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## **Your medical malpractice case will settle, but only if you agree NOT to publicize it**

The defense is willing to settle this case, but only if we agreed not to publicize it and not to promote it in the media. Want to know why? 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 in the state of New York.

This medical malpractice case was coming up for trial and during the course of preparing for the trial, I get a call from the defense attorney. He tells me they'd like to settle this case. After back-and-forth negotiation, we finally reach an agreement on what we're willing to accept. Now, the defense tells me one last thing. "Listen, by-the-way, the only way we can settle this case and agree to finalize this and put it to bed is if you agree not to publicize this case. No media coverage. No promoting this online. No promoting this offline. No telling anybody about what happened during the course of this case and how and why we settled this case."

I know that my client wanted to publicize this case. She wanted to tell the entire world about what this doctor and what this hospital did to her. Why? Because she was so upset. She was so angry about the injuries she suffered because of a doctor's carelessness, because they violated the basic standards of medical care. Now, when she was done with this case, she wanted to tell everybody about how bad the treatment was with the doctor, how bad this hospital was, and she couldn't wait to do that. Well, now, the defense attorney turns around and says, "Listen. The only way we're going to settle this case is if you agree not to tell anybody about the settlement, if you agree not to tell anybody about the facts of this case."

Now I had a conversation with my client. I said, "Listen. The choice is ultimately yours whether or not to accept this settlement offer. The number is an excellent number. By accepting it, you no longer have to go to trial and there's no uncertainty about whether or not you are going to get full and fair compensation for your injuries. On the other hand, you now lose the opportunity of going ahead and telling the world about what happened to you."

The question I had for her was, "Listen. You can go to trial and get a verdict and once the jury determines that you are more likely right than wrong and they give you compensation for your injuries, now you can tell the entire world about the verdict that you received and about everything that happened to you. If you want to go ahead and settle this case prior to trial with a guaranteed amount of money that we know is an excellent representation of what this case should settle for, now you're actually giving up the opportunity to tell the world about what happened." What do you think she did? She opted to go ahead with the settlement and bite the bullet and not have the ability to go ahead and tell the world and publicize the settlement as well as this particular case. That was a personal choice that she made.

Why do I share this great information with you? I share it with you just to give you an insight and an understanding as to what goes on in these civil lawsuits here in New York involving accident cases and medical malpractice cases and wrongful death cases. I recognize that you're watching this video because 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 have questions that need to be answered, what I encourage you to do is pick up the phone and call me. I can answer your legal questions. 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 video. I'm Gerry Oginski. Have a wonderful day.