

# NEW YORK INJURY TIMES

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THE LAW OFFICE OF GERALD M. OGINSKI, LLC  
516-487-8207

INSIDE THIS MONTH'S EDITION:

## Gerry's Story continued...The Man Who Can Cure Cancer

### Speed, time & distance- what it means for your car accident case



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Medical Malpractice  
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## SPEED, TIME AND DISTANCE

### What it means for your car accident case:

In any car accident case, an attorney wants to know, at a minimum, these three things:

- (1) Your speed at the time of the accident,
- (2) How far away you were from the impact point when you first saw the other car,
- (3) How long it took to go from one point until impact.

It is not necessary to know all three elements. Knowing only two elements will suffice, since your attorney can calculate the third unknown element using simple math. For example, if we know it took you

10 seconds to cover 1/4 mile, we can easily determine your speed during those 10 seconds. If you were traveling at 40 miles per hour and covered a distance of 100 feet, we can calculate how much time went by for you to travel that distance.

These things are crucial to proving and supporting your theory at trial that you were not at fault in causing or contributing to your accident. Likewise, when your attorney has an opportunity to question the driver of the car who hit you, he (or she) will certainly try to pin the driver down on his (or her) speed, time and distance.

*Often when a lawyer obtains this information, an accident reconstruction expert can use these numbers to show a jury why your version of the events is more likely to have occurred than the other driver's version of events.* ☆

## GERRY'S FICTIONAL BOOK

continued...

From the airplane, he was whisked into an armored Hummer with blacked out windows. He was wearing a disguise that made him look like a rock star with really long blond hair, a Mets baseball cap, a Yankees t-shirt, and a really large gold 'peace-sign' medallion around his neck. He wore dark shades and was clean shaven. The only giveaway was his pants which were red knickers that barely covered his hairy knees. He also wore Air-Jordan sneakers with black dress-socks. Nobody would ever be able to figure out that this man was (1) Arabic, and (2) a leader of a major arab nation.

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## TRY OUR TRIVIA GAME!

**Test your knowledge of medical malpractice and personal injury law. Answers appear at the end of this newsletter.**

1. To file a claim against a City hospital you have 2 and 1/2 years to do so.

TRUE or FALSE?

2. If you trip and fall in a City hospital you have 2 and 1/2 years to file a claim.

TRUE or FALSE?

3. Filing a 'Notice of Claim' against a City hospital is a requirement before you are permitted to start a lawsuit against the City hospital.

TRUE or FALSE?

4. Before you are permitted to start a lawsuit against a City hospital, the injured party must appear for a hearing, known as a 50-H hearing.

TRUE or FALSE?

5. When starting a lawsuit against a City Hospital you have only 1 and 1/2 years from the date of the malpractice within which to start your lawsuit.

TRUE or FALSE?

6. Attorneys representing the City Hospitals like to settle cases quickly.

TRUE OR FALSE?

7. A deposition is a time for you to tell everything you know to the opposing lawyer.

TRUE or FALSE?

8. Most medical malpractice cases are settled quickly.

TRUE or FALSE?

9. An undocumented worker (illegal alien) has no right to bring a lawsuit in the State of New York if he was injured by someone else's wrongdoing.

TRUE or FALSE?

10. In a car accident, "No Fault" insurance will pay up to \$50,000 for your medical bills.

TRUE or FALSE?

### BONUS QUESTION:

Doctors in New York are not required to have medical malpractice insurance.

TRUE or FALSE?



## GERRY'S FICTIONAL STORY

...continued from p. 1

The drive from the airport to Jimmy's palace of tranquility took only twenty minutes. There were two unmarked cars that followed the Hummer, driven by

Jimmy's private protective detail. Two hidden cameras and four separate microphones were secretly installed in the Hummer by the CIA in order to monitor the conversations by this Arab leader.

At precisely 10:00 a.m. New York time, this Arab leader was ushered into Jimmy's waiting area. Jimmy's staff had made sure there were no other patients immediately before or after this 'special' patient. Paperwork was signed, informed consent given, and Jimmy's chief of his protective detail again reiterated the conditions on which Jimmy would cure this leader of his cancer. The leader agreed wholeheartedly.

Jimmy had been prepped by the CIA and FBI about this leader's background. He was a moderate Arab among a country of radicals. His grip on his government was strong, but only because of his lengthy history of brutally destroying those who disagreed with his policies. Jimmy was personally reluctant to cure a person with such a violent background. The CIA and the FBI teams who prepped him convinced him that his efforts were really for the good of the Country- our Country. In addition, his efforts could lead to peace in an area of the world that had never known true peace. The fact that he was getting a \$25 million dollar fee didn't hurt either.

The Arab leader entered the inner chamber where Jimmy cured cancer victims. He removed his sunglasses and his hat. Before reaching for Jimmy's outstretched hand, he bowed deeply, then fell to his knees and kissed the ground before Jimmy. Jimmy welcomed him and took his hand within his own, and guided this unusual fellow to the

couch where they would spend a few moments discussing world peace.

“I am glad I can be of service to you,” remarked Jimmy. “I hope that the peace you achieve will be an everlasting peace for all people in the Middle East,” said Jimmy. The leader looked into Jimmy’s eyes and said “I am pleased to be given the opportunity of living out my life beyond what the Great One has decided for me. For that, I owe you my life and my gratitude. I have promised you and your government agents that I will do everything in my power to strive for and achieve a lasting peace between our Arab brethren and the Jewish people.”

“You understand that I can reverse this process if you do not live up to your end of the bargain,” commented Jimmy with simplicity. “Yes, I fully understand,” said the respectful Arab leader.

“Tell me Mr. Changa, before I leave, may I ask your religion?” queried the Arab leader. Jimmy thought long about an answer and decided to tell him the truth. “I am Jewish, although my surname has a Spanish ring to it. My parents were both born in Spain, and I lived for some years in Israel studying at Ben Gurion University. I am acutely aware of the ongoing strife between members of your country and the Israeli Jews. Have I answered your question?” Jimmy asked.

“As a matter of fact, you have. Thank you,” the leader replied. With that parting statement, Jimmy rose and broke the grip he had on the Arab man. “Good luck in your pursuit of peace,” Jimmy said. In reply, the leader said “Shalom Aleichem my friend.”

The man replaced the hat on his head, put his sunglasses back on, and was again whisked to his armored Hummer for the twenty minute trip back to the airport. From the car, he called his chief of security, back in his homeland. “Everything has worked, begin the peace process...” said the leader.

With that instruction, the security chief for the Arab leader called the security chief for the Israeli Secret Service. Although their countries were not overtly friendly, these two men had spoken often in back-channel discussions. “Shlomo my friend, it is Achmed. You and I need to talk. My boss has instructed me to make peace overtures to your government. He desires a true peace while he is still alive.”

Shlomo, the chief of the Israeli Secret Service, didn’t know if he heard correctly. “Achmed, is this some sort of joke?” asked Shlomo. “Am I to believe that out of the blue, your Arab boss, for no particular reason has chosen to make peace with his sworn enemy?” asked an incredulous Shlomo, a battle worn veteran of five wars.

“Let us meet in two days time. In Geneva. I will fill you in on the details then. In the meantime, I would appreciate if you could relay my boss’ request to your superiors to start them thinking about ways to achieve a lasting peace,” said Achmed.

During those two days, Jimmy went about his business helping to cure cancer victims. The money kept rolling in. He put aside any thoughts about the Arab leader and focused on each individual patient who came to see him.

The FBI and CIA spent the next two days deciphering the conversations that took place during the ride to and from the airport. What they heard pleased them.

Shlomo, not being the trusting type, picked up the phone and made a call to an American friend of his. Someone he actually trusted. His friend worked in an import-export business with an office on 5th Ave. in New York City. His name was Dan Feingold. Feingold was a character who claimed he had contacts with the highest members of government in the United States. In the past, this import-export businessman had proven accurate and able to provide information useful to the Israeli government.

“Dan, it’s Shlomo,” he said.

“Hello my friend. How are things in your sliver of land in the desert?” he asked rhetorically.

“Not bad,” answered Shlomo. “Listen, I have a favor to ask. I just received a call from Achmed, my counter-part in Arabland. He tells me his boss wants to start permanent peace talks.”

“Out of the blue, just calls up and says he wants peace, let’s talk?” asked Dan. “Yes,” answered Shlomo. “I need you to make some inquiries to see if any of your people know anything about this,” mentioned Shlomo.

In reality, Dan Feingold was the American-Israeli liason for the CIA and a small offshoot of the CIA, known as the KIA (Killers in Action). Dan promised to get back to him soon.

Meanwhile, two days later in Geneva Switzerland, Shlomo met Achmed at the Hotel Geneva. The restaurant was a favorite of theirs and it was Achmed’s

belief that their conversations would be private. Little did Achmed realize that the restaurant was actually a CIA front and each individual table was wired for sound and video.

Geneva, Switzerland  
Hotel Geneva

“Listen my friend...my boss, King Abdul bin Babaloni on rye was recently diagnosed with cancer. His doctors told him that even with the best treatment in the world he'd have only one year to live. His chief oncologist told the King about a man in New York who had a magical ability to cure cancer. This man was known as Jimmy Changa. He apparently was known throughout the medical world as being the only one who could definitively cure cancer,” said Achmed.

The King authorized me to contact this Changa fellow to see if he would treat the King. After much discussion with Mr. Changa's people and the United States government agents, we were given permission to secretly fly the King to New York for a private visit with Mr. Changa. The only condition to curing the King's cancer was that he had to make peace with the Israelis. If he backed out of the deal, Mr. Changa would reverse the healing process and give the King back his horrible cancer,” remarked Achmed.

Shlomo was curious. “Who was it who suggested that peace was a precondition to curing the King of cancer?”

Achmed answered, “It was Mr. Changa's idea. In fact, the King learned two days ago, when he met Mr. Changa that he is Jewish, of Spanish descent, and has studied at your Ben Gurion University. “So you're telling me that the King is willing to achieve lasting peace and get nothing in return...no land, no concessions?” asked Shlomo.

“Obviously, it would be ideal if he could get everything he wants. But that is unrealistic. Right now, he has his health, and that is the most important thing in the world to him. I wonder if he recognizes the mortal danger he will be in once he publicly announces his desire for peace without getting anything in return,” answered Achmed.

*To be continued next month...*



**ANSWERS TO TRIVIA  
GAME**

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

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