



# EDWARD R. YOUNG & ASSOCIATES

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VOLUME FOUR

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## Dear Friends, Neighbors and Clients,

After 30 years of experience collecting money for the innocent victims of other people's carelessness, we have covered many different types of accidents. This issue of the newsletter gives you a sampling of some of the actual cases we have handled.

On a personal note, I am pleased to advise that my son, David, gradu-

ated from New York University School of Law in May, and he just passed the New York State Bar Examination. I am very proud of him!

Remember, your questions are always welcome.

Regards,

*Edward R. Young*

## \$5,645,000 Recovered When Vehicle's Driver Lost Control, Plaintiff Ejected During Rollover

On October 3, 2002, plaintiff, a gas station's attendant, was an occupant of a sport utility vehicle that was traveling on Route 684 in Brewster. The vehicle was also occupied by Majid Khrisat. While traveling at a great rate of speed, the vehicle's driver lost control. The vehicle rolled several times, and it left the roadway. Plaintiff was ejected from the vehicle, and he sustained multiple serious injuries.

Each man claimed the other was driving the vehicle. Khrisat's blood-alcohol content was determined to

be greater than the legal limit. Thus, he was arrested. However, the criminal charges were dismissed based on Khrisat's contention that Plaintiff was the driver.

With Ed Young's help, Plaintiff sued Khrisat; the registered owner of Khrisat's vehicle, Feras Khrisat; and the lessor of the vehicle. Plaintiff alleged that Majid Khrisat was the vehicle's driver, that Khrisat was negligent in the operation of his vehicle and that the remaining parties were vicariously liable for Khrisat's actions.

*Continued on page 2*

**Best Wishes for A Happy & Healthy 2009!**

# IN BRIEF



## Edward Young Achieves an \$8,000,000 Award for Client's Gunshot Wound

This is truly a tragic case and underscores how even a moment of carelessness can have lifelong consequences. This incident occurred in Amityville. Plaintiff, age 20 and unemployed, was in Defendant's home when the Defendant accidentally shot him. The Defendant had been showing the Plaintiff his gun when it went off. The injury involved paralysis from the waist down.

At inquest before the Court on damages, Ed Young's argument resulted in a decision of an \$8,000,000 award to Plaintiff.



## \$238,000 Awarded in Motor Vehicle Rear End

This action arose out of a motor vehicle rear end collision between Plaintiff, a 50-year-old retired NYC police officer employed as a real estate agent, and Defendant. The underinsurance claim resulted in motions by the insurance company for more medical exams. The court denied additional medical exams based upon Mr. Young's argument that the insurance company had the benefit of prior No-Fault exams and was delaying improperly. We argued, successfully, that justice delayed is justice denied.

The Plaintiff sustained serious injuries, including herniated discs, post-traumatic neurobehavioral distress syndrome, and disc lesions and he was entitled to prompt action.

Once the insurance company's delay tactics were removed, the action settled promptly for \$238,000.



## \$190,000 for Falldown Suit Between Relatives

Most often we spend time with people we know and relatives. Plaintiff, a 25-year-old secretary in a stock brokerage firm, fell while entering the rear basement stairs at Defendant's residence in West Babylon. Plaintiff and Defendant are sister and brother. Plaintiff claimed she tripped over an extension cord that Defendant left stretched across the stairs. Defendant contended the cord was in plain sight and Plaintiff should have seen and avoided it.

The Plaintiff suffered several injuries, including a fractured coccyx and herniated lumbar disc. We argued successfully that just because the parties were related was no reason for the insurance company not to pay what was proper.

The case settled at jury selection for \$190,000.

## Rollover Accident, continued

Plaintiff claimed that Khrisat was intoxicated and that he was not maintaining a safe speed.

Plaintiff, represented by Edward R. Young & Associates, moved for summary judgement on the issue of liability. A Judge granted the motion, and the matter proceeded to a damages only trial.

Plaintiff sustained multiple serious injuries, including a broken pelvis, broken femur, and a compound ankle fracture. He spent a long time in the hospital and inpatient rehabilitation as well as ongoing outpatient physical therapy.

The defendants contended that Plaintiff experienced an excellent recovery and claimed he would not require additional medical treatment or suffer any loss of earnings.

We were pleased to have achieved a \$5,645,000 settlement on the eve of trial for this very seriously injured young man.



Our firm receives many new clients as a result of referrals from clients and other friends of our firm. We would like to thank everyone who refers friends and family to our firm. We welcome and encourage referrals, and we will strive to provide top quality legal service to you and everyone you refer.



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## Effective Representation Often Involves Knowing Where to Sue: Over \$5,000,000 for Plaintiff in Hawaii Automobile Accident

This mother and children received over \$5,000,000 for a motor vehicle accident that occurred in Maui, Hawaii. Decedent, a 40-year-old dentist, was driving a car in which the Plaintiff, his wife, was a front seat passenger. The defendant's truck, loaded with pineapples, crossed over the center line and hit decedent's car head-on. Decedent was dead at the scene. Plaintiff was trapped in the car for 1 hour with her husband.

Venue, or where the trial would be, was at issue. Edward Young argued that Defendant's corporate structure, the nature of its business, and its distribution network in New York was such that the venue could be placed in the Eastern District of the Federal Court in New York. Defendant's motion to remove the case from the Eastern District back to Hawaii was denied with leave to renew after the further discovery. The action settled after the motion was denied.

Mr. Young's ability to practice in the Federal Courts (including the Supreme Court of the United States) and our willingness to go the extra mile kept this case in New York, an area where a much better result could be expected for the clients.

The Plaintiff suffered serious injuries to her left knee and foot. Decedent left his wife and three children, ages 2, 6 and 13.

Knowing where to bring suit is often a key element in a maximum recovery. Mr. Young's keeping this case in the Federal Court in New York was critical.



## Sorting Blame Among Multiple Causes Can Be Critical. Child-Pedestrian Hit By Car: Poor Lighting Partial Cause of Accident

On an August night, a 14-year old student was walking south along the northbound lane of Harned Road in Smithtown when she was struck by Defendant. As she lay in the road, she was struck by two other cars. There was no sidewalk. All the drivers claimed not to have seen Plaintiff due to the dark road.

Defendant Suffolk County owned the road and was in the process of a construction project. Defendant Town of Smithtown owned and maintained the streetlights. There was a dispute between the County and the Town during the project as to who should restore the lighting.

A highly contested issue was the alleged alcohol use by Plaintiff. No use was admitted; however, the hospital blood test showed .05. Plaintiff moved to preclude the alcohol issue and it was agreed by all parties not to raise the issue at that time. Keeping this spurious issue out of the case was a point that Edward Young emphasized and won.

Plaintiff suffered serious injuries, including a fractured pelvis, fracture of the right femur, and compound fractures of the left tibia and fibula. Plaintiff was in a coma for 11 days.

Plaintiff received \$645,000.

## Man Injured By Exploding Manhole

At about 10 a.m., Plaintiff, a 35-year-old self employed delivery truck driver, was walking across the street at York Avenue and 73<sup>rd</sup> Street in Manhattan when there was an explosion in one of Defendant, Con Edison's, manholes. The force of the blast propelled Plaintiff into the wall of a nearby building.

The Plaintiff suffered a herniated disc and claimed he was no longer able to perform manual labor. The Defendants initially offered \$20,000, but Plaintiff received more than three times that amount in Court.



## Shopper Hit By Falling Lumber at Home Improvement Store

Plaintiff, a 50-year-old librarian, claimed that while shopping at a Home Improvement Store she was struck on the head by wooden molding dropped from above by one of the Defendant's employees. Defendant contended the molding was out of a rack, leaning upright, and spontaneously fell, and that the molding was left out of the rack by another customer. Plaintiff claimed that if Defendant's employee had seen a piece of molding leaning upright prior to the accident, the employee should have replaced it in the rack.

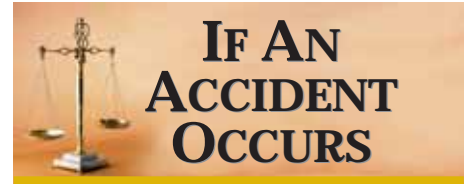
The Plaintiff suffered many injuries, including bulging cervical discs, a concussion, headaches and impaired vision. The Home Improvement store did not make any offer. They only paid up when the case went to trial.

# Dog Bite: 12 Year Old Boy Attacked By Rottweilers Recovers \$150,000 in Damages

Plaintiff, age 12, was playing football with other children on the lawn of a house on Coles Avenue in Amityville when he was attacked by two Rottweilers that jumped out of a second story window. Plaintiff claimed that several days earlier, the two dogs had been reported to the Town of Babylon because they were running loose and were menacing. The dog warden refused to take the dogs. Plaintiff contended the Town failed its statutory



legal duty to properly advise the complainant of his right to seek judicial intervention to have the dogs impounded. The dog warden testified about her procedures. The Plaintiff suffered severe injuries, including lacerations to both arms, thigh and leg, and he required 90 stitches. The Defendants included the homeowner, people who were renting the home, and the Town of Babylon. After a jury trial, the Plaintiff received \$150,000.



**I**f you are hurt in an accident, please call us. We are dedicated to providing top quality legal representation to accident victims. We fight for your rights and try to resolve your claim as fast as possible, with the goal being to obtain the maximum compensation for you.

We handle all types of personal injury cases and offer a free consultation. For experienced legal help after any type of accident, please call us.

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