

Thorough investigation is key to winning cases

To win a personal injury case, it not only takes detailed knowledge of all applicable laws, toughness, and strong litigation and negotiation skills, it also often requires diligent, thorough, creative investigation. The lawyer and legal staff sometimes have to be keen detectives to uncover the truth. This newsletter is dedicated to highlighting the myriad of accident cases in which our law firm's impactful investigations resulted in obtaining large financial rewards for our clients. Here are just a few examples:



◆ A construction laborer was assisting in the hoisting of a long, heavy steel beam using a makeshift pulley. During the hoisting, another beam, which had previously been installed over one of the building's loading bays, fell on our client's head, causing paralysis from the neck down. The worker could not recall what happened and his supervisor claimed he didn't know what caused the beam to fall. We thoroughly investigated the incident and hired a construction-hoist expert who recreated the accident on video. His reconstruction proved that the accident occurred because the beam being hoisted was not positioned correctly before it was lifted, which caused it to swing upon being hoisted. This caused the metal cables lifting it to swing into the unsecured beam previously placed over the loading bay, which pushed that beam off the cinder block wall it was laying on. When we proved the cause of the accident, the defendants' insurance companies were forced to pay the full



Image 1: This is a still shot from a video that was made to reconstruct the accident. It helped earn our client \$11 million.

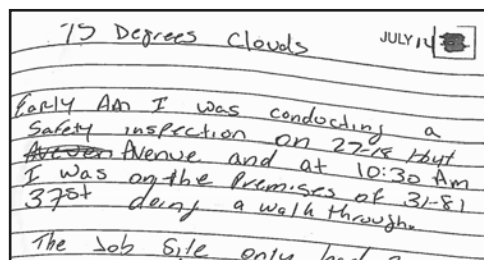


Image 2: The date was changed on this false accident report. That discovery assisted in obtaining \$1 million for our client.



Image 3: This photo showing planks on a similar roof as the accident site was pivotal evidence, which led to a \$2.5 million award.

policies totaling \$11 million. See Image 1 from our expert's video.

◆ A laborer was on a ladder that slipped out, causing the worker to fall and break his back. The general contractor on the job lied and claimed that the worker fell off the ladder because he supposedly descended the ladder facing the wrong direction, as if it was a stairway. To support his claim, the general contractor tendered a page from his construction log with his false narrative. We noticed that the general contractor had crossed out the date of the month on the diary page he submitted. This evidenced that he had already completed the true narrative on the diary page for the day of the accident and then later used an available blank diary page with a crossed out date for his false report. Once we proved his connivance, the insurance company was forced to pay the full \$1 million policy. See the phony accident report in Image 2.

◆ An asbestos laborer was working on a roof, and a plank that he stepped on gave way, causing his leg to fall through the roof. The defendants claimed they didn't know what caused the roof to partially collapse. As part of our investigation, we discovered another roof that happened to have structural defects similar to the planking of the subject roof and took pictures of it being demolished. Inquiry concerning those pictures during deposition uncovered the true cause of the accident, which triggered a \$2.5 million recovery. See Image 3 showing the other roof being demolished, which broke open the case.

◆ A taxi driver on a break, walked on an icy roadway. The ice had accumulated from a hydrant leak during the freezing weather.



Image 4: A Google photo of a hydrant with a missing cap from many years ago was key evidence, which led to a \$200,000 recovery.

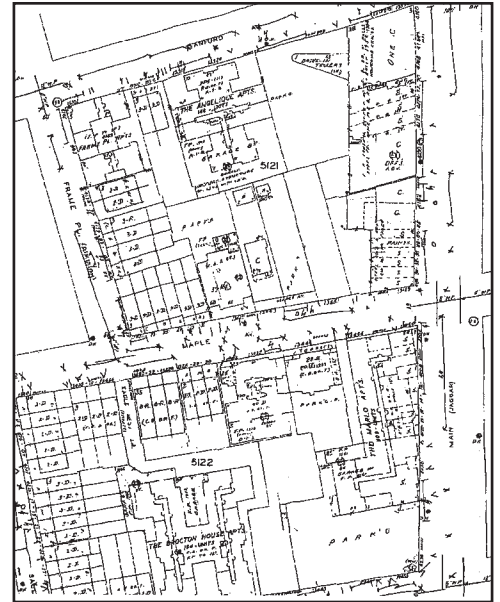


Image 5: Notations made on this map proved that the city knew about a curb defect many years ago. This proof helped achieve a \$300,000 award.

We obtained Google photos showing that the hydrant was missing its cap for many years, which led to a \$200,000 recovery. See Image 4, which shows the photo of the hydrant.

◆ Our client tripped over a broken curb. We obtained an old Big Apple map that was filed with the City of New York, which proved that the city was notified of the curb defect many years before. This resulted in a \$130,000 resolution in favor of our client. See a copy of the map in Image 5.

◆ Our client tripped over metal barriers that were left on the sidewalk in front of an apartment building. The superintendent of the building claimed he didn't know who put the barriers there. We discovered satellite Google photos that showed that the superintendent was using metal barricades to segregate the building's black garbage bags from the public walkway. Proving the superintendent's lie compelled the insurance company to resolve the claim. See Google photo of the barriers in Image 6.

◆ Our client was injured when struck by a city-owned car while crossing the street in a crosswalk. The city worker who was driving claimed that our client was crossing outside of the crosswalk. We went to a nearby store and found security camera video of the accident,

**THOROUGH INVESTIGATION,
continued on 2**

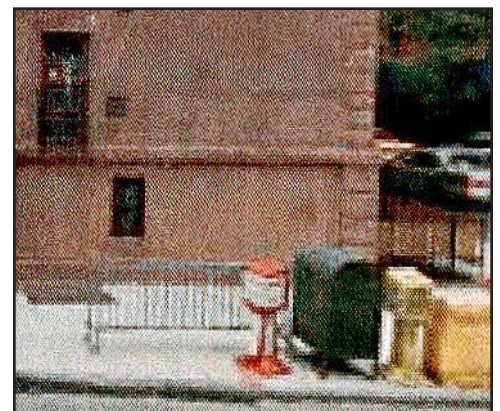


Image 6: A Google photo showed a building super used metal barricades to segregate the black garbage bags, which helped resolve the case.

Ross, Legan, Rosenberg, Zelen & Flaks, Attorneys at Law

We're not just lawyers, we're your lawyers.

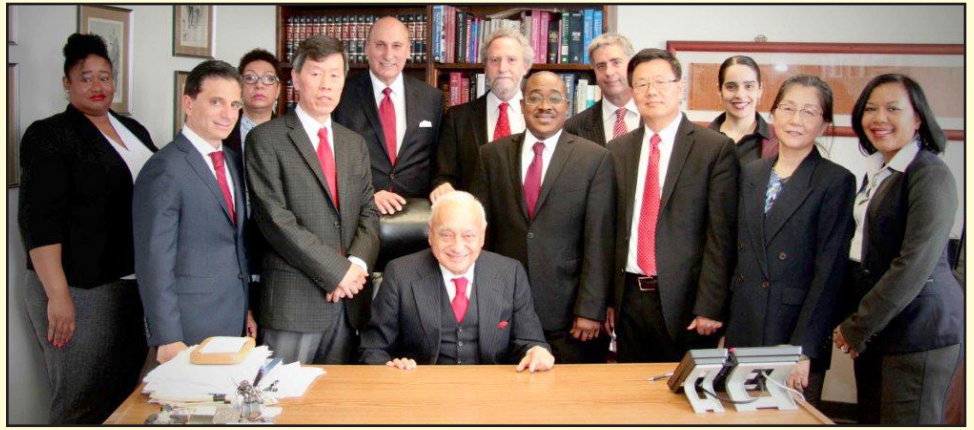
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- ◆ Premises Liability
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THOROUGH INVESTIGATION, continued from page 1

which proved that our client had crossed within the crosswalk. The city was then forced to pay **\$225,000** to our client. See impact photo from the accident video in Image 7.

◆ A man tripped due to a 1/8-inch raised lip on a subway stairway. The NYCTA motioned the court to dismiss the case because of the smallness of the defect. We retained a civil engineer who established that despite the small height differential, the raised lip was dangerous and could have been easily repaired. Our opposition led the court to deny the motion involving one of the smallest defects on record. Ultimately, the NYCTA paid

our client **\$100,000**. See photo of the stairway in Image 8.

◆ In a slip-on-ice case, we obtained photos that depicted frozen human footprints and frozen dog paw prints, which enabled us to prove how long the ice was present. This compelled a \$300,000 insurance payment to our client. See photo of the foot and paw prints in Image 9.

◆ A motorcyclist making a food delivery struck an exposed manhole within a sunken area of roadway. This caused him to flip over his motorcycle and smash onto the street. Through discovery, we obtained proof that

the city inspected the roadway hazard 21 days before the accident but failed to make a timely repair. See photo of the exposed manhole taken by a city inspector in Image 10. Faced with this decisive proof, the city was obliged to resolve the case in our client's favor for **\$375,000**.

As you can see, these cases demonstrate how good legal detective work by Ross, Legan, Rosenberg, Zelen & Flaks LLP led to obtaining ample compensation for our clients.

Accordingly, when you, a family member, a friend or a co-worker is involved in an accident, call us immediately at **212-967-8500** to enable our firm to expeditiously gather the evidence needed to win the case and obtain the money you deserve!



Image 7: Video from a nearby security camera showing that the accident victim was in the crosswalk when he was struck by the station wagon resulted in a \$225,000 award for our client.



Image 8: A photo we took showing a 1/8-inch raised lip on a subway station stairway aided our client to win an award of \$100,000.



Image 9: This photo showing foot and paw prints helped establish how long the ice was present, leading to our client receiving \$300,000.



Image 10: This photo, which was uncovered by our firm, led to a \$375,000 victory.

Call to set up your free consultation

You have legal rights to be fully compensated for your injuries **regardless of your immigration status** in the United States. Don't be afraid to call us at **(212) 967-8500** – the consultation is free. All information disclosed is confidential.

We currently operate offices in Manhattan and Flushing/Queens.

Free legal information in English, Chinese and Spanish is also available on our law firm's website at www.flrzf.com.

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