

State Your Case

A Personal Injury Law Update Provided by the Law Offices of Petrillo & Goldberg, P.C.

Fall 2009

Petrillo & Goldberg, P.C.

ATTORNEYS AT LAW
Just Compensation for the Unjustly Injured

\$1.5 MILLION FOR 'WRONG WAY,' TWILIGHT BICYCLE RIDER

This was probably one of the most difficult cases we've ever taken on. The severely injured cyclist had been riding his bicycle the wrong way down a one-way street in predawn "twilight" conditions. To make matters worse, residual ice and snow on the sides of the roadway positioned our bicycling client directly into the course of oncoming traffic.

"We almost didn't take the case," said trial attorney Scott Goldberg, Esquire, the certified civil attorney who eventually

settled the case. "That's how bad things looked at the outset."

A meteorology expert retained by the firm, however, determined that, upon analyzing atmospheric conditions at the time of the accident, it would have been sufficiently light out at the time to "play baseball." An accident reconstruction expert (a former NASA scientist) then determined that the driver of the vehicle involved in the collision would have had a

number of seconds to observe the oncoming bicyclist and move from his path.

Our theory of the case was difficult but simple, said Goldberg, adding, that drivers and cyclists should "share the road." The truck driver could have and should have observed our client before the collision. "All he had to do was move out of the way," he said.

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Amanda Loomis



Longevity is something most employers look for in a prospective employee, and, at 24 years old, Amanda Loomis already has a 10-year career on her resume.

The Gloucester Township graduate student has been with the law firm of Petrillo and Goldberg, Pennsauken, since she was 14 years old.

Beginning her career as a file clerk, Loomis has risen through the ranks as a typist and administrative assistant and now serves as a paralegal in the firm that specializes in personal injury cases.

"I really enjoy what I do," Loomis said, adding that she likes the challenging tasks assigned to her by attorneys Steven Petrillo, Scott Goldberg and Scott Schulman.

"Mandy has been an asset to our firm for as long as I can remember," said Steve Petrillo. "She has skills well beyond her age and they will continue to improve as she moves forward into her professional life."

During her high school years, Loomis worked full time during the summer. While she attended Rutgers in New Brunswick, she commuted three days a week to work at the firm, where her mother, Mary Loomis, is a secretary for Schulman in the Workers' Compensation Department.

Now a graduate student at Rutgers Camden, Loomis is studying for her master's degree in criminal justice. She says she hopes to one day get a job with the FBI or U.S. Department of Justice.

When she's not studying or at working at the law firm, Loomis can be seen kicking up her heels at county music concerts or rooting on her beloved Philadelphia Phillies.

Editor's Note:

Welcome to Petrillo and Goldberg's newsletter, *State Your Case*. Periodically you can read about our work in the field of personal injury and workers compensation law. For those who are internet savvy, be sure to check out our redesigned Web site - www.petrilloandgoldberg.com and sign up for the firm's e-newsletter. See you in the paper! Cheryl Squadrito.

Some have slipped under the radar, while others have quietly gone into retirement, but some wacky rules still exist on the books in many states.

In Texas, a marriage is legal merely by introducing someone as your spouse. In Texas' "marriage without formalities," the couple must have agreed to be married; have represented to others that they were married and have lived together in Texas as husband and wife. Filing a joint tax return is considered a representation of marriage.

According to the book "The Wacky World of Laws," by attorney Jeff Isaac, it's illegal to slurp soup in New Jersey, while in West Virginia it's illegal to send a child to school with his breath smelling of wild onions.

Isaac also uncovered that Oregon drivers must yield to pedestrians, even if they are standing on the sidewalk; doughnut holes are not permitted to be sold in Nebraska; carrying a fish into a bar in Norco, Calif., is against the law; in Wyoming, a permit is needed to photograph a rabbit between January and April; and in Portland, Ore., people may not whistle under water.



TWILIGHT BICYCLE RIDER

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The firm went so far as to hire a certified bicycling expert who would have testified that sometimes it is safer to bicycle against traffic, especially in inclement weather conditions, for better viewing of oncoming vehicles. "Please understand we're not recommending this," Goldberg chuckled.

The insurance company paid \$1.5 million of its available \$2 million of coverage after all but one of its experts was excluded in pre-trial discovery. Goldberg thanked firm associate Jeffrey Thiel, Esquire, and other staff members who worked so hard in preparing the case. "They did an awesome job in a difficult situation in preparing this case for a successful conclusion," Goldberg said. "I'm glad things worked out as well as they did."

Using a special technique to shield assets from Medicaid recoupment, a trust fund was established to assist our client with further expenses and living expenses following the accident.

Goldberg reminded everyone, both drivers and cyclists alike, to operate with care and always be careful to "share the road!"

Workers Compensation FAQ's



An injury on the job can have devastating consequences on your health, your finances and your family. State laws are in place to protect injured workers, and the attorneys at Petrillo and Goldberg, with offices in Pennsauken and Woodbury, N.J. and Philadelphia, make sure their clients understand those laws and receive proper care and compensation.

What do I do if I'm injured on the job?

According to the State of New Jersey Department of Labor and Workforce Development, when a worker is injured on the job, he or she must notify the employer as soon as possible. Medical treatment should be requested immediately from someone in authority at the workplace.

N.J. Workers' Compensation Law states that the employer and/or its insurance carrier can select the health care provider(s) to treat injured workers for work-related injuries.

What if my employer doesn't report my accident to the company's workers' compensation insurance carrier?

Your employer should report the accident to the company's insurance carrier. If it is not reported, employees should contact the insurance carrier directly or file a claim with the Division. According to the state Web site, "proof of insurance coverage should be displayed in a prominent location at the place of business. If this information is not posted, you can obtain this information by writing to the Compensation Rating & Inspection Bureau at 60 Park Place, Newark, N.J., 07102 or by visiting its Web site at www.njcrib.com."

If you choose to file a claim, Petrillo and Goldberg can assist you with all the steps.

Who decides if and how I will be compensated?

If your employer is self insured, the workers' compensation insurance carrier will evaluate the case and determine whether you are eligible for workers' compensation benefits. According to the Division, if you disagree with their determination, you have a right to file a claim with the Division of Workers' Compensation. This can be done by either filing an application for an informal hearing or by filing a formal claim petition.

What can I do if my doctor has allowed me to return to "light duty" work, but my employer says there is no such work available?

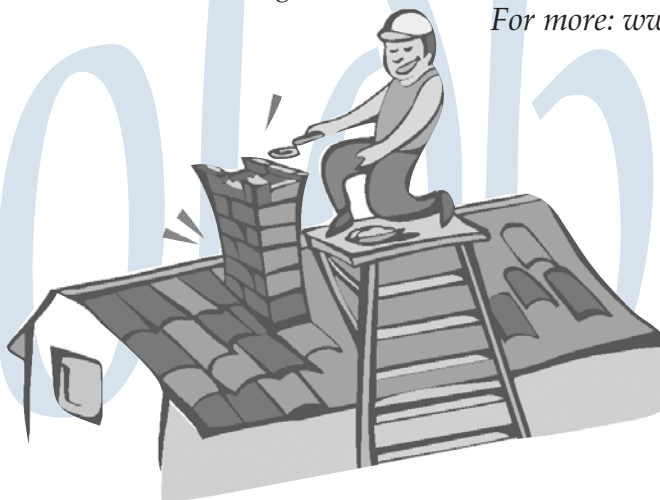
If you haven't returned to work and continue to receive authorized medical care for your injuries, according to the state Division, "you should continue to receive temporary disability benefits for the period of time up to and including the date the authorized health care provider indicates as the date of maximum medical improvement."

Are workers' compensation benefits taxable?

Workers' compensation benefits are not taxable, according to the N.J. Gross Income Tax law NJSA 54A:6-6. For more about taxes and workers' compensation benefits: http://www.irs.gov/publications/p17/ch05.html#en_US_publink100032551.

The highly competent lawyers at Petrillo and Goldberg represent clients with personal injury claims, workers' compensation claims, slip-and-fall cases and automobile accident victims.

For more: www.petrilloandgoldberg.com.



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The lawyers at Petrillo and Goldberg want you to call us if you're ever injured in an accident or at work. We want to be your law firm. If you have a legal matter that needs attention, please contact us. If we cannot handle your case, we will refer you to a competent firm that can. Please feel free to refer us to your family, friends and neighbors for their personal injury or workers' compensation legal needs. We welcome the opportunity to help you.

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