



**LAW OFFICE OF GERALD
OGINSKI, LLC**

35 South Drive
Great Neck, NY 11021

T 516-487-8207

Gerry@Oginski-Law.com

Doctor & Hospital Staff are Pointing Fingers at Each Other. Nobody Wants to Take Responsibility

If you were injured because of a doctor's carelessness and now you bring a lawsuit against not only the doctor, but the hospital staff as well. Now the 2 of them, the doctor and the hospital staff, are arguing over which has more responsibility for your injuries. Do you really care which one is more responsible than the other? Should you care? Come join me for a moment as I share with you this answer. 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.

Now you've suffered injury as a result of a doctor violating the basic standards of medical care. Now the doctor who was also part of the hospital facility, and now you've brought a lawsuit against the hospital staff, as well as the doctor himself. Now during the course of the lawsuit it becomes obvious that both the doctor and the hospital staff are responsible. Now behind the scenes the doctor and hospital staff are arguing over who bears more responsibility for your injuries, for the permanent harm that you suffered. Do you as the injured victim, as the plaintiff who is bringing the lawsuit, do you really care what percentage of liability each one is responsible for?

Well for pretrial purpose, for the purposes of trying to negotiate a settlement, the reality is no you don't care. You don't care whether the doctor is 75% responsible, and the hospital is 25% responsible. You don't care if they're 50/50. You don't care if the doctor is 25% responsible, and the hospital is 75% responsible. It doesn't make a difference to you for the purposes of settlement prior to trial. At trial it's a different story, and I'm not getting into that right now. This is only for the purposes of evaluating this pretrial, before this case ever gets to trial. Does it make a difference to you, the injured victim? The reality is no, it doesn't. It makes no difference whatsoever.

Now how does that affect an ultimate settlement? Let's say, for example, that the value of your case is \$1,000,000. That your injuries are worth \$1,000,000. Now if each side believes that they are 50/50 responsible, the doctor will be contributing 50% of that, that would be half \$1,000,000, and the hospital likewise would do the same. If it's 25/75, then the hospital would be contributing 75% of that \$1,000,000. The percentages of liability make a big difference for the person who is actually making the payment, but for your purposes, you don't care where the money comes from. You don't care whether 1 side 10% responsible, the other is 90%. To your purposes all you know is that your injuries are worth a particular amount of money, and all you care about is that you get the full value of your injuries. If not, now you have to go to trial.

Why do I share this quick information with you? I share it with you just to give you an insight on an understanding, into how these cases work here in the state of New York involving accident cases, and medical malpractice cases, and even wrongful death cases. I realize you're watching this video because you likely 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 law suit, but you have questions that you need answered first, 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 chat with 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 great day.