



# A NEWSLETTER FOR FAMILY AND FRIENDS

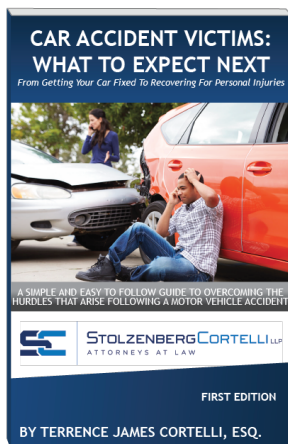
**MARCH 2019**

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## SERIOUS LAWYERS FOR SERIOUS INJURIES

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## Personal Injury Law Glossary: Important Terms to Know

Often our clients are unfamiliar with some of the legal terms that we use. The world of personal injury law is filled with technical terms that are very specific and important to understand if you or a family member has been injured in an accident.

Here are some common terms that are used in many different types of personal injury cases:



- **Plaintiff.** The person or party who files a personal injury claim, or lawsuit; most often the person who has been injured.
- **Defendant.** Those named in the lawsuit who are alleged to have caused the property damage or the injury.
- **Complaint.** A person who has suffered a personal injury and intends to pursue compensation files a complaint that is filed in the jurisdiction where the accident occurred.
- **Statute of Limitations.** A claimant must file a lawsuit against a defendant within a certain amount of time. This deadline is the statute of limitations and, if the case is not filed in time, it will not be heard in court. Generally, a New York personal injury lawsuit must be filed within 3 years of the incident.
- **Negligence.** The plaintiff in a personal injury case must prove negligence in order to win the case. Negligence is failure to use reasonable care, resulting in injury or damage. The plaintiff must show that the defendant had a duty that was breached, causing the injury or damage.
- **Damages.** Damages are sought in the complaint, for example economic and non-economic compensation. Pain and suffering, as well as, lost wages would be included in this.

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## 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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- **Answer.** In a lawsuit, the defendant must answer the suit by a specified deadline. He or she must also notify the court of their position as to the allegation of fault.
- **Tort.** A tort is a wrongful act that is not considered a crime, including negligence, trespass, wrongful death, libel, civil assault and battery.
- **Burden of Proof.** The plaintiff has the burden of proof in a personal injury claim, meaning that he or she must prove negligence on the part of the defendant. In these cases, the plaintiff must prove that his/her claims are "more likely than not" true. In criminal cases, the standard (beyond a reasonable doubt) is much higher.
- **Comparative Negligence.** In an accident, the fault and/or negligence of each involved party is based on their respective contributions to the accident.

## VA Disability Benefits For Those Affected by Contaminated Water at Camp Lejeune

Former service members who had been exposed to contaminated water at Camp Lejeune, North Carolina are eligible to apply for veterans disability benefits.

Veterans groups claim that thousands of troops and their families were exposed to contaminants at the site through the drinking water. The toxins, released from the early 1950s to the late 1980s, came from leaky fuel tanks and other chemical sources.



### VA Disability Benefits Eligibility

The Department of Veterans Affairs (VA) identified 8 diseases that are definitely connected to adult exposure to the contaminated water:

- |   |                        |
|---|------------------------|
| • Aplastic anemia and other myelodysplastic syndromes | • Liver cancer         |
| • Bladder cancer                                      | • Multiple myeloma     |
| • Kidney cancer                                       | • Non-Hodgkin lymphoma |
| • Leukemia  | • Parkinson's disease  |

Those veterans suffering from one of these 8 illnesses are eligible to apply for VA disability benefits. A 2012 law already provides free medical care for troops and family members who lived at the base and who later developed one of 15 specified illnesses.

To be eligible for the disability benefits, a veteran must have spent at least 30 days of active duty, reserve or National Guard status at Camp Lejeune or Air Station New River. If approved, the applicant will receive benefits from their filing date.

Visit this VA webpage for more information.

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If you or a family member has been harmed by a dog bite, 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.

## **Anonymous v. Anonymous**

In this construction accident case, our client, an operating engineer, was injured when the lift he was operating (a lift is a temporary elevator, attached to the outside of a building that hoists workers and supplies to the various floors doing the buildings construction) malfunctioned. The lift, without warning, came to a sudden stop, between two random floors, causing our client to fly into the air and then onto the lift's floor. Our client sustained injuries to his knees and ankles, although with daily discomfort our client continued working for three more years until he was in so much pain, he had to stop. Defendants argued that, at best, our client suffered a sprained ankle and if he really couldn't work it was for a variety of reasons, but not from the lift malfunctioning. The case settled at a mediation for \$2,500,000. The defendants requested a confidentiality agreement.

**Congratulations to both, Mr. Stolzenberg and Mr. Cortelli on another successful resolution!**

*Congratulations*

**To Tania and her now fiancé on their engagement. We wish you both a lifetime of happiness and love!**



## **Patty's Shakshuka with Feta Cheese**

This one skillet Israeli breakfast dish is vibrant and delightfully spicy. Serve it with a side of pita or challah and enjoy it any time of day!

### **Ingredients**

- 3 tablespoons extra-virgin olive oil
- 1 large onion, halved and thinly sliced
- 1 large red bell pepper, seeded and thinly sliced
- 3 garlic cloves, thinly sliced
- 1 teaspoon ground cumin
- 1 teaspoon sweet paprika
- 1/8 teaspoon cayenne, or to taste
- 1 (28-ounce) can whole plum tomatoes with juices, coarsely chopped
- 3/4 teaspoon salt, more as needed
- 1/4 teaspoon black pepper, more as needed



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- 5 ounces feta cheese, crumbled (about 1 1/4 cups)
- 6 large eggs

Chopped cilantro, for serving  
Hot sauce, for serving

## Preparation

- Heat oven to 375 degrees.
- Heat oil in a large skillet over medium-low heat. Add onion and bell pepper. Cook gently until very soft, about 20 minutes. Add garlic and cook until tender, 1 to 2 minutes; stir in cumin, paprika and cayenne, and cook 1 minute. Pour in tomatoes and season with 3/4 teaspoon salt and 1/4 teaspoon pepper; simmer until tomatoes have thickened, about 10 minutes. Stir in crumbled feta.
- Gently crack eggs into skillet over tomatoes. Season with salt and pepper. Transfer skillet to oven and bake until eggs are just set, 7 to 10 minutes. Sprinkle with cilantro and serve with hot sauce.

*Recipe courtesy of the New York Times*



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