

When you bring a lawsuit seeking compensation for the harms and losses you suffered because of someone else's carelessness, how does the defense really know that the injuries you suffered are, in fact, significant or permanent? You want to know the answer? Come and 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 trial lawyer practicing law here in the state of New York. Whether it's a car accident matter, whether it's a medical malpractice matter, the way that the defense attorneys will know what the true extent of your injuries are basically are from your own doctor's medical records. Once you go ahead and start a lawsuit, we are obligated to provide the defense lawyers with permission slips (known as authorizations) to allow them to get copies of your doctor's medical records. And what do they do? They will go ahead and accumulate all of your medical records from all of the doctors that you've been treating with and they will ask how many doctors have you seen? Who are they? How many doctors have you seen in the past three years? And they will be entitled to receive all of those records. And now they'll go through each of those records. They'll identify what problems you had, what complaints you made, what treatment was rendered to you. And now, during the course of your lawsuit, they'll have an opportunity to question you at a question and answer session known as a deposition. So now, once they know what your medical condition is and now they ask you all about those things that you can and cannot do, is that it? Is that sufficient for them to say hey, we now accept the fact that you have all these injuries? Well, not really. They're going to do one of two things. In many cases, they're going to have you examined by a doctor of their choosing to evaluate your current medical condition. The defense lawyers like to say that this is an independent medical examination by a doctor of their own choosing. The reality is that there's nothing independent about this exam. It's a doctor who they are hire, who they hire often, to go ahead and examine you for the purposes of disputing the extent of your particular injuries. Now, in addition, there are many instances where you claim that you cannot do certain activities and they will then hire a private investigator to trail you, to try to catch you on video doing certain activities you claim you can't do. The defense does not accept face value - the fact that you suffered significant injury and the fact that you can no longer do certain activities - and they will do everything possible to try to catch you in the act of doing something you claim you couldn't do. So 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 in these accident cases and in these medical malpractice cases. You know, I recognize that you've got questions or concerns about your own particular matter. Well, if your matter did happen here in New York and you're contemplating bringing a lawsuit and you have legal questions, what I encourage you to do is pick up the phone and call me. I can answer your legal questions. You know, 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 email at gerry@oginski-law.com. That's it for today's quick video. I'm Gerry Oginski. Have a wonderful day.