

LawUpdate

News from Gersowitz Libo & Korek, P.C.

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Fall 2010

DAILY NEWS

LAWYERS DIG IN VS. K-ROD

GLK IN THE NEWS

Newsday

**Low Levels of Oxygen Detected in
Deadly Tarrytown, NY Manhole**

 **NEW YORK POST**

WAL-MART HERO
Security Guard Trampled Helping Pregnant Shopper

LawUpdate

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LawUpdate is a publication of
Gersowitz Libo & Korek, P.C.
of New York, NY.

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Dedicated to Eugene Trager

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STATE OF NEW YORK

Dear Readers,

Gersowitz, Libo & Korek, P.C. has had many accomplishments this year. We surpassed our 25 year anniversary, we added two new associates to our growing team and we recovered tens of millions of dollars for our clients. As proud as we are of these milestones, we feel our most impressive achievements have come from our work within our local communities to improve the lives of our youth and fellow neighbors in need. We are active supporters of organizations such as Hoops 4 Hope, The 100 Mile Man, Wounded Warrior Project, The Sarah Jane Brain Foundation and The Gardiner Foundation.

It is our job as personal injury attorneys to fight for the rights of the injured and those without a voice. We get our clients the results they deserve. As we focus on community achievements in this issue, we would like you to know that we also believe it is our job at GLK to invest our time, energy and resources into helping our neighbors in need, so that these communities stay strong, safe and secure for the current residents and future generations.

This Fall 2010 edition of *Law Update*, dedicated to our good friend and colleague Gene Trager, will highlight some of the big cases affecting our local communities that we have been selected to represent. You will also find information on our significant wins, growth and honors within the firm, and important information you need to know.

As always, we see this publication as an opportunity to reach out to the extended Gersowitz Libo & Korek, P.C. family and we welcome any responses, comments, or suggestions to help us better serve you.

Sincerely,
Gersowitz Libo & Korek, P.C.

IN REMEMBRANCE

Eugene C. Trager

This past May, Eugene C. Trager, an invaluable member of the GLK team, passed away at the age of 83. Eugene, Jeff Korek's father-in-law, was the Editor of *Law Update* since its inception over ten years ago until the time of his passing. A native of Brooklyn who resided in both Long Island and Florida in recent years, Gene had a long and successful career in the printing and advertising industry before his work at GLK. Utilizing his media and advertising skills, Gene's work on *Law Update* included both layout and graphics work as well as contributions to the content of the newsletter. Most famously, Gene drafted the "Great American Documents and Speeches" section of the newsletter and assisted staff in the editorial process. Gene was a kind and gentle soul who will be sorely missed. His work from the newsletter's beginnings made this publication possible and for that we would like to dedicate this issue to him.



EUGENE C. TRAGER

1929 – 2010

HAVE QUESTIONS?

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You can learn more about Gersowitz Libo & Korek, P.C. at:
<http://www.lawyertime.com>.

Contact us at info@lawyertime.com with questions or concerns.

Nuestra pagina de internet está ahora disponible en español, por favor visítenos.



"The jury system has come to stand for all we mean by English justice, because so long as a case has to be scrutinized by twelve honest men [and women], defendant and plaintiff alike have a safeguard from arbitrary perversion of the law."

WINSTON CHURCHILL

GARDINER MEMORIAL BASKETBALL TOURNAMENT

GLK Staff Showed Their Support at Fifth Annual Event

The Bronx was full of fun and excitement August 14th and 15th as the Fifth Annual Gardiner Memorial Basketball Classic Tournament, sponsored by Gersowitz Libo and Korek, P.C., was held in St. James Park (Bronx, NY). Thousands of spectators came throughout the two day event to enjoy live entertainment, free food, high flying basketball action, and most importantly, to show love & support for their fellow community members in need of consolation.

The tournament kicked off Saturday with **New York Knicks Legend John Starks** tossing up the opening tip-off. The rest of the day was filled with intense competition, as four of the eight teams were eliminated. **Assemblyman Michael Benjamin and his Chief-of-Staff and wife Kennedy Benjamin** stopped by to honor the Gardiner Foundation for the work they do in the community and presented them with an official citation.

Sunday's rain didn't stop the crowds from attending throughout the day to catch the live entertainment, semi-final action and the youth 12 and under all-star game. **Jack "The Hoop Wizard" Ryan** entertained the crowd with his amazing shots and tricks.

Although local spectators and basketball fanatics were thoroughly entertained throughout the day, everyone remembered the real reason they were there — to support and encourage our youth and to bring the community together to honor and comfort those who have lost loved ones. The Gardiner Foundation, which runs



GLK and the Gardiner Foundation with some of the winners of the backpacks filled with school supplies.

this annual tournament in memory of five members of the Gardiner family that passed away in a tragic car accident, presented memorial plaques to seventeen local families who have lost loved ones over the past year to show community support during a powerful celebration of life and prayer for the families.

Bronx Borough President Ruben Diaz, Jr. then presented citations to 4 deserving college-bound high school seniors, along with four \$1,500 scholarships from the Gardiner Foundation. The recipients of the scholarships are: Antaya Bright from New York, NY; Denzel Henderson from East Orange, NJ; Chantel Corley from Bronx, NY; and Shaun Matlocks from Queens, NY. Matlocks graciously chose to split his scholarship with Jack Middleton IV, who attends the same high school as him.

The outdoor activities wrapped up with 13 laptops and a camera raffled off to local youth and distributed by

current **NBA superstar Ben Gordon of The Detroit Pistons** and Jeff Korek.

By 6 pm on Sunday, the rain wouldn't let up, and the championship game was moved from St. James Park to the legendary Gauchos Gym, also in the Bronx. During half time, 4 large flat screen TVs & one IPAD were raffled off to adults in the crowd, and the children in attendance were presented with backpacks filled with school supplies — 48 in total. The Body Snatchers of Kingsbridge beat the Sure Shots of Fordham 115-97 to win the championship.

Gersowitz Libo and Korek, P.C. was proud and honored to be the title sponsor for this amazing event for the second year in a row, and we have already started planning for next year's tournament!

To learn how to get involved with the Gardiner Foundation, please visit

LAWYERTIME.COM

DANGEROUS DRUGS: FOSAMAX

Osteoporosis is a disease that causes thinning of bone tissue and loss of bone density over time that eventually leads to an increased risk of bone fractures occurring throughout the body. This disease affects approximately 44 million Americans. There are an estimated 10 million people that already have the disease, and an estimated 34 million that are at risk for the disease due to loss of bone mass. Physicians commonly prescribe medications from a class of drugs called bisphosphonates, which are used to treat and prevent the onset of osteoporosis. Bisphosphonates act to strengthen existing bone mass and prevent any loss of future bone mass.

Fosamax is an oral bisphosphonate developed and distributed by Merck & Company, Incorporated and was approved by the United States Food & Drug Administration in 1995. By 2007, **Fosamax** sales totaled \$3 billion. Along with being used to treat osteoporosis, **Fosamax** is also used to treat bone cancer (preventing loss of

future bone mass), and is used to treat and prevent Paget's disease (disease that causes softening and weakening of bone tissue).

Recent studies have shown that **Fosamax** usage has been linked to the occurrence of osteonecrosis of the jaw (ONJ), in long term users. ONJ, also called "Dead Jaw", is a condition that destroys the jaw bone tissue. This disease usually occurs after minor traumas in the mouth resulting from oral surgeries or tooth extraction, where the mouth and jaw do not fully recover from the surgery and an infection develops. This is followed by the bone becoming exposed in the mouth, as it is decaying.

Merck & Company, Inc. failed to disclose the risk of ONJ on the warning label of **Fosamax** and recently amended and revised their warning label to currently reflect the potential risk of developing ONJ, in March of 2010. Merck's defective design of **Fosamax** accompanied with their failure to warn of the risk of devel-



oping ONJ, has led to a great deal of products liability litigation throughout the country.

If you or a loved one has suffered any of the above described adverse effects of taking **Fosamax**, please contact Gersowitz Libo & Korek, P.C. for a free consultation.

This newsletter is dedicated to providing public information regarding Fosamax lawsuits. None of this information is intended to be medical advice. If you have medical questions regarding Fosamax, please contact your physician.



Gersowitz Libo & Korek, P.C., is a proud sponsor of Hoops 4 Hope.

Hoops 4 Hope is a not-for-profit organization that supports youth development in Zimbabwe and South Africa by working with schools, shelters, and community organizations.

For more information, visit www.hoopsafrica.org.

GLK PARTNERS NAMED NEW YORK SUPER LAWYERS



Top: Nicolas Bagley, Brielle Goldfaden, Stacey Sokol, Jennifer Fink

Bottom: Edward H. Gersowitz, Andrew L. Libo, Jeff S. Korek, Michael A. Fruhling

★ Selected to 2010 Super Lawyers

We are pleased to announce that three of our partners — Andrew L. Libo, Edward H. Gersowitz, and Jeff S. Korek — have been named by New York *Super Lawyers* magazine as top attorneys in New York for 2010. Only five percent of the lawyers in the state are named by *Super Lawyers*.

The selections for this esteemed list are made by the research team at *Super Lawyers*, which is a service of the Thomson Reuters, Legal division based in Eagan, MN. Each year, the research team at *Super Lawyers* undertakes a rigorous multi-phase selection process that includes a statewide survey of lawyers, independent evaluation of candidates by the attorney-led research staff, a peer review of candidates by practice area, and a good-standing and disciplinary check.

Thomson Reuters, Legal publishes

Super Lawyers
2010

**Only five percent
of the lawyers
in the state
are named by
Super Lawyers.**

Super Lawyers magazines across the country. In addition to the magazines, Thomson Reuters, Legal publishes newspaper inserts and magazine special sections devoted to *Super Lawyers*. In 2010, *Super Lawyers* will reach more than 15 million readers.

Super Lawyers was first published in 1991 by Law & Politics and was

acquired by Thomson Reuters, Legal in February 2010. Thomson Reuters is the world's leading source of intelligent information for businesses and professionals. *Super Lawyers* can be found online at superlawyers.com where lawyers can be searched by practice area and location.

Gersowitz, Libo and Korek are all active members of the American Bar Association, Association of the Bar of the City of New York, American Association of Justice, and the New York State Trial Lawyers Association. They are also actively involved in the Gardiner Foundation, a Bronx-based non-profit organization whose goal is to unite the community to support their youth and give emotional and financial assistance to those who have lost loved ones.



Report: K-Rod arrested for 'slugging' in-law

August 12, 2010 — According to the New York Post, Mets closer Francisco Rodriguez was arrested on Wednesday at Citi Field for assaulting his father-in-law.

The altercation took place inside Citi Field's Family Lounge and spilled out into the hallway. K-Rod's father-in-law apparently suffered "facial bruises and minor head injuries," and

COVER STORY

Gersowitz Libo & Korek, P.C., has been fighting for the rights of the injured in New York and New Jersey for more than 25 years. While the majority of the clients we represent are the hard-working citizens at the heart of the community — mothers, fathers, firefighters, police officers, teachers, construction workers, office employees — we have also recently been selected in several high-profile cases. We are honored that in a city chock full of lawyers, our firm continues to lead the fight in these prominent cases.

In 2008, when a Valley Stream, NY Walmart was preparing to open its doors early on Black Friday morning, a crowd of stampeding shoppers forced themselves through the entrance, brutally trampling the Walmart employees hired to handle crowd control. One of those employ-

The New York Times

Wal-Mart Employee Trampled to Death

November 29, 2008 — The throng of Wal-Mart shoppers had been building all night, filling sidewalks and stretching across a vast parking lot at the Green Acres Mall in Valley Stream, N.Y. At 3:30 a.m., the Nassau County police had to be called in for crowd control, and an officer with a bullhorn pleaded for order.

Tension grew as the 5 a.m. opening neared. Someone taped up a crude poster: "Blitz Line Starts Here."

By 4:55, with no police officers in sight, the crowd of more than 2,000 had become a rabble, and could be held back no longer. Fists banged and shoulders pressed on the sliding glass double doors

which bowed in with the weight of the assault. Six to 10 workers inside tried to push back, but it was hopeless.

Suddenly, witnesses and the police said, the doors shattered, and the shrieking mob surged through in a blind rush for holiday bargains. One worker, Jdimytai Damour, 34, was thrown back onto the black

The Journal News

Union: Tarrytown officials wrong to fault victims in manhole deaths

September 14, 2010 — Union officials this afternoon blasted the village of Tarrytown for failing to supervise two men who died last week when they entered a manhole and for shifting responsibility for the tragedy onto the victims.

"Anthony Ruggiero left his family in the middle of the Labor Day

holiday because he was needed at work," said Billy Riccaldo, regional president of the state Civil Service Employees Association, at a press conference at the union headquarters in Beacon. "If he had received proper training he would not have entered the manhole."

Ruggiero, 47, was a Department

of Public Works employee who climbed down the manhole behind the Consolidated Engine Co. firehouse Sept. 6 to clear away a sewage backup. When he passed out, village firefighter John Kelly went in to rescue him and was also overcome. Both were pulled out a short time later and died at Westchester

ees, Jdimytai Damour, suffered fatal injuries from the merciless onslaught. Gersowitz Libo & Korek was retained to represent the family of Jdimytai, and continues to fight for justice in his memory.

In August of 2010, after a home game, New York Mets' closing pitcher, Francisco Rodriguez, lashed out at his girlfriend's father, repeatedly punching him in the head and face and hospitalizing him. We have been selected to represent Daian Pena — K-Rod's girlfriend and the mother of their twin children — and her father Carlos as their family struggles to begin the healing process.

In September of 2010, a Tarrytown

city employee, Anthony Ruggiero, climbed into a manhole to investigate a blocked sewer, and quickly succumbed to toxic fumes. John Kelly, a volunteer Tarrytown firefighter, bravely entered the manhole in an attempt to save Ruggiero. Mr. Kelly was also overcome by fumes, and both men died. Gersowitz Libo & Korek has been asked to represent the family of John Kelly as they seek justice for this tragic and preventable death.

Gersowitz Libo & Korek is recognized as one of the leading personal injury law firms in the area. For more information on our practice areas, visit: www.lawyertime.com.

WHEN A SCAFFOLD IS NOT ENOUGH SUPPORT

Protecting the Safety of New York's Construction Workers

Gersowitz Libo & Korek, P.C. has a long history of fighting for the rights of construction workers and their families in the New York area. We believe that workers' safety is of the utmost importance and that employers should do everything in their power to make sure that their worker's health and welfare are protected. Unfortunately, in New York, as developers and construction companies push forward with new development, construction workers' safety is often compromised in the interest of speed and frugality.

Here at Gersowitz Libo & Korek, P.C. we have represented workers and their families in a wide range of construction related accidents including crane accidents, ladder and scaffold collapses and demolition injuries.

Even in New York, which has a comprehensive body of labor laws in place to protect workers, such incidents are still unfortunately too common an occurrence. According to the Bureau of

Construction is one of the most dangerous industries nationally.

Labor and Statistics, construction is one of the most dangerous industries nationally, accounting for over 20% of all workplace deaths in 2009.¹

Even though Labor Law Sec. 240, known as the "Scaffold Law" is in place to protect construction site employees working at elevated heights,

accidents involving falls from high places still remain a leading case of injury and death at New York construction sites. Nationally, almost a third of the construction fatalities referenced above for 2009 involved falls from elevated heights at construction sites.² While big insurance companies, contractors and building owners are seeking to gut the Scaffold Law by effectively shifting onto workers the ultimate responsibility for worksite safety, at GLK we believe responsibility should remain with owners and contractors at worksites, the parties who control the ability to make the sites safer.

GLK has represented construction workers and their families in a wide variety of cases and has successfully obtained recoveries on behalf of many injured construction workers in the New York and New Jersey area, including:

- A settlement in the amount of **\$7.5 million** was reached in the third week of trial on behalf of the surviving eight children of a 38 year old construction worker. During the course of his employment, the construction worker was caused to fall off of a Bobcat machine rendering him a quadriplegic. Subsequently, the construction worker died as a result of complications of his injuries.

Continued on next page >>

1. U.S. Bureau of Labor and Statistics, Fatal Occupational Injuries By Industry and Event or Exposure 2009, available at <http://stats.bls.gov/iif/oshwc/cfoi/cftb0241.pdf>

2. Id.



- A settlement in the amount of **\$2.5 million** was reached in Bronx County on behalf of the estate of a 44 year old ironworker's apprentice. The apprentice was performing work on the underside of a bridge when he was caused to fall to his death due to improper safety precautions at the worksite including improper scaffolding and fall protection.
- A settlement in the amount of **\$2 million** was reached in Queens County on behalf of a 43 year old construction worker who fell off of a scaffold while performing work at a property in Westchester County. The worksite had improper scaffold-

ing which was strewn with debris. Additionally, our client was not provided with a proper lifeline to prevent a fall. Our client suffered a traumatic brain injury, a fractured elbow and a fractured back as a result of the incident and requires long term care.

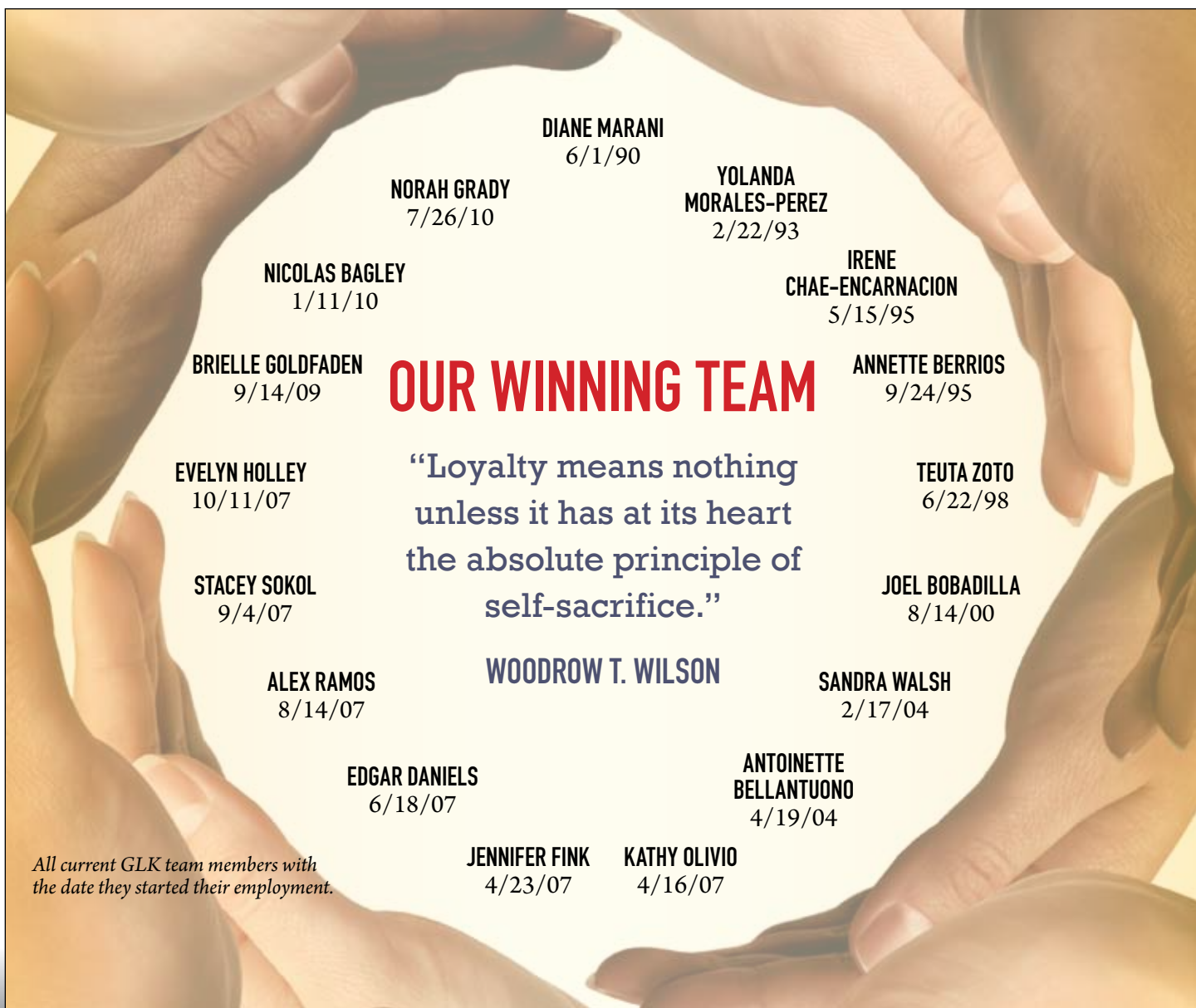
- A verdict was reached in the sum of **\$1,712,721**, which was affirmed on appeal in the Appellate Division, Second Department on behalf of a 53 year old electrician who received an electrical shock while working on a runway at JFK airport. The Port Authority of New York and New Jersey failed to make sure that all electrical currents were off in the area

even though it was known that electrical work was being done on the runway.

At Gersowitz Libo & Korek, P.C. we remain dedicated to strengthening the Labor Law provisions in place in New York State and we will continue to fight for the rights of both documented and undocumented workers.

**If you or someone close to you has been injured at a construction site please contact us at (212) 385-4410. For more information on our practice areas visit our website at www.lawyertime.com*

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DIANE MARANI
6/1/90

NORAH GRADY
7/26/10

YOLANDA MORALES-PEREZ
2/22/93

IRENE CHAE-ENCARNACION
5/15/95

ANNETTE BERRIOS
9/24/95

TEUTA ZOTO
6/22/98

JOEL BOBADILLA
8/14/00

SANDRA WALSH
2/17/04

ANTOINETTE BELLANTUONO
4/19/04

KATHY OLIVIO
4/16/07

JENNIFER FINK
4/23/07

EDGAR DANIELS
6/18/07

ALEX RAMOS
8/14/07

STACEY SOKOL
9/4/07

EVELYN HOLLEY
10/11/07

NICOLAS BAGLEY
1/11/10

BRIELLE GOLDFADEN
9/14/09

OUR WINNING TEAM

“Loyalty means nothing unless it has at its heart the absolute principle of self-sacrifice.”

WOODROW T. WILSON

All current GLK team members with the date they started their employment.

THE B SHOP BOYS AND GIRLS CLUB

Gersowitz Libo & Korek, P.C. is proud to announce their sponsorship of the B Shop Boys and Girls Club. The B Shop Boys and Girls Club is a non-profit organization founded in 2008 by Joshua Barker, a resident of East New York Brooklyn. Joshua, a local barber shop owner and father of two, started the B Shop in order to educate and mentor young children in the East New York area. Since that time, the B Shop has developed a basketball program and other athletic events for local children including a summer basketball tournament which most recently was held on August 14th and 15th. Joshua founded the B Shop on the principle that children, regardless of their gender, ethnic background or income level should

have the right to enjoy life experiences and have a creative outlet through which to express themselves.

Following a fundraiser on March 27, 2010, Josh with the support of GLK and other individuals and groups in his community, was able to collect the funds necessary to develop a much desired boxing program for the B Shop. The B Shop also held a series of talks with local children about gang prevention and their life goals over the course of the summer which ended with a family day in August. GLK applauds the great work being performed by Joshua Barker and the B Shop Boys and Girls Club. For more information on the organization you can email Bshop-buildingdreams@yahoo.com.



Dear Ms. Fink,

I would like to take this opportunity to thank you for your generous support as demonstrated with your donation to the B Shop Boys and Girls Club. Your contribution has allowed us to bring a much desired boxing program to the youth of the community.

This and other youth programs available at the club, form a framework for our community youth to participate in activities that develop skills, teamwork, discipline and respect while enjoying themselves in a safe, responsive environment.

Your support has also demonstrated your commitment to better the community and for that, the club and the youth we serve, are truly appreciative.

Thank you for your support,

Joshua Barker
Director, The B Shop Boys and Girls Club

GLK COMMUNITY OUTREACH

**Some of the
organizations we
are proud to
support:**

The Gardiner Foundation
Hoops 4 Hope
Memorial Sloan-Kettering
Cancer Center
Autism Speaks
Southern Poverty
Law Center
The Smile Train
Save The Children
The Sarah Jane
Brain Foundation
To the Tops With Laptops
Doctors Without Borders
The 100 Mile Man
Foundation
Breast Cancer Society
Wounded Warrior Project
George J. Kehayas
Memorial Fund
Susan G. Komen
For The Cure

*If you are part of an organization
and would like to be featured with us,
please contact us at 800-LAW-9997*

SETTLEMENTS & VERDICTS

Recent Wins from GLK

Motor Vehicle/Sanitation Truck — A settlement was reached on the last day of a four week trial in the amount of **\$9.5 million** in Queens County on behalf of a 23 year old real estate project manager and father who was struck by a sanitation truck while riding his motorcycle. Our client was required to undergo an above the knee amputation, also known as a left hip disarticulation. He underwent 15 surgeries related to this incident.

Medical Malpractice/Foreign Body — A jury returned a verdict in the amount of **\$3 million** in Bronx County on behalf of a 52 year old married father of two. During a radical prostatectomy, the doctor and surgical team assisting in the procedure failed to ensure that all of the surgical tools used during surgery were accounted for. As a result, they left a piece of umbilical tape inside our client's body at the end of the procedure. Our client suffered urinary problems as a result of this and was forced to wear adult diapers for a period of time. Our client also underwent 16 separate procedures to correct the mistake, one of which included the permanent placement of an artificial sphincter.

Medical Malpractice/Wrongful Death — A settlement in the amount of **\$2,750,000** was achieved in New York County on behalf of the family of a 33 year old jeweler and musician who died after innocently being shot in a holdup. The hospital where he was taken failed to timely perform surgery.

Medical Malpractice/Failure to Timely Perform Surgery — A settlement in the amount of **\$2.4 million** was reached in Bronx County on behalf of the Estate of a 50 year old father of three. Our client went into the hospital after experiencing complications from an untreated gall bladder infection. During our client's admission to the hospital, doctors failed to timely perform surgery and failed to timely institute antibiotic coverage. This delay in treatment caused our client to develop pneumonia and Acute Respiratory Distress Syndrome which subsequently resulted in his death.

Motor Vehicle/Wrongful Death — A settlement in the amount of **\$1.5 million** was reached on behalf of the family of two boys, one of whom was fatally struck by a commercial vehicle which ran a red light while they were walking home from school. A settlement on behalf of his older brother was achieved due to his proximity in witnessing the accident.

Medical Malpractice/Failure to Diagnose — A settlement in the amount of **\$1.3 million** was reached in Mercer County, New Jersey on behalf of the Estate of a 48 year old husband and father of three minor children who died after doctors at the facility where he was undergoing treatment failed to diagnose his heart condition.

Motor Vehicle/Pedestrian — A settlement in the amount of **\$1 million** was reached in Bronx County on behalf of our client, a 55 year old woman whose foot was run over by a motor vehicle in a private parking lot. Our client sustained a crush injury to her foot, a lisfranc fracture and subsequent arthritis as a result of the incident.

Medical Malpractice/Failure to Diagnose — A settlement in the amount of **\$750,000** was reached during trial in Nassau County on behalf of the Estate of a 49 year old mother and special education teacher who passed away after doctors failed to diagnose her colon cancer.

Motor Vehicle/Bystander Injury — A verdict in the amount of **\$700,000** was reached in New York County on behalf of our client, a 43 year old real estate agent. Our client, while walking on his lunch break, was struck by a bumper that had flown off of a car during a two car collision. As a result of being struck, our client suffered multiple fractures to his left foot including a lisfranc fracture and a fractured metatarsal. Our client was forced to undergo two surgeries to his foot and had a bone graft procedure performed.

Medical Malpractice/Failure to Properly Perform Surgery — A settlement in the amount of **\$650,000** was reached in Middlesex County, New Jersey on behalf of a 46 year old wife and mother of two minor children. Doctors failed to properly perform a myomectomy and punctured her uterus and colon during surgery. Subsequently, our client was forced to undergo restorative surgery to repair the perforations.

LawUpdate

News from Gersowitz Libo & Korek, P.C.

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New York, NY 10006



FREQUENTLY ASKED QUESTIONS of Gersowitz Libo & Korek, P.C.

For more information, visit:

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Will I have to go to Court?

While nearly all cases are settled out of court and before a trial begins, some are settled after the start of the trial but before its conclusion. Sometimes, if we feel that the settlement offered is unfair to you, we will try your case. We will hold your hand every step of the way. Remember that you can put your trust in us — just look at the results we have achieved in past cases. We fight hard to get you results, whether the case is resolved before, during or after trial.

Why do you so frequently win favorable settlements?

Because we always deal from strength, never from weakness. We're always prepared to go to trial. The defendant knows about our years of experience and, sooner or later, understands how well prepared we are. There is no guarantee, of course, but at the right point a favorable settlement becomes more likely.

Why can't my other lawyers handle my case?

They know that the practice of our firm is focused entirely on personal injury law,

on recovering damages for people who are harmed because of someone else's negligence. Lawyers know our reputation and our record of success. They have confidence that we will serve you well. Gersowitz Libo & Korek, P.C. has a wide reputation as lawyers' lawyers. They look to us for this work alone. You look to them for all your other legal needs.

Will I have to take the witness stand? Will the other lawyer attack me and try to break me down in cross examination?

Please understand: you are the victim in this case, and we will represent you. The process of winning compensation for what has been done to you should not be painful, and, for the vast majority of plaintiffs-it is not. Courtroom dramas on television are not real life. They are exaggerated for dramatic effect. Even actual televised trials are most often selected because they are sensational. In actuality, there is a plaintiff, a defendant, a judge and usually a jury in the courtroom. If the case is tried, the judge and jury are sworn to do what is right. Jurors are people like

you, and they do not like lawyers abusing witnesses.

Can I afford your services?

You certainly can. We work on a contingency basis. What that means, in simple terms, is you pay no legal fees unless you win an award, either through settlement or trial. We make the full investment of money and time to win justice for you. If we succeed on your behalf, we are paid a percentage of the award-and that sum is regulated by Court rule. We are also reimbursed for our expenses. What is most important is this: We have never lost a case for lack of money or professional time, and we never will.

Suppose I've been referred by another lawyer or law firm. Does that mean my case is going to cost me more money?

You pay the same contingency fee if we win your case, regardless of whether you were referred to us from another lawyer or if you came directly to us. There are cases where both law firms will share the contingency fee, but our clients are not charged an additional fee for that.