

New York Medical Malpractice Attorney Gerry Oginski presents

# NY INJURY TIMES

SEPTEMBER 2010

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## Gerry's Never-Ending Story Continues this month



New video series- Trial practice

### JIMMY CHANGA IS INTERROGATED BY A D.C. COP

In this month's continuing story we find Jimmy being pulled over for speeding. Find out what happens after he gets pulled over.

Continued on Page 2

### TRIVIA GAME

10 questions to test your knowledge of New York law. In this month's bonus, if you know this latin term, you'll know the answer. Then again, you could always Google it and find the answer.

Continued on Page 7

### GERRY'S PHOTO GALLERY- SOME STUNNING PHOTOS

Continued on Page 5



Racing at LeMans. David doing his victory lap.

Shari speeding by the viewing stand.



**JIMMY CHANGA GETS PULLED OVER BY A COP**

Jimmy got pulled over by a Washington, D.C. cop, five blocks east of the White House. He had just left a meeting with the president’s chief of staff and the National Security Advisor. He was frustrated. He was anxious and he wanted to get away from Washington for an evening. When he was pulled over, he barely realized that he was doing 60 mph in a 25 mph zone.

The police officer approached the car, dashboard video running with an open microphone, as his department policy required. “License and registration,” he demanded. Jimmy handed him a black card. It had no name and no information on it. On the back was a magnetic stripe. The

officer again demanded “License and registration.” Jimmy merely said “Run the card.”

The officer, confused, took the card and returned to his squad car. He immediately ran Jimmy’s plates and got nothing. No hit. No name. Nothing. He thought his internet connection wasn’t working. He contacted his dispatcher to run the plates over the air. Fifteen seconds later the dispatcher replied “That car does not exist...anywhere.”

That revelation prompted an immediate call for backup and a senior captain in the department. The officer immediately got out of the car and demanded that Jimmy exit the car.

“Do you realize how fast you were going?” the cop asked.



Big Fish restaurant





Big Fish restaurant. The photo was take at dusk with a wide open shutter.



Shari in a jewelry store.  
Dutch side, St. Maarten

“No sir, I did not until I saw your lights in the rear-view mirror.”

“What is your name?” the officer inquired.

“That’s classified, on a need-to-know basis, and you are not authorized for that information.”

“Who are you?” he again demanded.

“If you’d like any information I ask you to call this number and describe the card I just handed to you,” said Jimmy.

The number he handed to the officer was a business card with one person’s name on it. The President of the United States. Jimmy continued by saying, “The number on that card is his direct

line. You are welcome to call if you feel the need.

Most troubling to this policeman is that he didn’t know what to do. He’d never been in this situation before. He knew this guy had a speeding violation. He knew that high-level politicians lived and worked in this area. He also knew there were spies that came and went around Washington, but he’d never seen a black card like this. Nor did he know if this was legit. Before making a career-destroying move and calling the number, he took the conservative approach and decided to wait for his captain.

He approached Jimmy and said “Sir, please return to your vehicle and wait until my supervisor arrives in five minutes.”



Friar’s beach, French side, St. Martin



Jimmy did as he was asked.

What the policeman didn't know is that this black card was issued to only 5 people in the United States. It's even better than a 'get-out-of-jail' card. It almost gives Jimmy absolute immunity in virtually every imaginable situation. Jimmy was one of the five who had this card.

The problem was that nobody knew what the black card with the stripe meant. In order to get a hint of what power was behind the card, they had to call a phone number on a separate card. That phone number was actually meant to ring directly to the National Security Advisor with a special ring tone. Ironically, during a meeting with the President, Vice President and the National Security Advisor, the black card ring tone was activated. Here are the words that everyone in the room heard.

"Holy Sh\*t Batman! I need help now. Pick up the damn phone- NOW!" Needless to say, their conversation came to an immediate halt while the NSA man took care of the emergency.

Five minutes later, the D.C. cop explained the events to the veteran 30 year police captain. He had heard once of some spooks being given special treatment, but he too had never seen this black card. The Captain approached Jimmy.

"Please step out of the car, sir," said the Captain with authority.

Jimmy complied.

"Do you have identification?" the captain asked.

"Yes sir," said Jimmy.

"Hand it over," demanded the burly officer.

"I gave it to that police officer," answered Jimmy.

"What is your name?" demanded the Captain.

"Sir, you are not authorized to have that information. It's classified..." Jimmy started to say.

"You know that I can arrest you for failing to provide me with your name and address," responded the senior law official.

"Yes sir. You should also know that within five minutes of my arrival at your station, it will be flooded with government types that will walk me out of your station without you obtaining the information you seek,"

responded Jimmy with an air of finality.

"I'm calling that number on the card," said the police veteran defiantly.

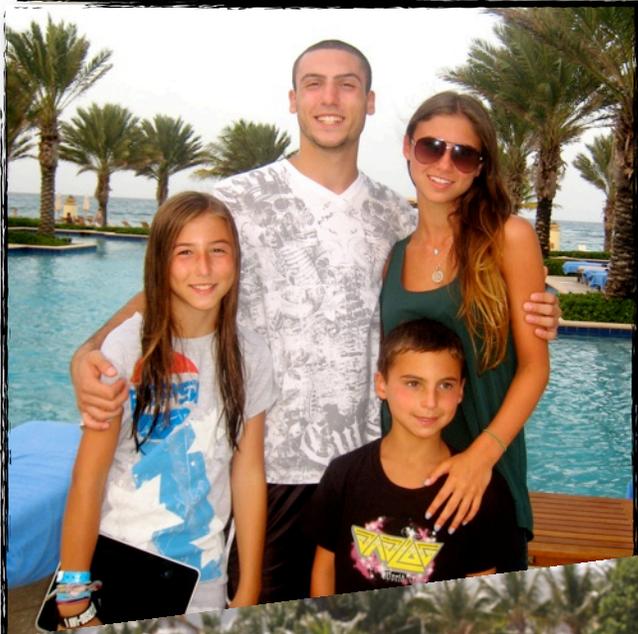
"That's why I gave it to your officer, sir," answered Jimmy.

What followed next was comical.

The Captain and the police officer were shouting and debating whether to call the phone number that Jimmy had given him. "Should I call? Should I not call? What if it really is the President's phone number?" The young officer empowered his senior officer by reminding him that no one is above the law and that this man was clearly speeding in a 25 mph zone.

The Captain picked up the card with some trepidation and called the number. Before there was a ring, a man answered the phone and demanded loudly, "**YES? WHAT IS IT?**" The captain identified himself and asked to whom he was speaking. The response, "This is the National Security Adviser to the President of the United States. Why are you calling me?"

*Continued next month!*



Evolution; the Oginski way



Jumping off the dock at Le Galion beach, French side, St. Martin



Joseph getting ready to take out a boat.

Where else besides the Carribean do you see a pineapple sitting on top of a court house?



Marigot marina, French side of St. Martin.

Here's a piece of trivia about this island: The Dutch side speaks English and is spelled St. Maarten; the French side speaks English and French and the economy is based on euros. They spell their country St. Martin.

# Gerry's Trivia Game

## TEST YOUR KNOWLEDGE OF THE LAW

### TRUE OR FALSE?

1. Circumstantial evidence can be used to prove your case at trial. TRUE or FALSE?

2. A settlement for pain and suffering is tax free in New York. TRUE or FALSE?

3. Pecuniary loss means how much food you are unable to eat. TRUE or FALSE?

4. In federal court in NY, an attorney must be admitted to practice in each separate district court. TRUE or FALSE?

5. An administrator of an estate has the ability to

settle a malpractice case without the approval of the Surrogate's court. TRUE or FALSE?

6. If Medicare paid for your medical bills and you bring a lawsuit and recover money for your injuries, you must reimburse Medicare for what they paid. TRUE or FALSE?

7. A certificate of merit must accompany every medical malpractice lawsuit filed in New York. TRUE or FALSE?

8. A summons is a document that puts someone on notice that they are being sued and

have a limited time to answer the allegations. TRUE or FALSE?

9. In a medical malpractice case in NY, the attorney's fee is 1/3 after expenses. TRUE or FALSE?

10. Mediation is a way to try and settle a case without going to trial. TRUE or FALSE?

**BONUS:** Res Ipsa Loquitor means that the judge is at lunch and there's nobody available to take your message.

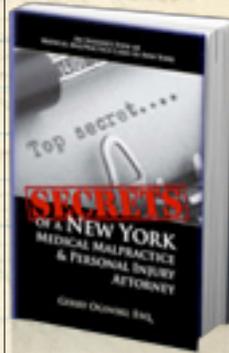


This was sitting on a ledge outside our hotel room. Name the insect.

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Give this newsletter to your best friend. They'll thank you for it, and so will I.

----- Answers to Trivia Game -----  
1. True, 2. True, 3. False, 4. True, 5. False,  
6. True, 7. True, 8. True, 9. False, 10.  
True. BONUS: False.

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September 2010

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