

You suffered injury because of someone else's carelessness and now you post pictures on social media, on Facebook and Instagram and Snapchat, and you think the defense is never going to find that information. I've got a wakeup call for you. Come join me for a moment as I share with you some remarkable 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. So now you've suffered injury because of someone else's carelessness, you've suffered significant problems now, and you decide to bring a lawsuit. And during the course of a lawsuit, you are told "Do not put anything on social media! Don't post pictures of yourself, don't explain what's going on with you medically" and you go ahead and you ignore that warning. You think there is no possible way that somebody is going to hack into your Snapchat account, there's no possible way somebody is going to find your Instagram pictures. Well guess what? You are 100% wrong. Let me tell you why. One of the first things the defense will do is they will scour social media to see if you have any public accounts. If you do, they're going to go through them and search them. The defense will ask whether or not you have any social media accounts. And then they're going to ask for access to your social media accounts. You're going to turn around and say "Wait a second, you mean I actually have to give them access, give them my password?" Well, that's in dispute. Some courts say yes, some courts say no. But the point is they will find this. The defense actually hires investigators to go online and to scour and find things about you, to find pictures that you've posted, to find comments that you've posted. Why? Because they want to find things about your injuries, they want to see what you've done physically, they want to see if you've mentioned anything about the accident or how you suffered this injury because they all want to use this information against you. And they're not going to tell you about it until you get to your deposition, which is pre-trial testimony and it's the same thing as if you were testifying at trial. And guess what? They're going to spring it on you. They're going to set you up. They're going to ask you questions about whether or not you're able to do certain activities. "Hey, have you been able to go mountain hiking?" "No, I haven't." "Have you been able to play basketball?" "No, I haven't." "Have you been able to change your tire on your car?" "No, I haven't." "Really? Mrs. Jones, you have a picture here of yourself changing a tire. How do you explain that? You have a picture here on Facebook showing that you're mountain climbing. You have a picture here doing this, this, and this." And they will use that to contradict your testimony and they're not going to tell you about it until after they've locked you into your testimony, set you up for it and then hand it over to you and say "Hey, how do you explain this now?" And then you're stuck. So, that is why at the very beginning of your case, your attorney in New York is going to turn around to you and say "Under no circumstance can you post anything on social media about your case, about how you're feeling, about your injuries." Why? Because of this exact reason. So, why do I share this great information with you? I share it with you because this goes on in every single accident case, in every single medical malpractice case here in the state of New York. You know, in all likelihood, you're watching this because you have questions or concerns about your own particular matter. Well, if your matter did happen here in the state of New York and you've got 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.