

Legal Report

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No ordinary day for employee in third world country

Our personal injury department was recently challenged by an interesting case involving an incident that occurred overseas. An employee of a U.S. company was sent to a third-world country to train a customer's employees. While abroad, the employee was one of many victims of a terrorist attack.

Workers' compensation covered medical expenses and lost wage benefits, but the victim was devastated in many other ways. The client retained Jeffrey Freedman Attorneys, PLLC to pursue a bodily injury liability

lawsuit for pain and suffering, permanency, emotional distress, and financial damages against the host facility for improper and inadequate safety and security. Since the defendant was an American company, suit was initiated in U.S. Federal Court. Our suit was premised on the fact that while some terrorist attacks are difficult to defend against, businesses still have an obligation to provide adequate security. Where a threat is known, reasonable steps have to be taken to protect business patrons. The Defendant's insurance company raised many defenses but ultimately awarded our client a substantial settlement.

Brian Knauth Appears on AM Buffalo

Jeffrey Freedman Personal Injury Attorney Brian D. Knauth appeared on WK-BW-TV's AM Buffalo show on Thursday January 24, 2013. His topic was the current status of uninsured and underinsured motorist insurance coverages in New York State. Recent consumer protection legislation passed by the legislature was vetoed by Governor Cuomo. Knauth explained what this means for New York's automobile insurance customers. To learn more about what coverage you can purchase to cover you for accidents caused by another driver with little or no insurance, contact Jeffrey Freedman Attorneys, PLLC for free advice and a brochure.

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Attorney Advertisement

It's time to protect motorcyclists with No-Fault Insurance

It's not easy to put a price on the costs of motorcycle accidents, but the Government Accountability Office (GAO) estimates it was \$16 billion in 2010, just for the direct costs of deaths and injuries. It is believed, said Christopher C. Kerr, personal injury attorney with Jeffrey Freedman Attorneys at Law, PLLC, that the full costs are much higher because of long-term medical expenses. Many of Mr. Kerr's clients who have been injured in motorcycle accidents, cannot return to work and require medical care for the remainder of their lives.

"It's difficult to account for all of the costs because the treatment of serious injuries can be lengthy, and changes in the person's work and living situations are difficult



to put a price on," Mr. Kerr said.

The GAO report stated that 82,000 were injured in 2010, and 4,502 were killed as a result of motorcycle accidents. The cost of a fatal crash is estimated to be \$1.2 million, and the cost for injury accidents range from \$2,500 to \$1.4 million. The only safety measure that has proven to be effective is requiring all motorcyclists to wear helmets. Studies estimate the use of helmets

reduces the risk of death as much as 39 percent.

New York's no-fault insurance law specifically excludes occupants of motorcycles from coverage. Our firm believes the time has come to offer these citizens the same opportunities for coverage as automobile occupants.

NYS laws protect snowmobilers from the negligence of others

It's not difficult for a fun-filled day of snowmobiling to turn into a disaster if your fellow snowmobilers don't drive responsibly. Christopher C. Kerr, an attorney in our personal injury department, saw how long-lasting and devastating the effects could be when he took on a Genesee County client who had been run over by another snowmobiler on a snowmobiling ride through Wyoming County.

Our client fell off of his snowmobile into the path of another snowmobiler who was traveling too fast and following too closely. As a result of the ensuing collision, our client was so severely injured he required extensive surgery. The man would never return to his former condition.

New York State is one of only 23 states with mandatory snowmobile insurance, required by the Office of Parks, Recreation and Historic Preservation Laws. Mr. Kerr initiated a claim against the irresponsible driver for bodily injury for the snowmobiler, and a derivative claim for his spouse's loss of services. Through his thorough documentation of the severity of the client's injuries, treatment and the damages he had experienced, the insurance company involved quickly saw the wisdom in awarding a settlement for the entire policy limit before the claim even became a lawsuit.

Employee Spotlight: Craig Koval, Manager of Operations



Our Manager of Operations celebrated his fifteenth anniversary with our firm. As manager, he oversees our twelve locations that serve Western New York. Craig who has excellent organizational skills manages the operation of our Bankruptcy, Social Security Disability and Personal Injury practices

as well as our ADA (Americans with Disabilities Act) and FDCPA (Fair Debt Collection Practice Act) practices.

Originally from Endwell, New York, he moved to Buffalo in 1988. A graduate of Ithaca College with a BS degree in Accounting, Craig held several management positions prior to coming here. Immediately before joining us, he was a consultant for American Express' Worldwide Procurement Department. Based in New York City, American Express also sent him on assignments taking him to Arizona, Florida, Georgia, Indiana, Missouri and Australia.

Craig joined the national Association of Legal Administrators and its Buffalo chapter in 2002. He served four years on the Board of Directors of the Buffalo Chapter in several positions including President. In addition, he also enjoys teaching and has been an Adjunct Professor at Hilbert College since 2005.

Craig and his wife of twenty-eight years have a daughter that worked at our firm during her summers while in college. She will be graduating from law school in May, 2013.