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They paid her \$4.5 million to settle her breast cancer case...but it wasn't enough.

They paid her family \$4 1/2 million to settle their case, but you know what? It wasn't enough. Do you want to know why not? 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 was a woman who was dying of breast cancer. She was diagnosed in Stage 4 which meant that it had spread throughout her entire body. This was now metastatic and she had only a few months left to live. The problem here was that she had 3 young children. She had a young husband, and now she was dying. She knew she was dying.

Ultimately after she died, the defense recognized they couldn't defend this case. They settled her case for \$4.5 million and you know why I said it's not enough? Because if you ask any one of her children whether that money is sufficient to compensate her and to compensate them for this failure to diagnose breast cancer, you know what they'd say? No amount of money in the world could ever replace their Mom. No amount of money is ever going to turn into someone who's going to sit with them and teach them, who's going to hold their hand, who's going to tell them what's right, what's wrong. That amount of money is going to compensate and help the family do their daily activities and go on with their life, but the reality is they were upset. They were angry, they were frustrated.

This doctor violated the basic standards of medical care that had been recognized early enough, this patient, their Mom, would have been able to get treatment and she'd be alive today but instead, this doctor was careless. He departed from good and accepted medical care. He was negligent and as a result of that, this family is now going through their lives without the benefit of having their Mom around.

I ask you the question: Is \$4 1/2 million sufficient to compensate this family for the loss of their mother, for the loss of a spouse? I suggest it's not, and there are others and critics who disagree, but you know what? When you're in that position and that

you've got the loss of your parent because you know, and we can prove that a doctor was careless, no amount of money is ever going to change that scenario whether you give \$5 million, \$10 million, \$20 million, \$30 million, whatever the amount of money is. Yes, that's now going to help the family to do their things that they need to do but it's not going to bring their mother back. That's why I say that this case was worth more than \$4 1/2 million, and if the case had gone to verdict, it would have been worth a lot more than that.

Why do I share this great information with you? I share it with you just to give you an insight and an understanding into one case involving a woman who in the failure to diagnose breast cancer case here in New York. I realize you're watching this video because you have questions or concerns about your own particular matter. Well, if your matter did happen here in New York and you're thinking about bringing a lawsuit but you have questions that need answers, what I invite 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 talk to you.

You can reach me at 516-487-8207 or by email at gerry@oginski-law.com. That's it for today's video. I'm Gerry Oginski. Have a wonderful day!