

## Law Firm Dansker & Aspromonte Urges the Public to Know Their Rights After an Accident or Injury

*Proceeding correctly can make a significant financial difference*

**New York, NY – (October 20, 2009)** – On a recent windy day, a tree fell across a busy highway, damaging a car and injuring the driver. The driver was taken to a local hospital for evaluation and treatment. Who does the driver look to for compensation for the damage to his car and his injuries? Which insurance company, if any, should pay? And how much?

“Laws are strict and each type of accident and potential lawsuit has a set of procedures and a time limit within which to bring that claim,” explains Paul Dansker, Esq., a New York personal injury attorney at the law firm of Dansker & Aspromonte Associates. “In New York, for example, a person has three years from the date of a motor vehicle accident or “slip and fall” to start a lawsuit. The time limit for medical malpractice is two-and-a-half years. A person who is suing the City of New York has to notify the City within 90 days.” Dansker points out that even if a person is permanently disabled by the accident or injury, he or she cannot sue under most circumstances if the time limit has passed for making a claim or starting a specific type of lawsuit unless a court in that jurisdiction specifically rules otherwise.

Dansker notes that victims of automobile accidents have the right to sue to recover money for all economic losses and costs for care and lost earnings in the future, pain and suffering, loss of enjoyment of life, as well as for physical and psychological impairments caused by the accident. In New York which is a No Fault State, automobile insurance companies are obligated under the law to pay “no fault” benefits that cover reasonable medical, hospital and other necessary expenses, including lost earnings, up to a total of \$50,000. This is regardless of fault. “Unfortunately, \$50,000 does not go as far as it used to toward paying medical bills, let alone replacing lost income,” says Dansker.

If an accident or injury was caused by another driver, the victim should be awarded money from the insurance company covering the vehicle and driver that caused the injuries. “In many cases, however, the limit of the other driver’s liability coverage is too low to fairly compensate the victim,” according to Dansker.

That is why we always recommend that our clients all obtain supplementary insurance often called

“underinsurance” to protect a person and his family from the kind of irresponsible drivers who not only drive unsafely, but then don’t carry sufficient coverage to fully compensate someone they injure in an accident. This is usually not very expensive and is one of those things that can mean so much if you find yourself involved in an accident with an underinsured motorist.

Consult with an attorney if the other driver may have been under the influence of alcohol. “Accident victims often don’t think to mention to an attorney when they suspect that the other driver may have been consuming alcohol,” says Dansker. “If a person is injured by an alcohol-impaired driver, he or she can sue that driver for negligent operation of a motor vehicle as well as the bar or restaurant - and in some cases even a homeowner - that served alcohol to the other driver.”

Dansker reminds victims that the legal process for injury victims has so many limits and is so complicated that the best strategy is to consult with a personal injury attorney with experience in this field. “Ask which parties can be sued and what time limits apply to avoid missing a filing date and losing the right to recover for injuries. Knowing your rights is always the soundest strategy.”

**Dansker & Aspromonte Associates** is located at 30 Vesey Street, 16th Floor, New York, NY 10007. For more information, call (212) 732-2929 or visit [www.dandalaw.com](http://www.dandalaw.com).

## **About Dansker & Aspromonte Associates:**

**Dansker & Aspromonte Associates** is a New York City-based personal injury law firm that represents individuals seriously injured as the result of construction and motor vehicle accidents; medical malpractice; falls; brain injuries; sexual assaults; lead paint ingestion and more. The firm has represented thousands of clients and obtained hundreds of millions of dollars on their behalf in over thirty years in practice.