

April 2012 Newsletter

Featured Case

Union Ironworker Accepts \$1,250,000.00 Settlement

Capitalizing on a recent decision of the New York Court of Appeals (our highest court), our client accepted a \$1,250,000.00 settlement for injuries he received when a wall plate he was welding in place broke free and crushed him underneath. In the past, this situation generally would not lead to a successful recovery, but late last year the Court of Appeals issued a pro-worker decision that can make recovery more of a reality for those injured on the job. We continually follow these appellate decisions and apply them to our practice — and our clients.

What you need to remember most about construction accidents is that New York has several unique pro-worker statutes and recovery can often be achieved in situations not ordinarily thought possible.

NEWS

Attempts to Cap Jury-Damage Awards Continue

For those who think the threats to our civil justice system have somehow gone away, the insurance defense industry continues to seek legislation to cap jury awards for pain and suffering. Just last month the House of Representatives passed a measure (HR-5) that sought to radically change the federal law by limiting pain and suffering awards in medical malpractice actions to \$250,000.00. HR-5 is sure to go down to defeat. It's not even expected to come up for review in the Senate any time soon. Even if it somehow passed in the Senate, President Obama has made it clear that he would veto any such anti-consumer legislation.

Our trial-lawyers associations continue to oppose such measures because they would unfairly harm individuals who are not in the work force, like stay-at-home parents, children, and the elderly. We also contend that such measures violate our basic constitutional rights. Several members of Congress are standing up for your rights. Check out Rep. Bruce Braley's speech on the house floor in opposition to HR-5.

<http://www.youtube.com/watch?v=25Z2Uiorq2o>

Locally, Rep. Brian Higgins and Rep. Louise Slaughter voted against HR-5, and Rep. Kathy Hochul voted in favor of it. We bring this to your attention so you are aware that efforts to undermine our civil justice system are still going on. We urge you to make yourself heard.