

## Have you been a victim of medical malpractice?

It happens more frequently than anyone wants to admit: You go to a trusted professional expecting top-notch medical care, but the outcome has tragic, unexpected results.

"People should be aware that medical complications resulting from treatment may or may not be caused by malpractice. Patients have the right to question the cause of their injuries," said Clifford Zelen, Managing Partner at the law firm of Ross, Legan, Rosenberg, Zelen & Flaks LLP.

Medical malpractice often can have disastrous or fatal results because of the failure of the physician or health care provider to provide the proper, expected care. Any questions about the care you or a family member has received should be discussed with an experienced medical malpractice attorney.

"There's no cost to call a lawyer," Zelen said. "Even if we take the case, we don't charge for our legal services unless we recover a monetary award."

Zelen stresses that it is important to quickly investigate a prospective client's concerns because all lawsuits have specific time requirements for their commencement. You do not want to lose your legal rights because you failed to timely investigate the claim.

Medical malpractice can arise in a variety of ways, including:

- **Anesthesia.** If you have a surgical procedure of any sort, you most likely will be administered anesthesia. It is the responsibility

of the anesthesiologist to ensure the anesthesia is administered correctly. The improper administration of anesthesia can result in brain damage or even death.

- **Birth complications.** Many preventable complications can occur during the labor and delivery process. The doctor is supposed to monitor the infant's oxygen supply during delivery. Too little oxygen can result in cerebral palsy. Erb's/Brachial Plexus Palsy also is a preventable trauma injury to the nerves that can leave a child with a permanent shoulder or arm nerve injury. The trauma can occur by a doctor miscalculating the force necessary during delivery.

- **Hospital errors.** During a stay in a hospital, you come into contact with a host of people, including doctors, interns, nurses and medical technicians, who provide some level of care for you. However, no one is perfect and mistakes can be made during your treatment.

- **Medical misdiagnosis.** People trust a physician to give everyone the best possible care available. Doctors see dozens of patients a day and sometimes they get it wrong when it comes to the correct diagnosis. These misdiagnoses may cause additional medical problems, injuries or even death. Common diseases that are frequently misdiagnosed include cancer, strokes, heart attacks, pulmonary embolism, appendicitis and intestinal obstructions.

- **Medication errors.** It's an old joke about a physician's poor handwriting, but it's no joke when it comes to taking the wrong medicine. The wrong medication could be administered due to poor handwriting or the medication may be inappropriate for a specific patient based on his or her current ailments.

- **Physician malpractice** happens more often than admitted. Besides misdiagnoses, medical errors by a physician include surgical complications, failure to refer to a specialist or failure to order the appropriate diagnostic tests.

- **Wrongful death.** It's not something anyone wants to think about, but studies show that thousands of people die every year in the United States due to medical or hospital errors. Wrongful death from medical malpractice may be caused by surgical, medication,



anesthesia or diagnostic errors. Wrongful death claims may be sought by family members who have suffered a significant financial loss because of a death.

These are just a few of the common medical malpractice examples. Unfortunately, medical malpractice can occur in any health field, from pediatrics to surgery. Also, keep in mind that some medical malpractice traumas do not show up until later, such as infant development delays that may occur after a difficult delivery.

### Receive a free consultation

Please remember that you do not have to go through this alone. If you suspect that you or a loved one has been a victim of medical malpractice or if you have any questions, please contact Ross, Legan, Rosenberg, Zelen & Flaks at (212) 967-8500 for a free consultation.

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, Flushing/Queens and Hackensack, N.J. They offer legal expertise in English, Chinese and Spanish.

## Have you been injured on the job?

Did you know that if you have been injured on the job, you may be entitled to pursue a claim for your pain and suffering, in addition to your claim for workers' compensation benefits? This holds true whether or not you are a U.S. citizen.

If you or a loved one are a victim of an on-the-job accident, please call our law firm at 212-967-8500 for a free consultation.

Our experienced lawyers have been helping injured workers for over 30 years, and we will help you receive compensation from all responsible parties.

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

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

- ◆ Medical Malpractice
- ◆ Personal Injury
- ◆ Auto Accidents
- ◆ Estate Planning

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## Firm expands website, helps quake victims and earns major awards

In addition to successfully securing a number of large client awards recently, the law firm of Ross, Legan, Rosenberg, Zelen & Flaks LLP is moving forward with plans to help serve clients better.

The firm has continued to grow its practice and has three convenient locations, in Manhattan, Flushing/Queens and Hackensack, N.J. Law firm partner Richard Rosenberg heads the firm's New Jersey office, which provides services for clients in that area. Partner Stanley Legan continues to head the firm's Flushing/Queens office.

In other news, clients and prospective clients should view the free legal information that now is available in English, Chinese and Spanish on the law firm's new website at [www.rlrzf.com](http://www.rlrzf.com).

The firm's attorneys and staff also pride themselves on being actively involved in the community and contributing to charities. On July 26, 2008, Attorney Howard Ross and Paralegal Huiru Liang were invited to a reception held at the Chinese Consulate in Manhattan. The reception was to recognize Ross, Le-

gan, Rosenberg, Zelen & Flaks LLP and other donors for their generosity in contributing to China's earthquake disaster relief fund.

On the legal front, the firm continues to be a strong advocate for its clients. 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.

### Major awards secured

Ross, Legan, Rosenberg, Zelen & Flaks secured a number of large awards recently, including:

- \$2,640,000 for a victim who suffered brain damage due to a defective defibrillator that caused a delay in resuscitation efforts.
- \$2,600,000 for a woman who suffered an anesthesia complication that resulted in brain damage during a gynecological procedure.
- \$1,500,000 for an infant who was injured during the birth process.
- \$1,200,000 in a malpractice suit for a woman whose cancer went undiagnosed.

• \$1,200,000 for a demolition worker who required shoulder surgery after suffering a work-related accident.

• \$750,000 for a teacher who fell in school. This was one of the top 10 settlements against the City of New York in 2007.

• \$500,000 jury verdict award for an airport maintenance man who tripped in a hole on a runway, damaged his knee and required surgery.

• \$199,000 settlement after a jury liability verdict for a bicycle courier, despite the testimony of a neutral witness who testified that the bicyclist fell in front of the defendant's truck.

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

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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