



OLIVERI & SCHWARTZ, P.C.

Attorneys At Law



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AUTO ACCIDENTS

Continue all therapies

Individuals suffering injuries in auto accidents should continue medical therapies prescribed by their physicians.

Accident victims should obtain required x-rays or diagnostic tests. They ought to report for all prescribed physical therapies. They should take all pain-control and other medications as directed.

Discontinuing medical therapies, no matter how well recovery seems to be progressing, can reduce one's ability to recover for damages. The other driver's insurance company attorneys can claim that a victim's failure to continue treatment demonstrates that his or her injuries were never serious.

Drivers who suffer injuries in auto accidents may forfeit a variety of damages by prematurely ending treatment, including...

- Disability
- Dismemberment
- Emotional distress
- Interference with marital and/or parental relationships
- Loss of opportunity to enjoy life
- Pain and suffering
- Permanent disfigurement
- Wrongful death
- Recovery for special damages, such as medical bills, lost wages, loss of earning potential, and other out-of-pocket expenses.

Punitive damages

What, exactly, are punitive damages? Let's start with *compensatory damages*, which a jury usually will determine first in any lawsuit. The plaintiff may receive monies awarded to "make them whole again" after injury. Compensatory damages may include reimbursement for damaged property, medical expenses, lost wages, pain and suffering, and other actual losses.

However, a jury may also determine that a defendant's conduct went beyond plain recklessness or negligence. If jurors believe that evidence shows that the behavior was willful, wanton, or intentionally malicious, a judge may permit them to award *punitive damages* on top of compensatory damages. Punitive damages are imposed both to punish the defendant for egregious, often near-criminal, actions and to deter the defendant, and others, from acting similarly in the future.

People injured through no fault of their own may receive punitive damages in cases of outrageous misconduct involving civil rights, employment, environmental damage, fraud, health care, insurance, intentional acts, nuisance, personal injury, premises liability, product liability, securities, sexual harassment, and workplace safety.

Many states and special interests want to limit or eliminate punitive damages in legal cases. Reckless, malicious, or irresponsible conduct would be rewarded, not punished.



Justicia civil en América

Nuestra firma creé en lo siguiente:

- ★ Abogados litigantes defienden a personas perjudicadas, sin culpa propia, para que el individuo ordinario que vive en América logre justicia en un tribunal.
- ★ Defendemos las necesidades legales del consumidor individual y familias de trabajo que han sido perjudicadas físicamente y económicamente.
- ★ Abogados litigantes promueven la seguridad y el bienestar del público, obligando a las corporaciones y negocios hacer productos más seguros, mejorar la seguridad y justicia en el lugar de trabajo, limpiar el medio ambiente, y mejorar la seguridad y calidad de la asistencia médica.
- ★ Cuando se viene a valorar el “impacto económico” del consumidor individual y familias que trabajan los cuales han sido heridos, la verdad es que los que crean el costo del sistema legal son los que causan las heridas, no las víctimas que han sido heridas sin culpa propia o los abogados que las representan.

El sistema the justicia civil y el derecho a un juicio por jurado, con la ayuda de abogados litigantes, han hecho todas estas cosas.

Seguridad en motocicleta

La popularidad del motociclismo ha crecido durante los últimos años. Sea nuevo al motociclismo o con experiencia, la seguridad es de suprema importancia.

La seguridad del motociclista depende de las siguientes cuatro indicaciones:

1. Lea el manual del vehículo para completamente entender su funcionamiento y todas las características de seguridad.
2. Coja un curso de seguridad para el motociclista para mejorar sus habilidades mental y motriz en la calle y autopista. Hágase competente en los cambios, frenos, curvas, y responder a emergencias.
3. Utilice ropa protectora con alta visibilidad, concentrándose en cascos, gafas y guantes protectores, botas que cubren los tobillos, pantalones sólidos y una chaqueta.
4. Siempre tenga su licencia de conductor válida y protección de seguro adecuado.

Negligencia de Conductor

Los carros representan el riesgo mas grande para los motociclistas. No importa lo cuidadoso que sea un motociclista por su seguridad, problemas siempre surgen. Cuando dos carros se chocaron negligentemente delante de un motociclista con experiencia, se golpeó contra uno de los carros por detras y sufrió heridas en una pierna la cual requirió cirugía. También perdió diez meses de trabajo y perderá ingresos en el futuro. Él contrató abogados con experiencia en daños corporales y una demanda se comenzó. Los litigantes resolvieron el caso antes del juicio.

Accidentes de autos Automovilistas No Asegurados

Cuando las primas de seguro de automóvil aumentan, los consumidores tratan de cortar gastos cambiando de compañía de seguro, subiendo los deducibles, buscando descuentos, y eliminando opciones de protección. **Una opción que ningún conductor debe eliminar es la protección de automovilista no asegurado o automovilista con seguro insuficiente o “UM.” No firme renunciias de UM.** Contacte su compañía de seguros para asegurarse de que sus vehículos tienen la protección adecuada de UM.

UM protege a los asegurados contra daños y perjuicios de accidentes involucrando a conductores que no tienen seguro o que tienen seguro insuficiente. También hay muchos de ellos. Los expertos estiman que más o menos 14 por ciento de todos los conductores, nacionalmente, tienen cero seguro o seguro marginal. En algunos estados, los números son mas altos.

Oliveri & Schwartz, P.C., ha manejado muchos casos de UM con éxito. Muchos accidentes son causados por conductores que estan en defecto y huyen de la escena. Algunos camiones grandes dejan caer escombros en la carretera, causando accidentes automovilísticos. En tales casos, cuando los conductores o pasajeros heridos tienen protección de UM, **Oliveri & Schwartz, P.C.**, tiene la habilidad legal para presentar una demanda para recibir compensación justa para nuestros clientes.



Civil justice in America

Here are some truths our firm lives by:

- ★ Trial lawyers stand up for people harmed through no fault of their own so that the average American can get a fair shake in court.
- ★ We champion the legal needs of individual consumers and working families who have been injured physically and financially.
- ★ Trial lawyers promote public safety and the public good by compelling corporations and businesses to make safer products, improve workplace safety and fairness, clean the environment, and improve the safety and quality of health care.
- ★ When it comes to assessing the “economic impact” of individual consumers and working families who have been injured, the truth is that those who create the costs of the legal system are those who cause the injuries, not the victims who are injured through no fault of their own or the lawyers who represent them.

The civil justice system and the right to trial by jury, with the help of trial lawyers, have done all these things.

Motorcycle safety

Motorcycling has grown in popularity over the past several years. Whether a rider is new to motorcycles or has been riding for a long time, safety is of paramount concern.

Rider safety depends on five guidelines:

1. Read the vehicle’s manual to fully understand operations and all safety features.
2. Take a safe-rider’s course to hone mental and motor skills for safe street and highway motorcycling. Become proficient at shifting, braking, turning, and responding to emergencies.
3. Wear high-visibility protective clothing, concentrating on protective helmets, eyewear, gloves, boots that cover the ankles, sturdy pants, and a jacket.
4. Always have a valid driver’s license and adequate insurance coverage.
5. Conduct good pre-ride checkups and routine maintenance.

Driver negligence

Cars rank among motorcyclists’ most serious risks. No matter how diligent a rider may be about safety, problems can always crop up. When two cars negligently collided in front of an experienced rider, he struck the rear of one, suffering leg injuries that required surgery. He also missed ten months of work and will experience future lost income. He hired experienced personal injury attorneys, and a lawsuit was commenced. The parties settled prior to trial.

Auto accidents Uninsured motorists

As auto insurance premiums increase, consumers try to cut costs by changing insurers, upping deductibles, seeking discounts, and eliminating coverage options. **One option no driver should eliminate is uninsured/underinsured motorist coverage, or “UM.”** **Don’t sign UM waivers.** Contact your insurance company to make certain that your vehicles have adequate “UM” coverage.

UM protects the insured against damages and injuries from accidents involving drivers who have no insurance or who have inadequate insurance. There are a lot of them, too. Experts estimate that, nationally, about 14 percent of all drivers have zero or marginal insurance. In some states, the numbers are much higher.

Oliveri & Schwartz, P.C., has successfully handled many “UM” cases. Many accidents are caused by drivers who are at fault and flee the scene. Some large trucks drop debris on the road, causing vehicle accidents. In such cases, when the injured drivers or passengers have UM coverage, **Oliveri & Schwartz, P.C.**, has the legal expertise to file claims to receive fair compensation for our clients.



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America has no real litigation crisis

There is no “tort reform” crisis. That’s because America has a healthy and thriving civil justice system that protects victims from the greedy and powerful. It is filled with checks and balances to protect everyone’s rights.

America’s civil justice system is working for you

America’s civil justice system has protected citizens for more than 200 years. No other nation on earth gives citizens the right to hold wealthy and powerful interests accountable in court for the harm they do.

However, powerful interests—including the manufacturing, asbestos, pharmaceutical, tobacco, and insurance industries—have been making a case for 30 years, and spending literally billions of dollars to do so, that our system is broken and needs reform.

Nothing could be further from the truth.

A phony crisis

In reality, these special interests want only to insulate themselves from responsibility and accountability for the injuries they cause. They have tremendous power and spend billions to deny the average person access to courts and juries to receive fair compensation for harm done to them.

Compensation limits

Their “solution” to the phony “crisis” is to limit how much compensation a victim can obtain from medical negligence, dangerous products, auto accidents, civil rights infractions, consumer protection law violations, employment discrimination, professional errors, and unsafe premises and places of work.

HMO profits

HMOs doubled their net profits to \$10.2 billion in 2003 from the previous year. Now that the U.S. Supreme Court ruled that HMOs can’t be sued in state courts, shouldn’t health-care premiums go down?

Referrals

We want you to think of us as your law firm.

If you have legal matters that need attention, please let us know. If we cannot handle the matter, we will refer you to a competent firm that can.

Please feel free to refer us to your family, friends, and neighbors for their legal needs. We welcome the opportunity to help.



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