

FEATURED CASES

State of New York Agrees to Pay \$8.75 million to 15-year old Girl for Traumatic Lower Leg Amputation

Our young client was walking along Seneca Street in the Town of West Seneca when she was struck by a van owned by the New York State Department of Development Disabilities and driven by one of its employees. Our client was walking in an area that had no sidewalks. She was walking inside the designated fog line. The van was equipped with a step platform that protruded out from the body of the van. The driver crossed the fog line and the step platform struck our client immediately below her knee, effectively amputating her lower leg. The case was settled as it was about to be tried before a State Court of Claims Judge. The Court of Claims is the court designated by our legislature to hear all civil lawsuits filed against the State. Once the settlement agreement was reached, by court order, a majority of the settlement was placed into a structured settlement annuity that will pay out 28 million dollars over our client's expected lifetime. This case underscores the point that even the State of New York may be held liable for the negligence of its employees.

Driver Accepts \$3.375 million Settlement For Spinal Injury Resulting in a Dropped Foot

As her trial was about to begin in New York State Supreme Court, our client accepted \$3.4 million to settle her lawsuit against a negligent driver. The low back injury in this case necessitated a surgery and during the surgery the client sustained a further nerve stretch injury which resulted in a dropped foot. She has been unable to resume her career as a restaurant manager. Of particular note in this case is that before this accident, the client had sustained a low back injury which required surgery. Medical proof in this case showed that the accident aggravated and made worse the pre-existing injury or condition. A person responsible for an accident may be held liable for any worsening or aggravation of the underlying injury. Also, this case is a reminder that the original responsible party is also liable for any problems occurring during treatment received by the injured party. The theory is that it is only because of the negligence of the responsible party that medical treatment was needed.