



Corradino & Papa

A Personal Injury Law Firm

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some weighty issues

WITH BARIATRIC SURGERY

Over the past couple of decades, weight-loss surgery (a.k.a. bariatric surgery) has grown in popularity to assist those battling obesity. It is intended as a last resort when diet and other weight-reduction measures have failed.

There are various bariatric surgeries — for example, gastric bypass surgery, gastric band surgery, gastric sleeve surgery, etc. To put it in simplistic terms, these procedures reduce the stomach's food storage capacity. Ideally, a person feels fuller sooner, eats less, and loses weight.

As in any surgery, if the doctor/surgeon does not uphold the standard of care and a patient is injured as a result, medical malpractice may have occurred. Examples of bariatric surgery malpractice include:

- Approving poor candidates for bariatric surgery. For example, in nearly 33% of cases, patients over age 65 suffer major complications that threaten their health and/or quality of life. A wide range of preexisting conditions should also disqualify someone from undergoing bariatric surgery — e.g., blood-clotting disorders, severe heart disease, kidney issues, or sleep apnea, to name a few.
- Failure to properly inform a patient of the risks.
- The surgeon committed an error during the procedure.
- A doctor failed to diagnose or properly treat complications following surgery, including ignoring the patient's complaints or prescribing the wrong medication.

Keep in mind that surgical complications aren't necessarily an indication of medical malpractice (most are not). Patients also have a duty to follow proper self-care and the postsurgical medical plan instituted by their doctor. Sometimes, bariatric surgery does not produce the weight-loss results patients had hoped for, but that does not constitute medical malpractice.

If you suffer harm resulting from medical malpractice, contact **Corradino & Papa** for the thoughtful experience the situation requires. ■



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CHILDREN AND motor vehicle accidents

According to the Centers for Disease Control and Prevention (CDC), nearly 150 children between ages 0 and 19 are treated *every hour* in emergency departments for injuries sustained in motor vehicle crashes and *more children ages 5 to 19 die from crash-related injuries than from any other type of injury.*

One of the best ways to help keep your children safe in vehicles is to know and understand the appropriate age, height and weight limits for car seats, booster seats and seat belt use:

Birth up to Age 2 – For the best possible protection, infants and children should be buckled in a rear-facing car seat, in the back seat, until age 2 or when they reach the upper weight or height limit of their seat.

Age 2 up to at least Age 5 – When children outgrow their rear-facing seat they should be buckled in a forward-facing car seat, in the back seat, until at least age 5 or when they reach the upper weight or height limit of their seat.

Age 5 up until seat belts fit properly – Once children outgrow their forward-facing seat they should be buckled in a belt positioning booster seats until seat belts fit properly. Seat belts fit properly when the lap belt lays across the upper thighs (not the stomach) and the shoulder belt lays across the chest (not the neck).

Back Seat is Safest. All children aged 12 and under should be properly buckled in the back seat. Airbags can kill young children riding in the front seat. Never place a rear-facing car seat in front of an air bag. Buckle children in the middle of the back seat when possible, because it is the safest spot in the vehicle. ■



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AN ACCIDENT WITH AN uninsured driver

In a recent report from the Insurance Research Council found that 1 in 8 drivers in this country do not have auto insurance. If you are involved in an accident with the “1,” the ramifications can be substantial.

A person who lives in a “no-fault” state will have their medical bills, lost wages (with state-to-state variations), and funeral expenses paid by their own insurance company, up to the coverage limits, regardless of who was at fault in an accident. A driver will need separate collision coverage to cover auto repairs.

In a “fault” (or “tort”) state, the at-fault driver is responsible for paying for damages and injuries to the other driver. If the at-fault driver has no insurance, you obviously aren’t going to be compensated by their nonexistent insurance company. In this scenario, you could file a personal injury claim against the at-fault driver to receive compensation for damages. However, if the at-fault driver wasn’t paying for auto insurance, it’s possible they won’t be able to pay for your damages.

Under these circumstances, your medical bills can be paid by your health insurance, and collision coverage can help you with auto-repair costs. However, in both cases you will be stuck with unmet deductible costs. As for lost wages and pain and suffering, you’re on your own.

Every driver should purchase uninsured/underinsured (UM/UIM) motorist insurance. It’s a great preventive measure to counter an otherwise dire situation. If the at-fault driver doesn’t have any, or enough, insurance to cover your damages, your UM/UIM policy will cover you up to the policy limits. It’s relatively inexpensive, so buy as much as you reasonably can. ■

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spotlight of the month



Kloe

Kloe is a member of Millie's family. Kloe was rescued when she was 3 weeks old from a garage – No one wanted her because of her colors

I believe that's what makes her unique. She also loves her pedestal. Not a day goes by that she doesn't stand on it and becomes a statue for at least a few minutes.

She's 13 years old now. Millie stated "She came into my life, and filled it with Love." ■

auto accident liability: CAN'T BLAME IT ON OLD MAN WINTER

'Tis the season for snow, sleet, freezing rain, and black ice. Too many drivers are under the impression that liability won't be assigned in hazardous weather-related auto accidents. After all, it was the weather's fault, right? Wrong.

Here's how the law sees it. Determining liability in wintry weather is no different than doing so in the dead of summer. Whenever you choose to drive, you are responsible for the events that could occur while behind the wheel; you are to be knowledgeable in how to safely drive in wintry conditions; and your car needs to be in good working order (good tire tread, plenty of wiper fluid, functioning headlights, etc.). The season can't be blamed for an accident.



In rare circumstances, a municipality or county might be held accountable for poor road maintenance or design that leads to hazardous conditions — private snow maintenance crews, same thing. Or, a snow squall might blindside drivers out of nowhere. Liability for accidents/collisions will still be assigned, but the liability percentage may be adjusted to reflect the weather's impact.

Basic winter driving precautions include (if you absolutely must be out there):

- **Slow down.** You might be driving under the speed limit but still too fast for existing conditions.
- **Increase following distance** (unfortunately, this one's frequently ignored).
- **Turn on your headlights.**
- **Keep the windshield clear.**
- **Maintain your tires.**
- **Clear the snow off your roof.**
- **Beware of bridges and overpasses** (temperatures drop more rapidly on elevated surfaces) **and shadows**, where dangerous black ice may lurk.

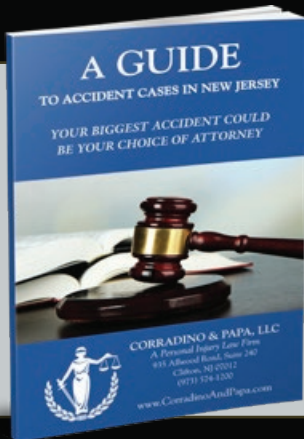
If you are injured by a negligent driver, no matter the season, contact [Corradino & Papa](#) to protect your rights. ■

January 2023 – Mark Your Calendars

Jan. 1 — New Year's Day Jan. 11 — National Milk Day Jan. 16 — Martin Luther King Jr. Day Jan. 16 — Australian Open Tennis Tournament begins

Jan. 23 — Pie Day Jan. 28 — National Lego Day

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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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Wrongful Death
PIP Arbitration

Quote of the Month: "Twenty years from now you will be more disappointed by the things that you didn't do than by the ones you did do. So throw off the bowlines. Sail away from the safe harbor. Catch the trade winds in your sails. Explore. Dream. Discover." —Mark Twain

This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

drunken chicken stew

Yield: 5 servings; prep time: 5 min.; cook time: 30 min.; total time: 35 min.

Tasty, easy, and quick to make, this drunken chicken stew is the perfect dish to share with friends over a glass of wine on a cold winter's day!

Ingredients

- 3 chicken breasts, cut into small cubes (alternatively, 35 oz. pork tenderloin)
- 2 cloves of garlic, finely chopped
- 3 tbsp. olive oil
- 1 green pepper chopped lengthwise
- 18 oz. chopped tomatoes
- 1/2 cup dry white wine
- 1 pinch of cumin
- 9 ounces hard yellow cheese (cheddar, or if you can find Greek graviera)
- 2 carrots
- salt to taste
- a handful of peppercorns
- freshly ground pepper

Directions

1. Heat the olive oil to a large frying pan and sauté the chicken/pork on medium heat for 5–6 minutes, while stirring.
2. Add the peppers and garlic, and sauté for about 2 minutes.
3. In the meantime, boil the carrots until tender and add to the pan. Deglaze with the wine.
4. Add the tomatoes, salt, peppercorns, ground pepper, and cumin. If you are using canned tomatoes, sprinkle some sugar to prevent the sauce from getting too sour.
5. Let it simmer on low heat for about 15 minutes, or until the sauce has thickened.
6. Cut the cheese in small cubes. Add to the pan while still hot and stir. Remove from the stove immediately and serve in a large bowl.
7. Enjoy with a glass of dry white wine and some crusty bread!

Recipe courtesy of www.mygreekdish.com. ■

