



## A NEWSLETTER FOR FRIENDS AND FAMILY


**May 2018**

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**Serious Lawyers  
for Serious  
Injuries**


## A Note from StolzenbergCortelli, LLP

This is a great time of year. The weather starts to become nice, flowers bloom, and you can actually leave your house without snow boots and a winter jacket. We were all dreading watching the weatherperson describe yet another impending Nor' Easter. But really, the best part of this time of year is that it marks the anniversary of this Firm's creation. It is hard to believe that it has been four years since Howie and Terry decided to set up their boutique, personal injury firm with their overall all intent of being "Serious Lawyers for Serious Injuries". We strive to be there for our clients every step of the way and to ensure we get the best possible resolution for our clients in the shortest amount of time. Thank you to our clients for allowing us to serve you in your time of need. We look forward to many more anniversaries to come. 

## Saluting Our Armed Forces

Armed Forces Day is a federal holiday and falls on the third Saturday of May, annually.

The inception of this Armed Forces Day dates back to 31 August 1949, it was a day dedicated to honor Americans who were currently serving in the five U.S. military branches – the U.S. Army, U.S. Navy, U.S. Marine Corps, U.S. Air Force and U.S. Coast Guard – following the consolidation of the military services in the United States Department of Defense. It was intended to replace the separate Army-, Navy-, Air Force-, Marine Corps- and Coast Guard Days but, today, the separate holidays are still observed independently.

StolzenbergCortelli would like to take this time to thank everyone in our Armed Forces inclusive to our very own family members (**Justin Robertson, USN, Christian Cortelli, USMC, and Andres D. Gomez, USMC**) for serving and protecting our country. 



Justin Robertson



Chris Cortelli



David Gomez

### 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**

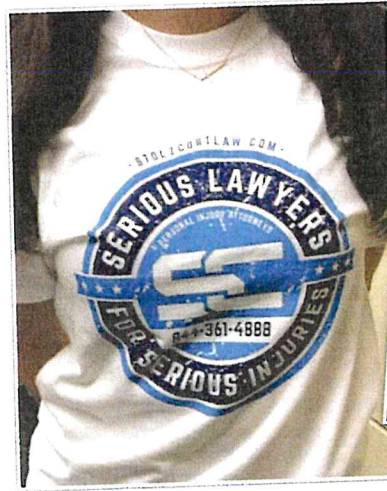
T (914) 361-4888 (main)  
F (914) 361-4478  
T (845) 795-3636 (Rockland office)  
W [www.stolzscortlaw.com](http://www.stolzscortlaw.com)



## Recent Settlements

- Construction Accident – \$1,250,000 – worker run over by a street sweeper; defendants blame worker for not paying attention; shoulder surgery; lower back pain complaints.
- Slip and fall at Dunkin Donuts – \$105,000 – customer slipped and fell on sidewalk in front of coffee shop; defendants blame customer; knee surgery; defendants say injury was preexisting.
- Motor vehicle – \$105,000 – hit from behind; defendants contend it was a tap; no damage visible; client underwent bilateral shoulder surgery.
- Motor vehicle – \$90,000 – hit from behind; shoulder surgery; defendants contend plaintiff made excellent recovery. 

## StolzenbergCortelli, LLP Swag is Back



Check out our new designer shirts! This swag will make you the talk of the town! Call for yours today! (While Supplies Last).


## Road Construction Safety—*It's a Two-Way Street*

This time of year, road construction is a common sight across the nation's highways, roads, and streets. It is imperative that drivers follow the posted work-zone speed limits and pay attention so as not to endanger construction workers, as well as other drivers and themselves.

However, construction companies also have a duty to keep a work zone safe for traffic passing through and around the area. Potential work-zone hazards include the following:

- **Improper signage.** Motorists need ample warning of upcoming construction. Government regulations specify the types of signs to be utilized, the placement of those signs, and their number. Signage should be clear and concise.
- **Missing or misplaced cones, barrels, and other equipment.** Missing cones or barrels can create confusion. Misplaced ones can do the same or become roadway obstructions. Both elevate the risk of an accident.
- **Hazardous changes in traffic patterns.** For instance, a posted work-zone speed limit that's too high for a sudden makeshift turn that's too sharp is a dangerous combo for motorists.
- **Uneven pavement.** Uneven pavement that's unmarked can be hazardous, especially for motorcyclists. It doesn't do a car's suspension any favors either.
- **Obstructions.** Construction debris, equipment, or vehicles that are too close to the roadway (or partially on it) can make driving treacherous.
- **Construction vehicles entering and exiting the roadway** need to do so in a safe manner.



In some circumstances, federal, state, or local government may share responsibility for road-construction negligence, which adds complexity to the situation. If you are the victim of possible road-construction negligence, promptly contact an auto accident attorney to protect your rights. 

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mailing address

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# Report Minor Accidents to Your Insurance Company


Contractually speaking, nearly all auto insurance companies require a driver to report any accident they're involved in, no matter how "minor." However, in a seemingly minor accident, the parties might agree to work things out amongst themselves. It's less hassle and they believe their insurance rates won't go up. Bad idea...and here's why.

After an accident, some injuries may take days or weeks to manifest. If you don't report the accident to your insurance company right away, your account of the situation later may come into question.

If you were ticketed or issued a citation at the scene of a minor fender bender, word will get back to your insurance company. Don't drag your feet in reporting it. An unreported accident might cause your premiums to not just rise, but skyrocket. Worse, your coverage may be discontinued.


Even if you were not at fault and decide to work things out with the other driver, the other driver may size up the situation differently once they're at home. If they decide to file a claim days or weeks later, your insurance company may deny you certain protections since you failed to report the accident to them.

The only time it might make sense to avoid reporting an accident is if it occurs on your own property, no injuries are involved, and the only damage is to property you own (e.g., backing into your garage door). In this scenario there are no disputes about fault or cost of repairs.

If you are involved in an auto accident, contact us for guidance and to protect your rights. 



## The Curious Case of Jane Doe – Her Case Offers a Nice Primer on How the Labor Law Protects Workers

In this case, Ms. Doe, an electrician, was working the overnight shift at the renovation project at Madison Square Garden. She was responsible for ensuring that all of the temporary lighting was in good working order so that the other trades – like the carpenters and ironworkers – could do their job in the best lighting possible. During one night, she was walking back to her base area, which the workers call their "shanty," when she fell and injured her knee. She ended up having a pretty serious knee surgery. She tripped because the concrete wall she was working on had more holes in it than a minefield. Through much discovery and investigation, we were able to determine that the holes stemmed from some renovation work other workers had done some weeks prior to Ms. Doe's fall. The plan was to tear down an old floor and eventually put in a nice new one. However, the time when the original floor was demolished and the new floor was installed was going to last several weeks if not months and it was during this time frame when she fell. We sued the contractors, alleging that they owed Ms. Doe the obligation to provide a safe work area. And the contractors responded, arguing that Ms. Doe was to blame, that she needed to be more careful and that workers did not deserve a safe walking surface. However, with the help of a safety construction expert, we were able to show that contractors are indeed responsible for proving a safe walking surface pursuant to New York's Industrial Code and that the contractors should have foreseen this problem occurring before they even started the construction project. Our expert explained that before any construction project begins, contractors must put together a pre-work safety plan and this plan must account for such things as whether certain construction will create a dangerous walkway. In that scenario, the safety plan must outline steps so that the dangerous condition is made into a safe one. In Ms. Doe's case, we were able to show the contractors skipped this critical step in the construction process. After we presented this proof, the defendant contractors agreed to settle for \$650,000. 

### May 2018 Important Dates

#### Lupus Awareness Month

<b>May 3</b>	National Day of Prayer
<b>May 5</b>	Cinco de Mayo
<b>May 6</b>	National Nurses Day
<b>May 13</b>	Mother's Day
<b>May 19</b>	Armed Forces Day
<b>May 28</b>	Memorial Day

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**STOLZENBERGCORTELLI** LLP  
ATTORNEYS AT LAW

305 Old Tarrytown Road  
White Plains, New York 10603  
[www.stolzcortlaw.com](http://www.stolzcortlaw.com)



The StolzenbergCortelli LLP Family

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.

## It's Important to Be a Good Patient

If you sustain an injury due to someone else's negligence, good communication with your doctor and/or therapist and following through on their recommendations is critical for your health and well-being—and for receiving fair compensation from the at-fault party.

Being a good patient means keeping all your medical/therapy appointments. It also means giving the doctor or therapist detailed feedback on questions he/she asks you. Think about what you want to say and ask ahead of time; jot down notes prior to your appointment. Doctors and therapists aren't mind readers; they need to know what kind of progress you're making. A thorough and accurate medical record will bolster your personal injury claim.

Follow your healthcare provider's recommendations. Get prescriptions filled, carry out the exercise or stretching regimen they map out for you, and confirm what activities are OK and which ones are out of bounds. Get an idea of what developments in your recovery should prompt a call to the office.

Actions that can harm your personal injury claim include a delay in seeking medical treatment following an accident, skipping appointments, cutting off therapy early, and quitting treatment and then restarting weeks or months later, which creates a gap in your treatment record. All leave the door wide open for the at-fault party to argue that your injury is not as serious as you claim it is, or that your injury was caused by something else, not the accident in question.

Being a good patient and hiring an experienced personal injury attorney is the best way to receive fair compensation for your injuries. 



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