



# A NEWSLETTER FOR FAMILY AND FRIENDS

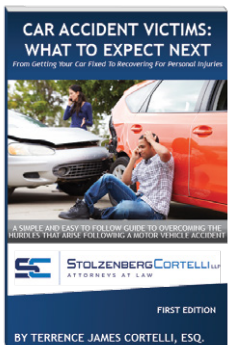
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## A Note from StolzenbergCortelli, LLP



We wish you and your families a very happy holiday season filled with smiles, laughs, and great memories. May the New Year bring you and your loved one's peace, good health, and happiness from all of us here at StolzenbergCortelli, LLP.

## Handling Winter Hazards: Walking and Driving

What kind of winter can we expect this year in the New York City area? Last year was a tough one, with most of the bad weather coming later in the season and into March.

A typical winter in our area brings snow and ice which create dangerous walking and driving. Iced-over street crossings, sidewalks and outdoor stairs are hazardous conditions that can result in serious injury from slip and fall accidents.

### **How To Avoid Injury When Walking in Slippery Conditions**

Because you are not going to hibernate all winter, follow these safety precautions when venturing out in wintry weather:

- Invest in and use good footwear like insulated boots with good rubber treads for traction.
- You'll get extra security for walking on ice with a pair of cleats or ice clamps that attach directly to your boots.
- Take shorter and slower steps with slippery surfaces.
- Outdoor stairs often ice up before other surfaces so always hold the handrail.
- Move to grassy areas wherever possible when roads and sidewalks are icy.



## **A REFERRAL FROM YOU IS OUR HIGHEST COMPLIMENT**

A referral from our valued clients, friends, family and fellow attorneys is the highest compliment we can receive. If you know of someone who can benefit from our services at StolzenbergCortelli, LLP, please let us know. Call Us Today!

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## December 2018 Important Dates

December 02	– Advent Begins
December 02	– Hanukkah Begins
December 07	– Pearl Harbor Day
December 10	– Human Rights Day
December 24	– National Eggnog Day
December 24	– Christmas Eve
December 25	– Christmas Day
December 26	– Kwanzaa Begins
December 31	– New Year's Eve

*continued from page 1*

### Be Cautious with Treacherous Winter Driving

Driving on slippery winter roads is no fun and can result in serious car accidents with both injuries and property damage.

Before the snow starts to fall, prepare for winter driving with these safety tips:

- Get your car ready for bad weather. Check brakes and tires and top off washer fluid. Replace worn out windshield wipers.
- Pack an emergency kit in the trunk. Include a flashlight, a small shovel, blankets, extra gloves and flares.
- Remove ice and snow from your vehicle, and not just the windshield. It's the law!
- Keep your cell phone fully charged and have a car charger available.

Above all, slow down! Even a car with all-wheel or 4-wheel drive will slide on ice. Leave plenty of room between you and the car ahead. If you hit an icy patch, take your foot off the accelerator and let the car slow down naturally.

Read more winter driving safety tips at [NY.gov](http://NY.gov).

## Safety Tips for Holiday Traveling

2017's year-end holidays saw record numbers of people traveling, and 2018 should be another record setter. Most travelers will jump in their cars to visit family and friends, but at least 6 million will fly off to their destinations.

Bad weather, traffic and crowded airports can really put a damper on your holiday cheer. Read on for our top safety tips to keep this holiday season a happy one.

### Prepare Your Home for Your Absence

- Set both indoor and outdoor lights on timers.
- Stop newspaper and mail deliveries.
- Keep your car or a neighbor's parked in the driveway.
- Check that your security system is working properly.
- Lock all doors and windows securely including the garage.
- Arrange for help to rake leaves or shovel snow in your absence.

### If You Are Driving ...

- Make sure that your car is ready to hit the road.
- Pack a winter emergency kit along with your luggage.
- Check your spare tire and tools.
- Plan your route in advance – and an alternate in case of a road closure or construction. Use GPS to avoid traffic and to get back to the right course.
- Stop frequently. Winter driving with poor road conditions and traffic can be extra stressful. Take lots of rest breaks and refresh yourself with a caffeinated beverage.
- Keep your cell phone charged with a car charger.
- Make sure someone knows your itinerary, route and ETA.

### If You Are Flying ...

- Pack light. A small carry-on makes check-in easier and you won't run the risk of a lost bag, especially for connecting flights.
- Don't forget your chargers, but lithium batteries must be in your carry-on.
- Always carry money, jewelry, travel documents and medications with you instead of in checked luggage. Don't put them in your carry-on in case of an emergency evacuation.
- Leave plenty of time to get through security. Security lines can be very long, especially during peak holiday travel times. Know the rules about TSA PreCheck, carrying liquids and electronics.
- Keep your seatbelt fastened when seated in the plane. Some air turbulence can be violent and you can get injured.



If you or a family member has been harmed by a car accident, truck accident, construction accident, slip and fall or any other type of personal injury, please contact StolzenbergCortelli, LLC Attorneys at Law immediately. Please call us for a free consultation. Attorneys Howard Stolzenberg and Terrence James Cortelli, personal injury attorneys in White Plains, Nyack and New York City, will fight to secure justice for you and your family. You can reach us at 914-361-4888 or contact us via the website.



**Congratulations to our Paralegal Alex and his girlfriend on the birth of their first baby – a boy named Julian! We wish them well!**

### **An “FYI” from Terrence Cortelli**

## **Did You Know a Bus Driver is Required to Drop you off on a Sidewalk?**

It's the truth. In New York, buses are known as common carriers. In the old days, common carriers – or businesses that agreed to provide transportation services for a fee – were said to owe their passengers a specialized duty of care to protect them from harm. This duty was often considered “heightened” which implied that the common carrier would have to do MORE than just what a reasonable person would do under the circumstances.

While this seems archaic, when considered under practical circumstances, one can see what this elevated duty is all about. Indeed, in the City bus context, it requires that a bus driver do more than just dropping off a passenger anywhere on the street. Rather, the case law is clear that a common carrier owes a passenger a nondelegable duty to provide them a safe place to alight (or exit a bus). See e.g. *Grizzell v. JQ Associates, LLC*, 110 A.D.3d 762, 973 N.Y.S.2d 268 (2d Dep't 2013).

Taking this rule further, the courts have stated: where practicable, a common carrier is required – and thus is negligent if it fails to do so – to drop a passenger off at a sidewalk and not in the middle of the street. See *Martinez v. Metro. Transportation Auth.*, 159 A.D.3d 584, 584, 70 N.Y.S.3d 50 (1st Dept. 2018) (MTA held liable following jury verdict for incident where plaintiff was forced to alight from bus and onto street where pothole existed); *Toolsie v. New York City Transit Auth.*, 55 A.D.3d 476, 476–77, 865 N.Y.S.2d 605, 605 (1st Dept. 2008) (Lippman, J. on the panel) (Plaintiff was injured when she twisted her ankle and fell while disembarking a bus owned and operated by defendant Transit Authority. The record demonstrates that a triable issue of fact exists regarding whether, by stopping the bus several feet from the curb, defendant breached its duty to plaintiff to stop the bus at a place from which she could safely disembark); *Civitanes v. The City of New York*, No. 308141/2008, 2010 WL 8674835 (Bx. Sup. Ct. 2010) (Soto, J.) (court refusing to grant MTA summary judgment where proof on motion shows that the rear portion of the bus was not pulled up completely to the curb and was at least six feet away; and where plaintiff stepped off the bus leading with her left foot she immediately fell into a hole).

So, the next time the bus driver drops you off in the middle of the street, when the driver had the opportunity to drop you off at the sidewalk, and you fall and break your leg in a pothole, remember, the bus driver breached his “heightened” standard of care he owed you.

Call us today for a free no obligation consultation, if you or someone you love has been injured due to a bus driver's negligence.



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## Did Someone Say “Coquito”? – A Puerto Rican Styled “Eggnog”

### Ingredients

- Two 12-ounce cans of Evaporated Milk
- ½ cup of Sweetened Condensed Milk
- One 15-ounce can of Coconut Milk
- One 15 -ounce can of Cream of Coconut
- 1 cup of White Rum – (Optional – Bacardi Superior)
- 1 tsp. of Vanilla Extract
- Ground Cinnamon
- Cinnamon Sticks (Optional)
- Sweet Coconut Flakes (Optional)



### Directions

**Step 1:** In bowl of blender, add evaporated milk, cream of coconut, coconut milk, sweetened condensed milk, rum (if using), vanilla extract, coconut flakes and ground cinnamon. Blend on high until mixture is well combined, 1-2 minutes.

**Step 2:** Pour coconut mixture into glass bottles; cover. Transfer to refrigerator. Chill until cold.

**Step 3:** To serve, stir or shake bottle well to combine. Pour coquito into small serving glasses. Garnish with ground cinnamon and cinnamon sticks, if desired.



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