

“Objection Judge! He’s badgering the witness!” Do you want to know what that really means? Have you ever seen an attorney badger a witness? 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 trial lawyer practicing law in the state of New York. It’s cold outside today, it’s almost Thanksgiving. I was looking for my winter coat and I think my son accidentally took it. So, I took his jacket. It’s a fire department jacket, it’s got his name embroidered on it. But I just wanted to share this great information with you. As I’m thinking about the title of this video, “Badgering the Witness,” I’m thinking I’ve never seen an attorney badger a witness. What I have seen is an attorney be aggressive with a witness, go after a witness that’s being combative, that’s fighting with an attorney. That I’ve seen. And that happens from time to time. You get two heads that are butting together, they simply have opposing views and now the witness is arguing with the attorney. The attorney is arguing with the witness and it turns out to be a whole combat scene. And that can be unfortunate. Why? Because now the jury looks at it and they can’t understand why the attorney is yelling or screaming with the witness. Why is the witness getting argumentative with the attorney? So when you are aggressive, when you are combative, what does it mean when an attorney jumps up and says “Objection Judge! He’s badgering the witness!” What it really means is the attorney is being argumentative, the attorney is being combative for no reason whatsoever and this shouldn’t be happening. And so, instead the attorney jumps up, he objects and says “This attorney is badgering my witness! Judge, make it stop!” Now the judge has to decide whether or not that’s going on. It’s like two kids that are arguing and fighting with each other, and now the parent gets in the way to separate them. That’s what happens sometimes during the course of trial, and that’s why I was laughing when thinking about this title about badgering the witness. Nobody is actually taking a badger and hitting the witness over the head. Instead, it’s simply being combative, it’s simply being argumentative, and it creates a whole bad feeling within the courtroom that everybody will pick up on. So why do I share this quick information with you? I share this with you just to give you some great information about what goes on in a medical malpractice trial, in an accident trial, in a wrongful death trial here in the state of New York. In all likelihood, you’re watching this because you have questions or concerns about your own particular matter. Well, if you’re contemplating bring a lawsuit for something that happened here in the state of New York 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](mailto:Gerry@Oginski-law.com). That’s it for today’s quick video. I’m Gerry Oginski, have a wonderful day.