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## “Doctor, what are the 12 cranial nerves?”

I asked a doctor to tell me what were the 12 cranial facial nerves in a medical malpractice case here in New York and you know what his answer was? "I don't know." I don't know! That was his answer. You want to know why that was so significant? Come join me for a moment as I share with you this great information.

Hi, I'm Gerry Oginski. I'm a New York medical malpractice and personal injury attorney, practicing law here in the state of New York. This was a case involving a nerve injury to my client that we claimed was caused by a careless doctor. Now, when I had an opportunity to question the doctor during his pre-trial testimony, known as a deposition, I asked the doctor with his attorney present. I said, "Doctor, tell me what are the 12 cranial facial nerves?" He started off with number one, correct. Number two, correct. Then he got stumped on number three.

He was sitting there trying to figure out, what was number three. He jumped to number four and he couldn't figure that one out and number five. He could not tell me what any of the others were. Now, why is that important and why would I be asking the doctor something so basic as to define for me and tell me what the names of those 12 nerves are in the face. One of the key reasons I asked such a question, such a basic question, is because I want to know if the doctor has a basic level of understanding of medical knowledge.

What are the 12 cranial facial nerves? This is basic anatomy that you learn in your first year of medical school. This is something that you have to know as you go through your neurology rotation, when you do your internship and residency. If you don't know that, you're going to fail it and have to take it all over again. Here was a doctor who was in practice for many, many years. He treats my client and he fails to recognize that she has a particular nerve injury.

You might be thinking, what's the big deal? So what? He can just as easily refer her out to a neurologist. Exactly my point. That's exactly what he should have done but this doctor, failing to recognize that my client had any sort of nerve injury or didn't have a clue about the fact that this patient had ongoing complaints and problems about this particular area of her body, never even bothered to send her and refer her out to an expert neurologist who could make the correct diagnosis.

Now, with that testimony, I can now take it when we get to trial and show to the jury that this doctor doesn't even have the basic level of knowledge that you'd expect for a board certified physician in this type of specialty. The jury is going to be shocked, they're going to be amazed about how he can continue to practice medicine if he doesn't know the basics of the anatomy in an area of medicine that he clearly should know.

Why do I share this quick story with you? I share it with you just to give you a highlight and give you an understanding of what can happen during pre-trial testimony in a medical malpractice case. I realize you're watching this video because you likely 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 questions that need to be answered first, what I invite you to do is pick up the phone and call me. I can answer your legal questions.

This is something I do every single day and I'd love to chat with you. You can reach me at 516-487-8207 or by e-mail at [Gerry@Oginski-law.com](mailto:Gerry@Oginski-law.com). That's it for today's video. I'm Gerry Oginski. Have a wonderful day.