



Zalman Schnurman & Miner P.C.

1430 Broadway, Suite 1802, New York, NY 10018

Toll Free: 1-800-LAWLINE
Phone: (212) 668-0059

Email: info@1800lawline.com
Website: www.1800lawline.com

WE TAKE YOUR PERSONAL INJURY CASE PERSONALLY

WINTER
2023/2024

We hope your Holidays
were full of food, laughter, and
quality time with family and friends.

From all of us at Zalman Schnurman & Miner,

Happy
New Year

Zachary Miner Joins the Firm

Zachary Miner joins the firm. Please join us in congratulating Zachary on being admitted to the New York State Bar in 2023. Zachary graduated from the University of Michigan with a B.A degree, and from the Maurice A. Deane School of Law at Hofstra University with a J.D. degree. He has been working at Zalman Schnurman & Miner on and off for several years as a clerk, and now as a full-fledged lawyer. While in law school, he served as a member of the prestigious Hofstra Labor & Employment Law Journal, a member of the international law society and as a peer mentor. To gain experience, and hone his understanding of personal injury law, he branched out from the firm, interning with the Jacob Javits Center's legal department and multiple boutique personal injury firms. These experiences helped to refine his mastery of New York personal injury law and the intricacies that particularly accompany New York City personal injury suits.

A zealous advocate of the firm's clients, Zach now serves Zalman Schnurman & Miner P.C. as an Associate Attorney.

1800LAWLINE.COM



Marc Miner

Zachary Miner

AREAS OF
PRACTICE:

Lawyers you can rely on and a law firm you can trust.

Personal Injury | Car Accidents | Premises Liability | Construction Site Accidents | Medical Malpractice
Trips, Slips, and Falls | Wrongful Death | Dog Bites | Traumatic Brain Injuries | Other Types of Accidents

Who Is Liable for an Auto Accident Caused by Icy Roads?

Ice, snow and rain can make roadways slippery and increase the risk of an auto accident. Motorists driving during wintery weather must pay extra attention to their environment.

Unfortunately, even the most diligent drivers can quickly lose control of their cars if they hit a patch of black ice. Who is responsible for a car collision on icy roads?

Determining Who Is at Fault

Legally speaking, you cannot blame a car crash on the weather. All drivers must adequately maintain their vehicles and exercise extreme caution when they're behind the wheel during a snowstorm.

If you were involved in a wintertime car crash that was no fault of your own you may be able to collect compensation. To do so, your attorney must prove the following components of the negligence of the potentially liable party:

- ▶ Duty of care
- ▶ Breach of duty
- ▶ Causation
- ▶ Damages

Car crash attorneys use evidence to establish negligence including witness statements, accident scene pictures, vehicle damage and police reports. This evidence is even more beneficial for accident claims that involve multiple cars.

What Should You Do If You Were Injured in a Car Collision on Icy Roads?

Car crashes on snowy roads should be treated like any other accident. Don't leave the scene. Seek immediate medical attention, call the police and report the crash to your insurance agency.

Contact our office today. We will offer additional guidance on auto accident claims.



No Notarization Needed

New York Governor Kathy Hochul has signed two bills into law that amend Rule 2106 of the Civil Practice Law and Rules (CPLR). The amendments, which will go into effect at the beginning of 2024, allow for unsworn affirmations to be submitted in lieu of notarized affidavits in civil proceedings, including personal injury suits.

An affirmation is a declaration, signed and submitted, swearing that the documents and information included with it are nothing but the truth. In past years, information, documents, and even affirmations that people were looking to submit to the court in civil proceedings needed to be accompanied by an affidavit signed in the presence of a "notary public." Many advocates decried the notarization requirement as they felt it made it more difficult for aggrieved parties to submit documents and testimony to the courts. For example, opponents of the law pointed out that there are less notaries located in rural areas making it harder for people in such areas to submit notarized documents to the court. Consequently, the New York State Legislature and Governor passed and signed bills amending the notary requirement.

Signed by the Governor in the Fall of 2023, Bill A5772/S5162 allows an affirmation by any person, wherever made, subscribed and affirmed by that person to be true under the penalties of perjury, to be used in a civil action in New York in lieu of and with the same force and effect as a notarized affidavit. This applies to affirmations made by parties, non-parties, attorneys and witnesses. In other words, the amendments essentially do away with the notary requirement for documents submitted to the court.



Living Wills—FAQ

A living will is a document that provides specific medical instructions in the case that you are alive but unable to communicate your wishes. It will usually include a healthcare power of attorney.

What is a healthcare power of attorney?

A healthcare power of attorney is used to appoint an agent to make medical decisions on your behalf if you become incapacitated.

How long is a living will good?

A living will lasts until you cancel it. You may change your living will at any time, as long as you are of sound mind.

What do I need to make a living will?

The living will must be in writing and witnessed by two adults. You and the witnesses need to sign the document.

Who should get a copy of my living will?

After the document is signed, copies should be provided to the person given healthcare power of attorney, doctors and family members or friends who would be around if something happened to you. You should also keep a copy yourself.

Do I need a lawyer to write a living will?

It is not required to have a lawyer draft the living will but an attorney experienced in these matters can help to make sure you have covered everything and that your wishes are ultimately respected if something happens.

Winter Word Search

SNOWBOARD
HANUKKAH
SLEDDING
SNOW ANGEL
DECEMBER

TOBOGGAN
COMFORTER
PINETREE
JACKET
SNOWBALL

ICESKATE
SHIVER
BLUSTERY
EARMUFFS
HEATER

E A R M U F F S M L E G N A W O N S
X T P J A C K E T R R T R O F M O C
O E I B T Z D T E U K E N B J L B F
J R N G H O G B L U S T E R Y Q C E
H T E N I E B U S N O W B A L L L A
T D T I O P A O Q S U C G C H Z L G
G E R D N D V T G D R A O B W O N S
Y C E D T C X V E G O N A S C G X Z
R E E E J P G I O R A J X H F R R G
M M R L J O D V I R T N B I N X P U
C B I S Z H I C E S K A T E J L F U
K E O S H I V E R L P F R A L O P N



Can You Get Paid for Holidays on Workers' Comp?

Many people travel or take vacations during the holiday season. Folks stuck at home due to workplace injuries may wonder if they can travel while receiving workers' compensation.

You CAN take a vacation while on workers' comp as long as it doesn't conflict with your disabled worker status. However, most people CANNOT collect holiday pay while receiving workers' compensation.

Some workers' comp programs include increases for missed holiday pay. This is more likely to happen for union members.

If you plan to travel while on workers' compensation ensure you don't miss your medical appointments. Limit your activities to comply with your status restrictions as an injured employee. Most importantly, stay safe!

2024

Our website has been updated.
Check it out at: 1800LAWLINE.COM

 Zalman Schnurman & Miner P.C.

What **our clients** are saying:

In each newsletter we feature a five-star review one of our clients posted on social media. If you are a satisfied client and have not yet left us a review on Google, or another site, it's never too late. We would love to hear from you.

"THE ABSOLUTE BEST LAW FIRM IN NEW YORK CITY!"
– Christine

"Took care of our case professionally."
– Elvis

Zalman Schnurman & Miner P.C.

1430 Broadway, Suite 1802
New York, NY 10018

PRESORTED
STANDARD
U.S. POSTAGE PAID
LANCASTER, PA
PERMIT NO. 242

A Sampling of Cases

*Every case is different, and each has its own value.
Below are some cases we resolved in 2023.*

\$690,000 A Connecticut woman was injured when another vehicle ran a stop sign, t-boning her vehicle.

\$385,000 A Brooklyn resident was involved in a car accident while working for Lyft in Manhattan. Our client was making a left-hand turn from one one-way street to another one-way street. A truck to her right was also turning left, and turned into her. The driver of the truck claimed our client tried to sneak past him on the shoulder, but pictures revealed there was no shoulder and our client was in the proper turning lane.

\$325,000 A woman slipped and fell on a temporary plywood ramp in Yonkers, which was improperly secured, going from the sidewalk to the roadway. Another firm turned down the case because they did not think

they could prove who placed the ramp. We were able to identify the contractor who was working in the area and determine that they were required to place and secure the temporary ramps during the construction project.

\$250,000 A woman crossing the street in Las Vegas, Nevada, was struck by a vehicle. The insurance company for the Defendants paid the full policy.

\$220,000 A man tripped and fell on an unlevel section of sidewalk in Queens. The property owner moved to have the case dismissed claiming that they had no notice of the condition and that it was a trivial condition. Through Google photos we were able to show that the condition had existed for a long period of time and that it should have been discovered and corrected by the property owner.

\$200,000 A gentleman was driving on the Verrazano Bridge between Brooklyn and Staten Island. He suffered an aggravation of a pre-existing injury.

\$200,000 A woman slipped and fell on slushy snow on steps between an elevated subway and the street. The New York City Transit Authority claimed the steps had been cleaned after the last snowstorm, but records showed that all of the cleaners were sent to busier stations to clean snow, and that no one was left to clean the station where the incident happened.

\$125,000 A woman tripped and fell over a section of raised sidewalk next to a tree in Brooklyn. Our office found that there were prior complaints made to the City of New York via 311.

\$100,000 Our client was making a left hand turn across three lanes and was struck by a car driving straight. The incident occurred in Suffolk County. Our client claimed that she had time to safely turn, but the other driver sped up, changed lanes, and hit the back of her vehicle as she was almost through the intersection. Pictures showed that the vehicles ended up on the far side of the intersection, after our client had almost completely crossed all three lanes. After depositions the defendant driver's insurance company paid their full policy to settle the case, even though they originally claimed our client was at fault for making an unsafe turn.