...or to get it thrown out entirely or just make it go away (what better way for that to happen than to have the SOL run out).

To make matters worse, if the SOL does run out, you're out of luck. You can't file to get an extension or get an exception—your opportunity to collect compensation for your injuries is gone.

So, do yourself a favor: if you get injured in an accident and feel you may have a legitimate claim, give our office a call. 



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**mailing address**

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# The Elements of a Lawsuit – What to Expect

## (PART ONE OF A THREE PART SERIES)




So, you have been in accident. You have been seriously hurt, you are unable to work, and you are not getting paid. Now what? In this day and age, you will need to sue to recover for the pain and suffering and the wages you lost because of the accident that was not your fault. Most people know this. But what they don't know is how exactly the lawsuit works and what to expect as the lawsuit winds its way through the Courthouse. This three-part series is a brief synopsis of what to expect next.

First, you will meet with your attorney. The attorney will do a factual investigation, which may include taking photographs and measurements of the accident scene, speaking with witnesses and searching out documents to help prove that the accident was not

your fault but the fault of another culpable party. The lawyer will also begin developing proof to support your claims that you have been injured. This will include collecting medical records and speaking with your medical providers.

Once the attorney has a strong grasp of both the facts that led to the accident and the injuries sustained, the attorney will begin communicating with the defendant's attorney and most likely the defendant's insurance liability carrier in an attempt to try and settle your case. In this situation, your attorney will hand over all the proof that supports your claim and will demand a settlement that would be in line with the value of the injuries you sustained. If a settlement cannot be reached, your attorney will then start the actual lawsuit.

This process of trying to settle prior to commencing an actual lawsuit has its benefits. First, if the case can settle prior to starting the lawsuit, it would be a great result for the client because it will mean that the case settled very quickly. This is because it takes several years before a lawsuit is resolved. In addition, if the case settles early, it means less money was spent on expenses, which is always a good thing. Finally, by trying to settle early, the attorney has begun laying the foundation so that he can convince the defendant's attorney and his respective insurance carrier of the strengths of your case. So, while it may not lead to an early settlement, it certainly will have convinced the carrier that the case is a strong one and will promote either a better settlement once the lawsuit was started or the framework of a trial if the case doesn't settle.

In the next segment of this series, we will explore what happens when the lawsuit actually starts. And, in the final installment, we will explore what happens when your case goes to trial. Stay tuned. 

## Howie's Famous Franks-n-Beans


**Preparation Time: 10 minutes • Cook Time: 40 minutes**

### INGREDIENTS

- 2 teaspoons margarine
- 3 tablespoons chopped onion
- 1 (16 ounce) can baked beans with pork
- 1 (16 ounce) package frankfurters, sliced (Nathan's of course!)
- 1/3 cup brown sugar
- 1 teaspoon prepared mustard
- 1 teaspoon celery salt



### DIRECTIONS

1. Preheat the oven to 350 degrees F (175 degrees C).
2. Melt butter in a skillet over medium heat. Sauté onions in butter until tender. Stir in the baked beans and sliced frankfurters. Season with brown sugar, mustard and celery salt. Transfer to a 2 quart casserole dish.
3. Bake for 40 minutes, stirring occasionally.
4. Serve, sit back, and wait for the compliments. 

### Important Upcoming Dates

- May 3** National Teacher Day
- May 5** Holocaust Remembrance Day
- May 5** Cinco de Mayo
- May 8** Mother's Day
- May 21** Armed Forces Day
- May 30** Memorial Day
- June 6** D Day, WWII
- June 6** Ramadan Begins
- June 14** Flag Day
- June 19** Father's Day
- June 20** Summer Solstice (The longest day of the year!)

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StolzenbergCortelli LLP paralegals  
Isabel DeAngelo (left) and  
Carmen Contreras (right).



Disclaimer: StolzenbergCortelli LLP represents plaintiffs in all types of personal injury claims in New York. We are serious lawyers for serious cases. Attorney advertising. Prior results do not guarantee future performance.

## Hockey Triple Crown

In one of the most remarkable winter seasons in recent history, Howie Stolzenberg was part of three championship ice hockey teams. 



HNA Badgers –  
2015-2016 Winter Champions



Los Diablos Locos –  
WSA 2015-2016 Winter Champions



Frosty Loggers – Stamford Ice House  
2015-2016 Winter Champions

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