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Defense offers only \$1.8 million instead of \$2 million demanded

If I tell the defense attorney that I need 2 million dollars to settle this case and not a penny less, what do I do if he comes back to me with an offer of 1.8 million dollars? Do you want to know the answer? Come join me for a moment as I share with you some 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. Now, it's a significant case. The demand is 2 million dollars. The defense comes back and recognizes that this is a significant case. They have significant risk and exposure, significant liability exposure. The defense is worried that if we go to a verdict, the jury is going to come back and give us more than 2 million dollars. Now, they're trying to negotiate. They're trying to play games.

They come back not with 2 million dollars, but instead with 1.8 million dollars. Is that anywhere near where we need to be? The answer is maybe. Then again, the answer is maybe not. It depends exactly what our strategy is. It depends what our risk tolerance is. It depends what my client wants to do. Because regardless of what I am asking for to settle this case, my client is the one who makes the ultimate decision about whether or not to accept this settlement offer. How close are we to trial?

I have to evaluate what the likelihood is that the defense is going to stick to that offer and not offer any additional money. My conversations with the defense attorney will reveal whether or not this is their bottom line number or whether as we get closer to trial or even go to trial, that number can increase to the number we're actually looking for. All that feedback is going to help me understand and formulate a strategy about whether or not this is an appropriate number and will

help me understand and evaluate what I can tell my client about whether or not I believe he should accept that number or hold out for more and risk going to trial.

Why do I share this great information with you? I share it with you just to give you an insight and an understanding into what goes on during the negotiation process in a civil lawsuit here in the State of New York involving medical malpractice cases, wrongful death matters, and accident cases. I realize you're watching this video because you have questions or concerns about your own particular matter. Well, if you're thinking about bringing a lawsuit and your matter happened here in the State of New York and you've got questions that need answers, 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. That's it for today's video. I'm Gerry Oginski, have a wonderful day.