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Corradino & Papa, LLC

A Personal Injury Law Firm

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Your Biggest Accident Could Be Your Choice of Attorney

Factors Affecting Motorcycle Accident Case Settlements



Accurately predicting the value of a motorcycle accident claim is difficult, but there are some core considerations that can shape a settlement offer.

Motorcyclists are sometimes behind the eight ball from the outset. Studies have shown that many people have an unfavorable view of motorcyclists, including jurors. Jury awards are generally lower for motorcyclists than passenger-car claimants, a fact that hasn't escaped the attention of insurance adjusters, who may reduce settlement offers.

Obviously the extent of damages and injuries influences the amount of a case settlement. Another key component is determining how likely it is that the defendant

will be found liable. If liability is questionable, the defendant may roll the dice in court. If they win, the plaintiff gets nothing. Therefore, a settlement offer will be lower. If the plaintiff's case is solid, a defendant might not risk going to trial, where, if the defendant loses, the plaintiff's award will be greater. This leverage will likely result in a higher settlement offer.

A plaintiff who was physically active prior to an accident—and whose “quality of life” has been curtailed by his/her permanent injuries—will generally have a higher case valuation than someone who was not as active. In addition, if a person's permanent disability does not affect their livelihood, their lost earnings award will be diminished.

If a defendant has few assets, the plaintiff will likely only receive the limits of the defendant's auto insurance policy—in a settlement or verdict. In some cases that will fall short of the total damages.

If you have been injured in a motorcycle accident, contact a motorcycle accident attorney to protect your rights. ●



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Water Park Injuries and Liability

If you're looking for a refreshing, exhilarating, and fun family outing, a water park fits the bill. Keep in mind, however, that there are no federal regulations in place to monitor the safety of water parks. State or local agencies will be in charge; some states have no government ride inspection program at all.

Unfortunately, amidst the splashing and frolicking, injuries sometimes occur.

Not surprisingly, slip-and-fall injuries are common—wet concrete elevates the risk of a tumble. Waterborne pathogens can sometimes infect park guests, in particular young kids and seniors. Drownings are rare but they happen.

A water park can be held responsible for injuries if their actions or inaction led to unsafe conditions. Improper equipment maintenance; operator error, including inattentiveness or being under the influence of alcohol or drugs; and inadequate testing of rides/attractions fall under the umbrella of ownership responsibility. It is also the duty of ownership to post warning signs and ride instructions throughout the park.

Manufacturers of ride equipment may sometimes be liable for defects or poor recommendations on ride usage. Other parties involved in the design, assembly, construction, or installation of rides may be held responsible as well.

Patrons have a duty to understand the inherent risks involved in water-park activities, exercise good judgment, and act responsibly. Even though patrons may be asked to sign a waiver of liability prior to entering the park, these waivers are frequently not an ironclad defense against a park's liability.

If you are injured at a water park due to negligence, contact a personal injury attorney to protect your rights. ●

June 2017 Important Dates

June 2 – National Doughnut Day

June 5 – World Environment Day **June 14** – Flag Day

June 18 – Father's Day **June 21** – First Day of Summer



Did You Hear?

Believed to have been the last-surviving person born in the 1800s, 117-year-old Italian woman, Emma Morano, passed away in April.

Morano, whose life spanned three centuries (think about that for a moment!), credited her longevity to her diet and getting lots of sleep. Among the items she ate every day were two eggs – one raw and one cooked – as well as biscuits, milk, pasta and minced meat.

She typically went to bed before 7 p.m. and would get up before 6 a.m. ●

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No Tolerance for Underage Drinking and Driving

The legal minimum drinking age in every state has been 21 since 1988. Many states had lowered the drinking age in the late 1960s and early 1970s to age 18. The results were disturbing, as the number of alcohol-related traffic fatalities rose precipitously.

For those under age 21 who drink and drive, it's not about driving under the influence—it's about *any* drinking and driving, period. Every state has a “zero tolerance” statute of some kind. Most states have a blood-alcohol cutoff of 0.02; any reading equal to or higher than that is a violation of the law—as opposed to the 0.08 cutoff in most states for drivers age 21 and over. Some states have a true zero-tolerance policy; any reading above 0.00 spells trouble for the young driver. To provide some context, a blood-alcohol level of 0.02 can be achieved with one beer.

In some states, the penalties incurred might be administrative only, such as an automatic suspension of license. However, the punishment may be stiffer in others. Underage-drinker drivers may be subject to a DUI charge or related crime. They'll also likely be cited for consumption of and/or possession of alcohol by a minor. Repeated offenses will be met with more severe punishment.

Underage drinking and driving statistics are alarming. Nearly a third of all deaths of 15–20-year-olds are the result of motor vehicle crashes, and approximately 35 percent of those involve alcohol. Alcohol as a factor in auto accidents is twice as high percentage-wise for underage drivers as it is for those ages 21 and over.

Some progress has been made over the last decade or so, but far too many lives continue to be taken or irreparably harmed by this often tragic combination of activities. ●



Skeletons in Your Closet?

It's a scenario we see all too often:

Let's say you're involved in a wreck that wasn't your fault, suffered some pretty serious injuries, and are filing a personal injury claim to receive compensation for those injuries.

Now, let's also say that you were in an accident years ago or have some old, pre-existing injuries or conditions that you feel could hurt your claim, so you're thinking about withholding that information from your lawyer.

We've got some absolutely critical advice for you: DON'T DO IT!

The reason why is that you can be sure that the insurance company will be digging into your past to discover any old accidents or injuries, and trust us, their investigators will find out that information and they will use it against you to minimize or deny your claim altogether.

The good news is that if you share that information with your lawyer right from the start, he or she can be completely prepared to deal with those kinds of issues and can build the strongest case possible for you.

Conversely, if the insurance company is the first one to find out about those old injuries and accidents and not your lawyer, your case is in big trouble.

So, do yourself a favor; if you have some so-called “skeletons in the closet,” just be upfront with your lawyer and tell him or her everything that could be relevant to your case. Give your lawyer the best chance to secure fair and full compensation for your injuries. ●

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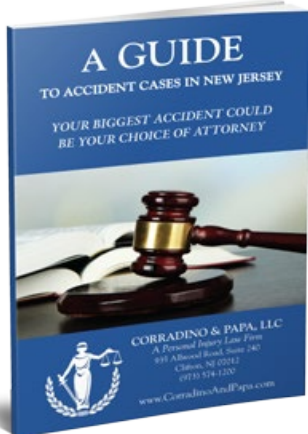
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FREE BOOK



Get Jack Corradino and Robert Papa's **New Ultimate Guide to Accident Cases in NJ**, written by Jack and RC. It will explain "Why your biggest accident could be your choice of attorney", and what to do in the event you are injured.

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Truck Rollover Accidents

Dangerous tractor-trailer rollover accidents—which occur when a truck flips over while moving—are frighteningly common on our nation's roadways. Because the wheels have left the ground, the vehicle is totally out of control. Other motorists on the roadway are in jeopardy, as well as objects that happen to be in the runaway truck's path. In addition, cargo may go flying, possibly striking other vehicles or posing obstacles on the road that may prompt evasive maneuvers...and more accidents. Not to mention, hazardous/toxic payloads can trigger widespread injury and property damage miles from the original accident site, and perhaps long after the incident has occurred.



The most common causes of tractor-trailer rollover accidents include:

- **Improperly loaded trailer.** If a load's weight is not evenly distributed or properly secured, it may shift while traveling and result in a rollover.
- **Speeding.** The higher the speed, the more potential for rollovers. Rounding a curve or turn too quickly, a shifting load, or hitting an object on the road is all it takes.
- **Wind.** Tractor-trailers are long and broad, making them more susceptible to the effects of wind gusts. High-wind warnings should be heeded.
- **Careless and reckless driving.** This includes a driver's lack of understanding how to drive his/her rig, impatience, or driving under the influence or while sleep-deprived.
- **Improper maintenance.** Underinflated tires or a damaged suspension can cause a truck to tip over on sharp curves, steep downhill grades, or uneven road surfaces.

If you have suffered injury due to the negligence of a truck driver or trucking company, contact an accident attorney to protect your rights. •

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