



**LAW OFFICE OF GERALD  
OGINSKI, LLC**

35 South Drive  
Great Neck, NY 11021

T 516-487-8207

[Gerry@Oginski-Law.com](mailto:Gerry@Oginski-Law.com)

## They Caught Her on Video Biking But it Didn't Matter

They caught her on video biking. They caught her on video on hiking. They caught her on video running. Let me share with you why those things didn't make a bit of difference. Plus, I'm going to introduce you to my good friend, Bentley, here. 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 here in the state of New York. This is Bentley. He's a Maltese, and a Yorkie. They call him a Morkie. He's a beautiful little puppy. He's my daughter's puppy, and he's going to join me for a few moments, as I share with you some great information.

Now, this was a medical malpractice case, involving improperly performed foot surgery. You know what happened here? They caught her on video doing all those things. They were trying to get her on video, showing that she lied. That she lied about those things she claimed she couldn't do. You know what was amazing? When they sent me that video to watch, there was nothing on that video that contradicted any of her pretrial testimony. Nothing. I'm wondering, why did they bother spending two full days, to hire a private investigator, to go track her in an unmarked van, to catch her on video. You know why they did that? Because they wanted to see if they could show that she was saying things that were untrue. Because, during her pretrial testimony, they asked her, "What things can't you do today? What things do you do with limitations?" She told them everything that she did with limitations.

What was really interesting, was that, at no time, did she ever say she couldn't bike, she couldn't hike, she couldn't go running. But, one thing that she did point out to me was, they missed something on the video. Do you know what it was that they missed? The fact that they don't know what goes on behind closed doors. Once she goes into her home, there's no video in there to show the pain that she's in, every time she walks up the stairs. Every time she walks down the stairs. Every time she takes her shoes off,

and now, has to try and figure out how to go from one place to the next without pain. The video doesn't show any of that. What was amazing, was that this video showed, and the defense thought, that they caught her doing those things she claims she couldn't do. The reality was, it was just the opposite.

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 a medical malpractice case here in the state of New York. I realize you're watching this video, and you 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 lawsuit, but you need answers to your questions first, what I encourage you to do is, pick up the phone and call us. Bentley will be happy to answer your questions, and when he's done talking to you, I'll be happy to answer your questions. Bentley's going to go back for walk right now, right? Say goodbye, Bentley. You're a good little boy. Okay. If you do have questions, what I encourage you to do is pick up the phone and call me. I can answer your legal questions. That's 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 video. I'm Gerry Oginski. Have a wonderful day. Say goodbye, Bentley. Bye.