

## What to do if you're involved in a car accident

**Y**ou hope that it doesn't happen to you, but any motorist can be involved in an accident. An otherwise uneventful trip can quickly turn into an unforeseen accident, which can result in lost wages, inadequate compensation for damages and insurance troubles.

"Very often accident victims fail to seek help from an attorney and, as a result, do not receive all the compensation that they are entitled to," explains Cliff Zelen, managing partner with Ross, Legan, Rosenberg, Zelen & Flaks LLP. "Remember, the insurance companies have lawyers and claims adjusters whose job it is to fight for the insurance company. You need someone to fight for you."

What's most important is to keep a clear head and protect your legal rights by doing the right thing. Here's a step-by-step plan for dealing with the aftermath of an accident. Study it now or clip this article and place it in your vehicle's glove compartment.

☑ **Find a safe place for you and your car.** Park close to the accident site, but out of harm's way. Alert other motorists to the accident by turning on your hazard warning lights and raising the hood of your car.

☑ **Give first aid, if appropriate.** Note the accident location – street and cross street, mile marker, closest exit on highway, etc. – and call 911 for help. After checking to see that the area is safe, and only if you are qualified, give first aid.

### Know any smokers who have lived in Florida?

**D**o you have a friend or family member who was living in Florida and was injured or died as a result of a smoking related ailment, including cancer, chronic obstructive pulmonary disease (COPD) or emphysema from 1990 through 1997? Those individuals or their survivors may be entitled to compensation.

Ross, Legan, Rosenberg, Zelen & Flaks LLP is working with Florida co-counsel to seek compensation for Florida smokers. Call our offices immediately at (212) 967-8500 if you would like more information or assistance in seeking compensation.



☑ **Contact the police.** "While the most important thing to be concerned with after being involved in an accident is your health, your next priority should be to make sure that the police are called promptly, that you tell the police your version of the accident clearly and concisely," Zelen says. While talking to the police, do not plead guilty. You need to have all the facts before assuming that you are in the wrong. Ask the responding officer for your accident report number.

☑ **Exchange contact information.** Get the following information from other drivers: names, addresses, phone numbers, driver's license numbers, car insurers and insurance policy numbers. If the driver of the car is not its owner, you should get the owner's name, address, phone number, insurance company and policy number. For passengers and witnesses, obtain names, addresses and phone numbers.

☑ **Write down what happened.** Note the time of day, weather conditions, road conditions, presence or absence of street lights, length of skid marks or anything else that would shed light on what happened. Diagram the accident, indicating the location of vehicles, their line of travel, traffic signs and signals.

☑ **File appropriate state-mandated reports.** If there were injuries or property damages in excess of \$1,000, New York State requires that an accident report be filed with the Department of Motor Vehicles. You must

file the state report within 10 days of the accident. Failure to do so is a misdemeanor, and your license and/or registration may be suspended until a report is filed. It is advisable to consult with an attorney before filing your accident report. Make and keep a copy of your report for your files.

☑ **Get examined by a physician.** If you are injured, see a doctor after the accident. A doctor can spot injuries that may not be apparent to the layman.

☑ **Notify your insurance agent.** First call and then follow up with a written notice, which includes accident details, such as date, time, place, road conditions, contact information for drivers, passengers and witnesses. Keep a copy for your records. Failure to promptly report an accident to an insurer can result in being denied coverage.

☑ **Call your lawyer, preferably one that specializes in handling accidents and personal injuries.** Your lawyer can counsel you on how to respond to insurance adjusters' questions and to help you get appropriate compensation.

Remember that you do not have to go through this alone. For a free consultation, please contact Ross, Legan, Rosenberg, Zelen & Flaks at (212) 967-8500. The attorneys at Ross, Legan, Rosenberg, Zelen & Flaks have served the Metropolitan New York area for more than 30 years, and the firm has three locations: Manhattan, Queens and New Jersey.

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

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

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- ◆ Personal Injury
- ◆ Accidents
- ◆ Estate Planning

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## Law firm expands, has new Web site and secures many major awards

In addition to successfully securing a number of large client awards last year, Ross, Legan, Rosenberg, Zelen & Flaks LLP has taken several steps to better serve its clients. It has expanded its lawyer ranks, is finalizing its new Web site, which will be ready soon, and has relocated its Queens County office to Flushing, N.Y.

The law firm has hired Evan Ross, the son of founding partner Howard Ross. Evan, who has a master's degree in estate planning, primarily concentrates his practice in the areas of wills, estate planning and probate law. Evan is licensed to practice law in New York, New Jersey and Florida and is able to represent clients in all three of these states.

Lantao Sun, one of the firm's long-time paralegals, recently graduated from Touro Law School and will continue to serve on the Ross, Legan, Rosenberg, Zelen & Flaks' legal team.

The law firm has also launched a Web site at [www.rlrzf.com](http://www.rlrzf.com) and has relocated its Queens office to Flushing's Main Street to make it more accessible.

The law firm's highly experienced attorneys and staff understand that every legal case is unique. They give individualized attention to each client, providing the proper legal help required for each unique situation.

### **Many large awards secured**

Although every lawsuit is different and the outcome can vary, Ross, Legan, Rosenberg, Zelen & Flaks, in part because of the personalized attention it gives clients, secured a number of large awards and verdicts in 2006, including:

- \$1.5 million for a mother who fell in an apartment building delivering a premature baby.
- \$1.2 million in a malpractice suit for a woman whose cancer went undiagnosed.
- \$950,000 for a postal worker hit by a car, which resulted in brain damage.
- \$750,000 for a malpractice involving an infant who suffered from a dislocated shoulder and Erb's Palsy due to an improper delivery.
- \$450,000 for a man who fell off a ladder at

a construction site and fractured his ankle, which then required surgery.

- \$450,000 for a man who suffered an adverse reaction to medication due to medical malpractice.
- \$325,000 for a woman who fell on a sidewalk fracturing her heel, which required surgery.

Details on the above awards, to the extent not in violation of confidentiality, are available upon request from Ross, Legan, Rosenberg, Zelen & Flaks.

### **Call for free consultation**

The law firm, which concentrates its practice in the areas of personal injury and medical malpractice, is based in the Metropolitan New York area with three locations: Manhattan, Queens and New Jersey. The firm offers legal expertise in three languages: English, Chinese and Spanish.

If you think you've been a victim of medical malpractice or are a victim of an accident, please call the law firm at **(212) 967-8500** for a free consultation.

## Do you have a will?

Our law firm is of the strong belief that every adult should have a properly drafted will, power of attorney and health care directive regardless of the amount of assets that they have. This is particularly true for those individuals who have children.

If you do not have a will or if you want your previously drafted will reviewed, please contact our office at **(212) 967-8500** to arrange a consultation. As always, our firm will treat you with the personalized attention that you and your loved ones deserve.

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