

Brought to you by

MELVYN S. JACKNOWITZ

Attorney At Law



PERSONAL INJURY PRACTICE

- Auto accidents
- Pedestrian accidents
- Bus and train accidents
- Slips and falls
- School and playground accidents
- Construction accidents
- Defective products
- Medical malpractice
- Trials
- Free consultation
- Home appointments available
- No recovery—No fee.
- We do not get paid unless you do.

TOP 5 THINGS TO DO IF YOU ARE IN A BICYCLE ACCIDENT

They say once you learn to ride a bike, you never forget...but do you know what to do if you are in an accident? Chances are, you don't. *Here is a list of five things to do if possible if you are struck while on your bike:*

1. Take photos of the scene.

If you or a witness has a camera, take photos of the scene from every angle you can think of.

2. Talk to the police only.

If a driver tries to talk you out of calling the police, explain to them that you need to call the police to make a report to protect yourself. Do not discuss the accident with the driver, and do not talk with the driver's insurance company under any circumstances.

3. Get information from the driver and witnesses.

Get the driver's name, phone number, and

insurance information. Ask for names and numbers of witnesses who can't remain on the scene until the police arrive.

4. Go to the doctor or ER.

If you are experiencing pain, see a physician right away.

5. Get an estimate for property damage.

Take your bike to a shop that will put a number value on the damage. Don't fix the damage and, likewise, keep broken helmets, ripped and bloodied clothing, torn shoes, or any other piece of property that could be considered evidence to the severity of the accident.



If you need our services, please contact us at...

212-267-3170

www.Jacknowitz-law.com

Melvyn S. Jacknowitz Attorney At Law

19 Fulton Street, Suite 302
New York, NY 10038
212-267-3170

FAX: 212-267-2019

E-mail:

jacknowitzlaw@aol.com

STAFF

MARLA FIGMAN
Of Counsel

EMILY BLATT
Attorney

DESREEN SINCLAIR
Paralegal

CATHERINE ARAUJO
Administrative Assistant

OFFICE HOURS

Monday-Friday
9:00 a.m.-5:30 p.m.

Does tort reform affect physician supply?

Every couple of months you hear about specialists and general practitioners leaving a state because the threat of lawsuits and high insurance premiums. Proponents of tort reform, largely medical associations, insurance companies, and doctors, often claim that reform will increase the supply of physicians in a state and drive down medical costs; however, a recent study published in Social Science Research Network found that in Texas, physician supply, including general, high-malpractice-risk specialties and rural physicians, did not increase after reform.

Texas adopted tort reform in 2003, putting a strict cap on noneconomic damages. The authors of the study found no evidence of decline in access to care or physicians deserting the state prior to reform. In fact, the study found that direct-care physicians per capita in Texas was lower after reform, driven by economic factors. The reform did cause payouts on medical-malpractice claims to drop 70 percent.

According to the National Bureau of Economic Research, "Increases in malpractice payments made on behalf of physicians do not seem to be the driving force behind increases in premiums." The Americans for Insurance Reform has stated that rate increases are driven by three factors: the economic cycle of the insurance industry, declining interest rates, and investments.

Referrals

Thanks to all of you who have recommended our firm to your relatives, friends, and neighbors. We appreciate your vote of confidence and pledge to care for these "VIPs" as well as we care for you.

We take your family's safety and security personally.

ATTORNEYS SAVE YOU MONEY

Most people think only about the bill, but there are a number of ways in which attorneys save you money. You read that right, an attorney can save you money.

Representing yourself in a personal injury claim may seem like a great way to save some money, especially if your case seems clear, but it's not. Ask yourself these questions:

- How well do you know the law?
- Are you familiar with defense tactics and strategies?
- Would you know a truly fair settlement?
- Do you know the best resources for expert witnesses?
- For that matter, do you know if you would benefit from an expert witness?

For the same reasons that you wouldn't diagnose and treat a disease using books and the Internet, you shouldn't try to be your own counsel. In personal injury cases, consultation is almost always free.

There is simply nothing to gain by not utilizing a qualified attorney.

Birth injuries

Going to the hospital to give birth should be a joyous occasion. But for soon-to-be parents, an injury caused by the medical staff responsible for the safety of the infant can change the course of their lives.

It's not just negligence on the part of the medical staff that can cause birth injuries, but the quality, condition, and age of the medical and diagnostic equipment at their disposal.

A Pennsylvania mother and her 3-year-old daughter, who suffered severe birth injuries, were recently awarded \$78 million. The woman arrived at the hospital bleeding, nearly full term. An ultrasound determined that the baby died in utero, presumably from placenta abruption; however, the mother insisted that she felt the baby kicking and moving. Over an hour later a heartbeat was detected and the baby was delivered via C-section. Because of the delay, the child has spastic quadriplegic cerebral palsy.

It's not just negligence on the part of the medical staff that can cause birth injuries, but the quality, condition, and age of the medical and diagnostic equipment at their disposal.

The facility was found at fault as the ultrasound machine had not been inspected for 10 years, despite recommended annual service, and because an ultrasound technician was not on duty.



SUMMER RECALL ROUNDUP

Master Forge gas grills sold at Lowe's

If improperly installed, the hose connecting the gas tank and regulator to the burner control can touch the burner box and cause the hose to melt and rupture when the grill is lit. Consumers should stop using the grill and call or go online for instruction.

888-584-3628, www.94227info.com

Banana Boat UltraMist Sport SPF 30 and SPF 50

Spray-on Banana Boat sunscreen voluntarily pulled 23 Banana Boat continuous sprays from retailers last year because they can catch fire if exposed to a flame or spark before drying on the skin. Consumers who have any of the products purchased between January 2010 and September 2012 should dispose of them and call or e-mail for refund information.

800-723-3786, e-mail SUNCARE@customerfollowup.info

Wilson & Fisher garden swings sold at Big Lots

The wooden swing's seat can break while in use, posing a fall hazard. Consumers should stop using the swing, detach the bench seat, and return it to Big Lots for a refund.

(866) 244-5687, www.biglots.com, click "recalls"

Children's water bottle sold at H&M

The water bottle spout can break off, posing a choking hazard. Consumers should stop using the water bottle and return it to H&M for a refund.

(855) 466-7467, www.hm.com



The right protection

Are concussions becoming a dangerous norm in football? Hearing stories of teens and adults suffering concussions in high school, college, and professional football is nothing new. But last fall, the media reported extensively on a game in which five players sustained concussions in a single game—in the Peeewe League.

As a new season approaches, take some time to make sure your kids have the proper protective equipment to reduce the risk of concussion. Be sure that used helmets and pads are in good shape and fit well. The helmet is the most important piece of equipment that your child will wear. No matter how good the condition, if it doesn't fit properly, it won't provide adequate protection.

PROPER HELMET FIT

- Measure the circumference of a child's head right above the eyebrows. Sizing among manufacturers varies, so this number is important.
- When the helmet is on, it should not move easily and should fit tight without being uncomfortable.
- The helmet should rest directly against the temple and the jaw, and the chin strap should fit snugly.
- When pushed on the top, the wearer should feel pressure on the crown of the head but not on the forehead.

No matter how good the condition, if the helmet doesn't fit properly, it won't provide adequate protection.

TAILGATING DRIVERS

There is nothing quite as annoying as a driver riding your bumper. Tailgaters cause a lot of accidents and are the number-one cause of road rage. Tailgating is aggressive driving and is illegal. According to Smartmotorist.com, most rear-end collisions are caused by one vehicle following another too closely.

Get out of the way

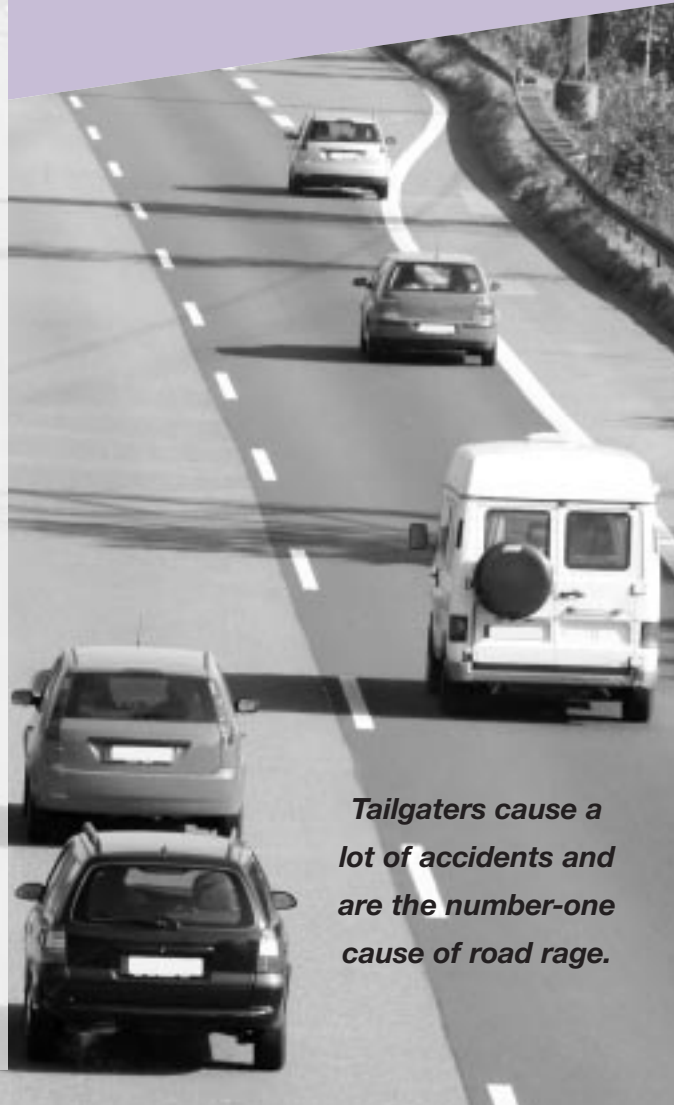
Your life, and the lives of your passengers and others on the road, is too precious to get stubborn with a driver who is already showing irresponsible behavior.

Don't tap the brakes

Sure, you know you aren't really using the brakes, but tapping the pedal to activate brake lights could cause an accident behind you if the tailgating driver panics and loses control of their vehicle.

Follow the two-second rule (or more!)

One car length for every 10 miles per hour is suggested, but this can be difficult to judge. For noncommercial motorists, the two-second rule is a good way to gauge distance. When a vehicle in front of you passes a sign, you should be able to count two full seconds before your vehicle reaches the sign. Double the time in cases of rain, maybe even more when conditions are snowy, foggy, or icy.



Tailgaters cause a lot of accidents and are the number-one cause of road rage.



Distracted walking

You can barely turn on the TV without hearing about the dangers of distracted driving, namely from interacting with a smartphone—and for good reason. The National Safety Council said in 2010 that cell phone use was a factor in 24 percent of auto accidents. But can we *walk* and use our phones?

Apparently not. Using the phone or a handheld device for texting, gaming, surfing the net, or talking has taken a toll on safety on the sidewalks as well. According to the Consumer Product Safety Commission, more than 1,150 walkers distracted by handheld electronics were treated in emergency rooms in 2010 in the United States.

Talkers and texters oblivious to their surroundings have tumbled off piers, off of train platforms, into water fountains, into each other, and even into traffic. Some states and localities are creating legislation to thwart distracted walkers, while others are mounting public service campaigns to remind citizens to pay attention to their environment.



Thanks to all of you who have recommended our firm to your relatives, friends, and neighbors. We appreciate your vote of confidence and pledge to care for these "VIPs" as well as we care for you.

Social media WARNING!

Social media is a valuable social and professional tool, but you must be careful in what you post. Recent court decisions in New York have caught up with advancing technology, including social media. Your posts on social media websites such as Facebook, Twitter, LinkedIn, and the like are now discoverable by the insurance company of the party at fault in your accident.

The opposing parties in your action can now demand and lawfully have a right to see the photos and comments you post to these sites. It has been increasingly more common for adversaries to seek information from social media sites. As a precaution, you should stop posting to social media in any form prior to or during any litigation which in any way could reflect on your physical or emotional condition.



MELVYN S. JACKNOWITZ

Attorney At Law
19 Fulton Street, Suite 302
New York, NY 10038
212-267-3170

RETURN SERVICE REQUESTED

PRESORTED
STANDARD
U.S. POSTAGE PAID
LANCASTER, PA
PERMIT NO. 23



.....
If you are using social media, here are some helpful tips:

- Always think before posting.
 - Use all privacy settings available; do not just rely on the default settings.
-

.....
Your posts on social media websites such as Facebook, Twitter, LinkedIn, and the like are now discoverable by the insurance company of the party at fault in your accident.
.....