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Defense lawyer had table saw sitting in his conference room during my client's pre-trial testimony

A man working in a factory accidentally cut his finger off using a table saw and now brought a law suit against the manufacturer. Find out why the defense attorney had that table saw in his office when this person was questioned during his pretrial testimony. 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 in the state of New York.

This is what's known as a product liability case. This gentleman was working at a factory and now he was cutting something using a table saw that the owner of the shop owned and he had used many times before. Now he brought a lawsuit against the manufacturer of this particular device claiming that it didn't have certain safety features and safety mechanisms to prevent this incident from occurring. Now during the course of a law suit he was asked to give pretrial testimony, which is a question and answer session, and it's given in an attorney's office. Now we walk into the defense lawyer's office, which is where this question and answer session was being held. As we walked into the defense attorney's conference room, what do you think is sitting on the conference room table? The exact table saw that cut his finger off. He looked at me and he said, "That's the saw. That's the saw."

Now, why would the defense lawyer have the exact table saw sitting in his conference room table? I'll tell you why. For two reasons. Number one, he wanted to videotape what exactly occurred. He wanted to recreate what this witness went through. Remember, the attorney wasn't there. He wants to get detailed information. Now he has the benefit of this actual piece of equipment. He brings it in, and now he's going to be asking this witness to recreate the steps leading up to and after what exactly occurred. Now he takes him through step by step. "Mr. Jones, tell us what you did next. What did you do after that? When you got the assignment and now you got the piece of wood. Where did you place it? How did you place it? Show me ex-

actly how did you grab the lever? How did you grab the mechanism? How did you know it was plugged in? What did you do to make sure that your fingers were safe?" Now he's taking him step by step using the exact piece of equipment getting great testimony, great information.

This is like show and tell. What could be better than that? Recreating it. I know what could be better, an actual video of the incident. Obviously there's no video. He's now having this witness who's bringing the law suit recreate exactly what occurred. In addition, the defense lawyer had this set up so that he was videotaping the entire question and answer session and videotaping the entire show and tell interaction. This was great. You want to know why? So that he could ultimately show it to the jury at trial. That's a very very powerful thing. Now if he wanted to he could bring the table saw into court and he could have the witness recreate everything that went on. If he contradicted something at trial with what he already testified to years earlier in his pretrial testimony, now the defense lawyer can use that to show that there are clear contradictions between what he said earlier and what he said now. That's a great strategy for the attorney.

Why do I share this information with you? I share it with you just to give you an inside look at one strategy a defense attorney used when questioning my client during the course of his law suit. I realize you're watching this video because you likely have questions or concerns about your own particular matter. If your matter did happen here in New York and you're thinking about bringing a law suit but you have questions that need answers 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 talk to 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.