



Corradino & Papa

A Personal Injury Law Firm

973-574-1200

CHAMPIONS OF JUSTICE

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the pied piper on wheels

Ice cream trucks are a here-and-now joy to children and nostalgic reminders of childhood to many adults. Today, there are even apps that alert people to truck locations — think NORAD and Santa.



Due to increased competition, many drivers do corporate and special-event gigs in addition to their regular routes. But while driving routes, vendors will occasionally cave in to distractions, fatigued driving, drunk driving, or violate rules of the road, leading to accidents. Defective truck parts and lack of maintenance and proper inspections can result in injury as well.

However, many injury incidents occur when an ice cream truck is stopped. They are magnets for excited kids, which often means dashing to the truck and crossing or stepping out into streets. Every summer, there are news accounts of kids (and adults) struck by cars in their quest for frozen treats, resulting in injury ... or death. In some situations, business has been wrapped up and an ice cream truck driver is leaving, only to strike an unseen child while pulling away.

In summer 2020, Tristan Barhorst, a 10-year-old Connecticut resident, walked around the front of an ice cream truck and was struck and killed by a driver who was passing the truck. His parents have since advocated for upgrades in safety provisions for ice cream trucks and for safety education, which led to state legislation being passed in 2021 ("Tristan's Law"). They're working to ensure that the new measures catch on at a national level.

If you or a family member is harmed due to someone's negligence, contact **Corradino & Papa**. We will fight to attain fair compensation for your injuries. ■

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owner liability

FOR INJURIES CAUSED BY DOGS

Approximately 4.5 million people are bitten by dogs each year (per the CDC), over 800,000 of whom require medical attention. Dogs may be the source of other injuries as well—for instance, a dog may jump up on someone and knock them down or cause a bike rider to fall off their bike.



Owners may be liable under one of the following categories:

The “one-bite” law. A dog owner is liable for injuries their dog causes if they had reason to know their dog might cause that type of injury. A misinformed understanding of the law is that every dog gets a “free” bite, which isn’t necessarily true. While the first bite puts the owner on notice that the dog may be a danger, so does growling threateningly, snapping, or jumping on someone, among other behaviors. Owners may escape liability if the injured party provoked the dog or knowingly risked being injured by the dog.

Strict liability statute. Under this statute, the owner is liable if their dog bites/harms someone who was legally allowed to be where they were when the bite/harm occurred, and they did not provoke the dog—even if the owner had no reason to believe their dog would behave as it did.

Unreasonable carelessness. If negligence was shown in controlling a dog, the owner shall be held liable. For instance, an aggressive dog was in their pen, but the gate was left unlatched and the dog escaped and caused injury to someone.

If injured by a dog, contact a [Corradino & Papa](#), to safeguard your rights. ■

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DETERMINING THE VALUE OF A personal injury case



There is no magic formula for determining the overall worth of a personal injury case. Some aspects are subjective, each person’s circumstances are unique, and the final determination may be in the hands of a jury or judge. However, a ballpark figure can often be arrived at after a person’s medical condition has stabilized.

Economic damages are a bit easier to get a handle on since they have a direct cost associated with them. Economic damages include medical expenses (past and future), lost income (past and future), and reimbursement for property damage.

Noneconomic damages are trickier because they are subjective and have no direct cost tied to them. Pain and suffering, lost quality of life, emotional distress, and loss of consortium (which

is the effect the accident had on the plaintiff’s relationship with their spouse) are included among noneconomic damages. Past precedent involving similar cases may be relied upon in some circumstances.

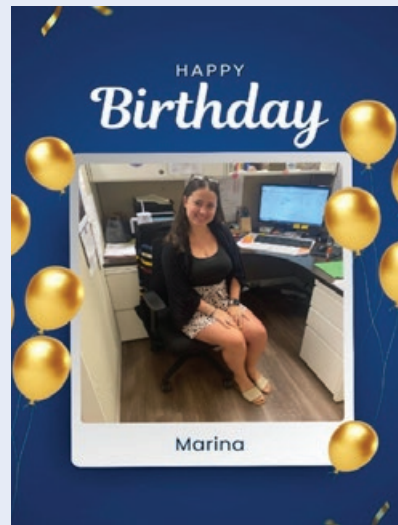
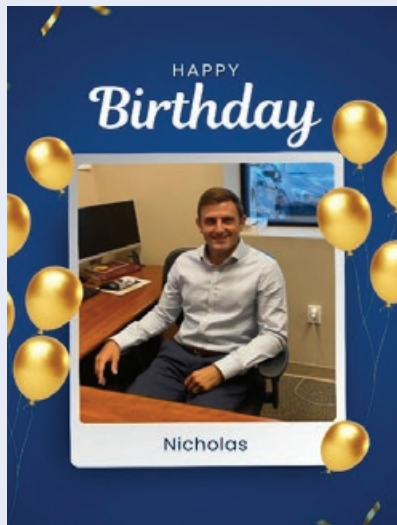
The plaintiff’s role in the accident might influence the value of their personal injury case. Many states follow a “comparative negligence” standard. For example, if the plaintiff is deemed 10 percent at fault for an accident, then their compensation will be reduced by 10 percent. Some states only permit a lawsuit to be filed when the plaintiff is less than 50 percent at fault.

A few states follow a “contributory negligence” standard. If the plaintiff is even 1 percent at fault for an accident, they may be barred from receiving any compensation for their injuries.

If you have been injured by the negligence of another, contact [Corradino & Papa](#), a personal injury law firm to protect your rights. ■

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August birthdays



GET YOUR SUMMER GROOVE ON — safely!

Outdoor concerts and the summer season go hand in hand, attracting large, enthusiastic crowds and creating memories. But stay safe in doing so.

One potential source of trouble is overcrowding. In dense crowds, the risk of getting tripped, knocked down, trampled, or crushed is magnified, all of which can lead to great harm. In 2021 at the Astroworld music festival in Houston, Texas, thousands were injured as a result of a crowd crush. Tragically, 10 young people lost their lives.

Mosh pits and crowd surfing are still a thing too. Sometimes, innocent bystanders get entangled in the chaos through no fault of their own and sustain injuries.

Unsurprisingly, alcohol is another factor in concert injuries. Alcohol might be sold to concertgoers who are already intoxicated. Those under the influence are more careless and may be more prone to agitation/violence than when sober, making things dicey for anyone in their vicinity. Tailgating at concerts is popular, too, with alcohol sometimes flowing freely before fans even enter the venue.

To further their own cause, fans should stay properly hydrated to avoid heat exhaustion or heat stroke; wear comfy shoes (avoid loose sandals); apply sunscreen as necessary; get acquainted with exit locations prior to the concert; and stay alert to trouble.

The owners/operators of a concert venue have a duty to take reasonable steps to keep fans safe. That encompasses having adequate security, proper lighting, enough medical stations, an orderly gameplan for entering and exiting the venue, not serving already-inebriated patrons, and preventing overcrowding, among other responsibilities.

If you've been injured due to someone's negligence, contact [Corradino & Papa](#) to protect your rights. ■



August 2024 – Mark Your Calendars

Aug. 3 — WWE SummerSlam

Aug. 5 — Underwear Day

Aug. 11 — Summer Olympics Closing Ceremonies

Aug. 17 — Honey Bee Awareness Day

Aug. 20 — Radio Day

Aug. 26 — Women's Equality Day

Aug. 30 — Beach Day

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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.

Grandma's ambrosia salad

Ingredients

- 11 ounce can mandarin oranges drained
- 8 ounce can crushed pineapple drained
- 2 cups sweetened shredded coconut
- 2 cups miniature marshmallows
- 8 ounce container Cool Whip

Directions

1. Place the oranges, pineapple, coconut and marshmallows in a large bowl. Add the Cool Whip and, using a rubber spatula, gently fold the mixture until all of the ingredients are evenly distributed.
2. Cover and refrigerate until ready to serve. Ambrosia can be stored in the refrigerator for up to 3 days

Make-Ahead: This can be mixed together and refrigerated the day before serving.

Storage: Ambrosia can be stored in the refrigerator for up to 3 days. ■

