

NEW YORK MEDICAL MALPRACTICE LAWYER GERRY OGINSKI PRESENTS

HOPE AND
INSPIRATION EDITION!

NEW YORK INJURY TIMES

SEPTEMBER 2013

St. Maarten, Oyster Pond



St. Maarten, the view from the top of the mountain. Serenity.



INSIDE:

MUST READ TRANSCRIPT! | MAN DIES AT CONEY ISLAND HOSPITAL
AFTER BLOOD TRANSFUSION ERROR | 911 NOT ALWAYS AT YOUR SERVICE



David at Princess Heights pool, above the Westin, St. Maarten

MUST READ TRANSCRIPT

This is a transcript of a video I made about awesome feedback from one of my clients...you've got to read this!

A former medical malpractice client reveals a secret, never before revealed. Would you like to know what it is was?

Today I want to share with you an incredible letter that I received from a former client of mine, involving a dental implant nightmare. The gentleman's name was Arthur Lawler and in just a moment you're going to hear his exact words describe what happened to him and what appreciation he had in what I was able to accomplish. It's a fascinating look and an insight into the mind of a client who I was able to help. So come join me because I want you to hear exactly what he had to say.

Now, the reason Arthur is not on video is because he recently suffered a stroke and is unable to get onto video. But instead, he sent me this letter that he wanted me to share with you. So, come closer and pay attention because it's a remarkable story.

Dear Mr. Oginski, although a lot of time has passed since you handled my case I want to leave this testimony which I'll hope you'll use in your advertising out of my appreciation.

I'm a former client of Mr. Oginski. I would recommend him and his entire firm to anyone who's in need of a personal injury lawyer. Several years ago, I was facing a situation where a certain oral surgeon in Queens had painfully removed most of my teeth and never replaced them with implants and caps as promised. He simply closed shop and went into hiding. Being from Massachusetts, with the damage taking place in New York, I was faced with a dilemma of

finding a competent lawyer 400 miles away.

So he literally traveled 400 miles each way in order to get dental care with this particular dentist. It turns out that the dentist destroyed his entire mouth and his life as well. After many calls, I came to find literally no lawyers willing to take on a lawsuit against an oral surgeon. At this point, I have lived 2 years unable to chew the foods I liked. The only time I smiled was when I was alone. Finally, out of desperation, I put my story into an email and sent it to exactly 100 lawyers whose ads I had read on the internet.

Of all these, only 10 contacted me. Two of these took the time to explain to me why no lawyers had contacted me, which basically was because in cases against oral surgeons and dentists a jury almost always takes the side of the doctor. To them, I was a losing proposition. With the exception of Mr. Oginski, of the other 98 lawyers I was more statistic than a suffering human in need of expertise.

Of all the replies I did receive, only Mr. Oginski seemed to show any compassion for the pain I had suffered and was at the time suffering. Upon deciding to choose Mr. Oginski to represent me, throughout the entire process Mr. Oginski was extremely professional, especially understanding to me and my wife's aggravation and irritation at the slowness of the court system and always spoke in terms of a positive future outcome.

Mr. Oginski won a very substantial settlement on my behalf
(CONTINUED ON NEXT PAGE)



Steppingstone Park, Kings Point on a quiet Sunday morning bike ride

MUST READ TRANSCRIPT

and ultimately my mouth and teeth were repaired, with enough leftover to pay all of our debts including our mortgage.

Because of all the stress our family had suffered, we decided to go on a well deserved vacation. Upon getting home, I suffered a stroke which has left me half-paralyzed and am now confined to a wheelchair and collecting disability. But can now always cherish the last vacation together as a family. I can only imagine how bad off me and my family would be now had it not been for Mr. Oginski.

I sincerely recommend to anyone seeking a compassionate and extremely professional and knowledgeable personal injury lawyer to contact Mr. Oginski's firm first and immediately, saving yourself the aggravation of speaking to the other 98%. Thank you once again, Mr. Oginski.

Thanks to your efforts and knowledge of the law our situation turned from a tragedy to a miracle, where now despite my disability my wife can afford to take care of me at home rather than my being confined at a nursing home at the age of 53.

For many years I wondered to myself how, if ever possible, can God explain why I was being allowed to suffer as I had under that dentist's care. Now thanks to the money settlement you negotiated, I now feel I understand why things went the way they did.

I'm comforted knowing that should anything happen to me, my wife could financially manage to maintain her current lifestyle, with no debts or mortgage and in the meantime I'm at home versus wasting away in a nursing home. I'm serious and sincere in telling you that you have been part of a grand miracle which has not only restored my mouth but in some ways restored my faith in the Lord.

I hope you are doing very well and would be happy to talk to you anytime, but have trouble typing. Let me know if I can be of any help creating a testimonial for your newsletter.

Sincerely,

Arthur Lawler in Massachusetts.

Arthur, I really want to thank you so much. That was a wonderful and remarkable letter. When I read it the first time I had tears in my eyes. It was uplifting. To see how I changed someone's life and gave them back their confidence to live their life is truly inspiring. Importantly, to see how Arthur overcame his adversity was also remarkable.

Now why do I share this remarkable story with you and Arthur's feedback done so many years later? One of the reasons why it's important for you to read about Arthur and people like him is that social proof is very dramatic. Social proof is very compelling to show you what other people have gone through and how I've been able to help them over the course of time with their legal problem.

One of the key things when you have such uplifting feedback like this is it gives you an insight and an understanding in what somebody else has gone through and what I was able to do to help him.

Now, there's never a guarantee and no attorney can ever predict exactly what's going to happen and no one can ever promise you what the outcome will be. But the first step for you is to consider, number one, whether or not you have a valid case. And number two, once you get the information about whether you may have a valid case you then have to decide what to do next.

So, if you have questions about your matter, I encourage you to pick up the phone and call me. I can answer your legal questions. That's what I do every single day. You can reach me at 516-487-8207 or by email at Gerry@Oginski-law.com. I look forward to speaking with you!



*Joseph, Shari, Mia & David,
St. Maarten, Family vacation*



David at Lacrosse camp

NEW YORK INJURY TIMES - MUST READ TRANSCRIPT

MAN DIES AT CONEY ISLAND HOSPITAL AFTER BLOOD TRANSFUSION ERROR

NEW YORK INJURY TIMES - CONEY ISLAND TRAGEDY

Numerous people fear what could happen to them when going in for surgery at a hospital.

One family's biggest nightmare came true when their loved one went to Coney Island Hospital for surgery.

A man died at Coney Island Hospital last week after receiving the wrong type of blood during a blood transfusion. He was only forty years old. When the human body is given the wrong type of blood the body automatically attacks the new red blood cells; this attack results in a violent reaction that has the potential to lead to shock and kidney failure. For example, if a person who has Type B blood is given Type A blood then a violent reaction will occur in the body because the wrong blood type was given.

One hospital professional told the New York Post, "The blood was mislabeled in the lab. It shouldn't have happened. It's just carelessness." He also added that this is a huge problem. Another source told the Post that the error happened in the hospital's lab on the sixth floor where the blood is screened and typed. Apparently a technician labeled the blood as the wrong type and it was then given to the patient.

Blood for Coney Island Hospital is now being typed by Kings County Hospital. Then Kings County Hospital calls Coney Island Hospital and tells them the blood type. Coney Island Hospital is continuing to maintain its own storage of blood and continuing to perform surgeries. But emergency service patients are being given Type-O blood since that can be used in a universal manner.

A spokesman for the New York City Health and Hospitals Corporation issued a statement saying, "Our deepest condolences go out to the family... We are working with the state to resolve the situation as quickly as possible." A source told the Post that state inspectors are will most likely come on Monday to the hospital site.

A thirty-one year old woman who is a patient at Coney Island Hospital told the Post, "Of course I'm worried about a blood transfusion. They're all so understaffed here. I couldn't get any attention last week and I overheard someone saying there's a problem with a patient's blood transfusion on the fourth floor." Another woman said, "I fear for my life at this hospital. I wouldn't put my dog in here."

The same hospital had a fatal transfusion error in 1995 and a string of nonfatal transfusion mistakes in 1994 according to the New York Post. A state health department report which came out the same year (1995) condemned the hospital for its systemic issues in handling blood.

Even a staffer of the hospital told the New York Post

yesterday that "I would go anywhere but Coney Island. Even Kings County is better." A statement has not been issued yet at this time by the family of the victim. It is unclear whether the family will be filing a case against the hospital.

IMPORTANT...

CONEY ISLAND HOSPITAL is considered a municipal hospital and is under the control and ownership of the New York City Health and Hospitals Corporation. As of today, July 15, 2013, injured victims and their families have only 90 days from the date of any wrongdoing within which to file a notice of claim against New York City Health and Hospitals Corporation.

That is the legal entity that controls, operates and maintains Coney Island hospital. Then, an injured victim or their family would have one year and 90 days from the date of any wrongdoing within which to file a lawsuit against New York City Health and Hospitals Corporation.

If the initial notice of claim is not timely filed, there is a special process that an injured victim or their family could go through in an attempt to file a late notice of claim. If you are intent on filing a claim for injuries you sustained at a municipal hospital within the five boroughs of New York, it is critical to know whether your matter is timely. The only way to know for sure whether your matter is timely is to speak to an experienced medical malpractice attorney to determine whether your time limit as described above is currently up to date or whether it has changed.



911 NOT ALWAYS AT YOUR SERVICE; DISPATCHER MISTAKE MAY HAVE COST MAN HIS FINGER

Two men living in Manhattan happened to have accidents recently that caused them to sever their fingers. Both men called 911 for emergency medical services but only one of the men had an ambulance come. The first man called around eleven thirty in the morning from Harlem saying a man needed aid for a severed finger on Second Avenue. A few minutes later they got another call saying a man needed help for a severed finger on Second Avenue in the Upper East Side. EMS claim that they did not go to the second man's house because his address was so similar to the first man's that they thought they had already picked up the only victim with a severed finger.

After the second victim realized that emergency medical

services were not going to show up he found another way of reaching the hospital. By the time he finally arrived at the emergency room doctors told him that it was too late for them to re-attach his finger. He had already lost a great deal of blood and also finger and toe re-attachments need to be done in a certain amount of time.

The man and his family are demanding an explanation today. His wife voiced her frustration in a statement, "It sucks. It's absolutely frustrating. What if he was by himself? He couldn't have drove himself to the hospital. He could have bled to death. I don't know what they need to do but they must do something to improve it."

Dispatchers were under the impression that the second call was a mistake because it was



David resting after grueling hike up mountain, St. Maarten

was so similar to the first call concerning a severed finger so they did not send out a second ambulance. According to the New York Post records show that there were multiple calls made for a second ambulance with the caller asking the estimated wait time for the second ambulance. Finally after forty-five minutes a cop took the man to the hospital. He was injured while at work; his finger went through a machine.



Mia at Lacrosse camp



David watching Mia play lacrosse



Mia at Lacrosse camp

GERRY'S PHOTO GALLERY

NEW YORK INJURY TIMES - PHOTO GALLERY



David joining me for a quick bike ride



My ride: Trek Madone, Carbon fiber



Stopped by the newly built middle school track



Biking in Great Neck



Finished an exhilarating bike ride, 22 miles, top speed 32 mph



Kite surfing, Sanibel, Florida (not me)



Kite surfing, Sanibel, Florida (not me)

GERRY'S TRIVIA GAME

TEST YOUR KNOWLEDGE OF NEW YORK LAW

TRUE OR FALSE?

1. The Supreme Court in the state of New York is the highest level court.
2. The Court of Appeals in the state of New York is the first appeals court after trial.
3. A trial judge in the New York state court system is elected as opposed to appointed.
4. The judge's law secretary is usually the one who does the legal research and writes a preliminary opinion for the judge to review.
5. A motion in limine asks the judge to decide on which is better, a Mediterranean salad with extra lemon or a wedge salad with extra bleu cheese dressing.
6. A trial attorney can always guarantee the outcome of an accident or medical malpractice case.
7. When the judge says "Order in the court," Everyone in the courtroom hands in their lunch order.
8. The trial assignment Judge is the one who decides when jury selection will begin and what judge you will be assigned to for trial.
9. In order to prove your accident or medical malpractice case, we have to show that we are more likely right than wrong.
10. Every lawyer who signs up a new case is required to prepare a retainer statement to be filed with the office of Court administration in New York.

(ANSWERS ON THE BACK PAGE)

NEW WORD SEARCH

FIND ALL WORDS AND WIN A GIFT CARD!

N F S R H M L N U I X I D V M
 S O E T O T O U N O K D E E S
 P W I T N I A S N U U E P H Q
 U H I T S E U O O W C L O I Y
 B O Y I A R D I I I G U S C A
 N J C S A G Y I T C V R I L H
 I E U N I K I C C V F R T E T
 D V C S J C A T E C I E I N V
 D E E P S R A U S X A V O L E
 J N Z X P N K L R E P O N P G
 B C W L M M Y G E K V K C H L
 H O A Q E B X Z T L K N H P G
 F M L P E H I C N L F J I Y L
 S S N X E X A M I N A T I O N
 Y N O M I T S E T Y E T X K U

ACCIDENTS	INTERSECTION	OVERRULED
DECISION	INVESTIGATION	PHYSICAL
DEPOSITION	MALPRACTICE	SPEED
EXAMINATION	MOTION	TESTIMONY
INSURANCE	OATH	VEHICLE

WORD SEARCH CHALLENGE : Find all 15 words correctly, and fax it in with your name & address filled out for a \$10 gift card to Dunkin Donuts. ONLY 15 GIFT CARDS AVAILABLE..so fax it in quickly!

NAME: _____

ADDRESS: _____

CITY: _____

STATE: _____

ZIP: _____

EMAIL: _____

PHONE: _____

FAX TO: 516-487-8472

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From:

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**SOLO
PRACTICE
UNIVERSITY®**

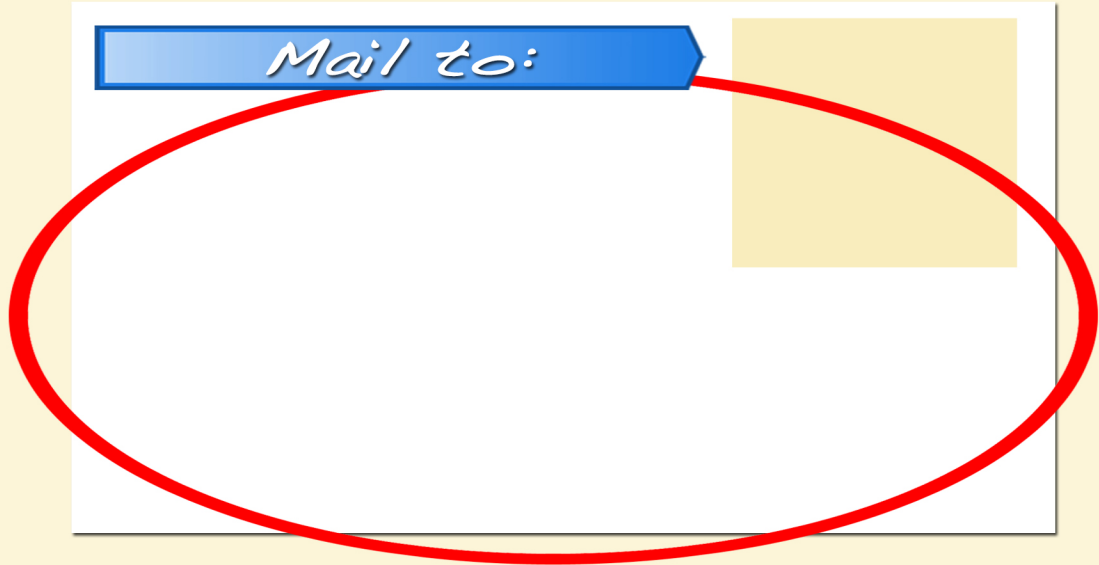
FACULTY

Attorney Gerry Oginski



Need answers to your legal questions? Pick up the phone and call me. It's that simple.
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NEW YORK INJURY TIMES

SEPTEMBER 2013

Give this newsletter to your best friend.
They'll thank you for it and so will I.

Call me right now with any legal questions about injuries from any accident or medical care. I promise to give you a straightforward and honest answer. That's my guarantee.

516-487-8207

-----Answers to trivia -----

1. False, 2. False, 3. True, 4. True, 5. False, 6. False, 7. False, 8. True, 9. True, 10. True