

**TIP OF THE MONTH**

**One More Reason Not to  
Drink and Drive**

The holiday season is a good time to remember all of the significant legal problems associated with drunk driving. We don't need to remind you of the criminal penalties at stake or severe personal injuries or deaths that can occur. This note, however, is to inform you that your insurance company may be able to deny payment of your no-fault claim if you injure yourself in an automobile accident while driving drunk. We have discussed several times in this Newsletter how your automobile insurance policy will pay your medical bills and lost wages if you are in an accident – no matter who is at fault. Automobile insurance companies may deny coverage, however, if you were driving while intoxicated. In that situation, if you did not have private health insurance, you would be fully responsible for all of the medical costs associated with the injuries you sustained in the accident. Needless to say, this could be financially devastating. While there are many excellent reasons for not driving while intoxicated, this is just one more to add into the mix. Please have a safe and happy holiday season.

**November 2011 Newsletter**

**FEATURED CASE**

**Canadian Insurance Company  
Agrees to Pay Injured Driver  
\$950,000.00**

In May of 2009, our client was struck by a Canadian driver who was heading to the Galleria Mall. We immediately commenced suit and just before his trial was about to commence in Erie County Supreme Court, our client accepted a \$950,000.00 settlement from the insurance company for the Canadian driver. Our client sustained significant injuries to his spine which necessitated surgery. He also suffered sizeable economic losses because he was unable to work for the business that he owned. This case illustrates the principle that our courts have jurisdiction over Canadian drivers. Once Canadian drivers cross into New York State, they automatically consent to all New York State Laws governing liability for negligent acts committed within the state while operating an automobile.