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Repeated objections at trial...will I incur the Judge's wrath?

"Mr. Jones you went down the hill on his pie dish." "Objection," the other attorney yells. "Okay, Mr. Jones, you went down the hill on this pie dish," "Objection," the attorney jumps up again. How many times can they ask the same question in light of these continued objections? You want to know the answer? Come join me for a moment as I show you some great information.

Hi, I'm Gerry Oginski, I'm a New York medical malpractice and personal injury attorney practicing law in the state of New York. This was a sledding accident case that I tried in Nassau County many years ago. I was a defense lawyer, I was representing the owner of the property where this gentleman got hurt while he was sledding in an improper area and now I needed to show to the jury that this guy went down a hill using nothing more than a pie dish. It was a flying saucer, this guy was an adult, he was 180 pounds, and I needed to get out to the jury the impression, the visual that what this guy did was ridiculous, so I asked this question, "Mr. Jones, isn't it true you went down this hill on a pie dish?" The other jumps up and yells, "Objection, Judge. You already ruled that he can't say that." I turned to the jury, I said, "Mr. Jones, isn't it true you went down this hill on a pie dish?" "Objection," he screams out again.

The Judge now starts to yell at me, "Mr. Oginski, you know you can't say that. I've already ruled on that." "Okay Judge, I'm sorry. I apologize." I'm trying to formulate a different question in my mind, so I couldn't come up with a different questions, what did I do? "Mr. Jones, tell the jury why you went down the hill on this pie dish." "Objection," the attorney yells out. Now the Judge really comes down hard on me and it didn't matter that he did at that point. You want to know why? It's because I needed the jury to truly understand that what this guy did was inappropriate for an adult and he was using a

child's toy to go down a sled in an area that was not appropriate for sledding. Did I incur the Judge's wrath? Yes. Did it make a difference ultimately in the case? No.

I actually won the case and it was critical for the jury to understand. Can an attorney get away this? The answer is most of the time we can't because the moment the Judge says, "Counselor, I've ruled on that," and now if I do it again or again I'm going to get in more trouble and now the Judge could take it out on me and my client for disobeying the court's ruling saying that I can't ask that question again. So why do I share this story with you? I share this story just to give you a sense of what goes on during the course of an accident trial or a medical malpractice trial or even a wrongful death trial here in New York. I realize you're watching this video because you have questions or concerns about your own particular matter. Well, if your matter did happen here in New York and you're thinking about bringing a lawsuit but you have legal questions what I encourage you to do is pick up the phone and call me. I can answer your legal questions.

You know that's something I do every single day and I'd love to chat with you. You can reach me at 516-487-8207 or by email at Gerry@Oginski-Law.com. That's it for today's video, I'm Gerry Oginski, have a wonderful day.