



**LAW OFFICE OF GERALD
OGINSKI, LLC**

67 Cutter Mill Road
Great Neck, NY 11021

T 516-487-8207

Gerry@Oginski-Law.com

She Wasn't Working Before She Died. Can Family Claim Pecuniary Loss?

She was unemployed. She was not supporting anyone. She wasn't married. She had no kids. In a wrongful death lawsuit, can her family members, her surviving family members, bring a wrongful death lawsuit seeking pecuniary loss, financial loss to the family as a result of her death? You want to know the answer? Come join me for a moment as I share with you some terrific 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. It's going to be very difficult if not impossible to include a claim for financial loss to the surviving family members if this person was unemployed, if this person was not supporting anyone financially, if she had no kids to support. Why is that? In every wrongful death claim, whether it involves an accident, a car accident, whether it involves improper medical care, we have to show that we are more likely right than wrong that what we are claiming is true. If the person was not earning a living, if they were not supporting anyone financially, now it's impossible to show that the family members, whoever the surviving family members are, suffered a financial loss as a result of this person's death.

Another element of damages is pain and suffering. Are we able to show that this person endured some type of suffering because a doctor violated the basic standards of medical care and caused this patient harm prior to her death? If we can show that then certainly that will be a viable element of damages in this wrongful death case.

Why do I share this quick information with you? I share it with you just to give you an insight and an understanding into what goes on in these wrongful death cases here in New York. I realize and I acknowledge you're watching this video because you have questions or concerns about your own particular matter. If your matter did happen here in New York and you're think-

ing about bringing a lawsuit and you have questions that need answers, what I encourage you to do is pick up the phone and call me. I can answer your legal questions. I answer questions just like yours 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 great day.