



ELLIOT IFRAIMOFF
& ASSOCIATES, P.C.



SUMMER | 2023

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For the past 20 years at Elliot Ifraimoff & Associates, P.C. we have been diligently fighting for the rights of our injured clients. Some of our cases are resolved through an out of court settlement while others, where clients' damages are severe and we see the potential for a significant outcome, are litigated in court and even resolved through a Jury Trial. What's at the heart of our decision making process on whether to go to court or not is our client's best interest!

It has always been our mission to obtain an outstanding result, as quickly as possible in every case while providing great service to every client! In this issue you will read some of our success stories. It is a distinct honor and a privilege for us to continue serving our community.

Practice Areas:

Auto accidents

Slip/trip & fall

Construction accidents

Work-related injuries

*Elliot Ifraimoff & Associates, P.C.
is proud to be a part of the effort
to cure childhood illnesses by
donating to St. Jude's children
research Hospital.*

Five Year Battle Ends In Victory for Bronx Senior Citizen *Jury Awards Her \$10 Million Dollars*



In early 2017, our client, then age 71, attended a Conference at a College in NY. While walking to an elevator, our client tripped over the base of an art installation that had been left in a hallway. She fell to the ground and fractured her right hip. A day later she underwent surgery to repair her hip.

The college immediately blamed our client for the fall, writing a report that said she wasn't paying attention and that the art piece was out of the walking path, even though these assertions contradicted the account of an eyewitness.

Because of her advanced age, our client's hip surgery failed to heal properly and several months later she was forced to undergo a total hip replacement. In addition, the fracture and first surgery caused her preexisting incontinence condition to worsen.

In 2018 and 2019, the arthritis in our client's left hip accelerated very quickly because of stress from the original injury which destabilized her pelvis. In 2019, she was forced to undergo a joint replacement for her left hip.

Our client sued the college for her right hip injury, her worsened incontinence and the secondary impact on her left hip. She sought damages for her pain and suffering and medical expenses.

During more than five years of litigation, the college and their insurance company continued to blame our client for the accident and deny her injuries.

The college blamed our client's age and extensive past medical history, arguing that most of her problems related to preexisting problems like arthritis, chronic pain syndrome, neuropathy, polyneuropathy, nocturia and incontinence, all of which she had before the accident. In particular, the college emphasized to the jury that in the year before the accident our client applied for Access-a-Ride transportation services because she claimed at the time that she was too infirm to use public transportation or travel independently.

Throughout the entire trial, our client honestly acknowledged all of her preexisting physical conditions and limitations. She never hid or minimized any of her prior problems. Instead, we took the position that our client had a lot of physical issues beforehand and the fall made her bad situation much, much worse.

After a month long trial in Bronx Supreme Court, the jury reached a result that expressed their appreciation for our client's honesty and perseverance while rejecting the college's attempts to blame her for everything.

The jury verdict: \$10 MILLION DOLLARS!

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not guarantee a similar outcome.*

Vehicle Accident

\$175,000



In this 2 car accident our client's vehicle was struck in the side by another vehicle that was changing lanes. After our client's vehicle was struck by the other vehicle, it caused our client's vehicle to strike a building adjacent to the oncoming lane of traffic.

Our client injured his neck and right knee. His neck injury required physical therapy as well as pain management treatment. However, his neck sustained a disc bulge which required an injection and surgical repair. Litigation of the bodily injury claim could have easily taken 3-4 years and the result would be impossible to predict. **In less than a year from the accident date we were able to obtain a guaranteed settlement in the amount of \$175,000.**

Tractor-Trailer Accident

\$245,000

Our client was a 59 year old field manager who was involved in a motor vehicle accident with a tractor-trailer while driving through the intersection of Rockaway Boulevard and Farmers Boulevard in Queens, New York. The accident occurred when the operator of the tractor trailer disregarded the red light and hit our client's vehicle which was traveling through the intersection with a steady green light. The heavy impact pushed our client's vehicle into another vehicle. Multiple people were injured as a result of this accident.

Our client sustained injuries to his neck, back, left shoulder, hips and left leg. He underwent a minimally invasive procedure to his back and needed major spinal surgery to alleviate the pain in his neck. Due to medical complications, he was unable to complete the spinal surgery. Our office was still able to negotiate a favorable settlement which took into account his attempt at spinal surgery.



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Rear End Collision

\$300,000

We represented a 41 year old property manager who was a passenger in a cab that was rear-ended on the Bronx River Parkway. The forceful impact left our client disoriented and severely injured. He underwent a pain management procedure due to the constant pain he endured as a result of the accident.

We filed suit against the offending vehicle but our client's injuries were worth much more than their \$25,000 insurance policy. After we settled for the full \$25,000 policy of the offending vehicle, we pursued an underinsured motorist claim to get our client additional money. We were able to quickly resolve the case for an additional \$300,000.

Pedestrian Accident

\$100,000

In this accident our client was a pedestrian who was in a crosswalk with the right of way when our client was struck by a vehicle which was making a turn. The operator of the vehicle admitted to the police he did not see our client due to a blind spot.

Our client sustained injuries to her neck, back and left shoulder. Her injuries required physical therapy as well as a pain management procedure after conservative treatment had been exhausted. The defendant maintained a \$100,000 policy for us to pursue. We were able to obtain a guaranteed settlement in the amount of \$100,000.



Rear-End Chain Collision

\$330,000

We represented a 69 year old beautician who was injured in a rear-end chain collision in Queens, New York. The accident involved two vehicles and an ambulette. Our client was the first vehicle completely stopped at a red light. The driver of the ambulette was distracted by his passenger when he failed to stop and struck another vehicle in the rear. The forceful impact pushed that middle vehicle into the rear of our client's vehicle. As a result of the accident, our client underwent a spinal surgery.

We filed a lawsuit against the middle vehicle and the ambulette. Our firm was able to obtain video evidence of the accident, clearly establishing our client was not at fault for causing the accident. Negotiating the case was difficult because there were several injured parties in addition to our client. In the end, we were able to obtain a good settlement for our client without engaging in a lengthy litigation.

Two Car Accident

\$100,000

In this 2 car accident our client was a passenger in a vehicle that was proceeding straight with the right of way, when another vehicle backed out of a parking spot and collided with the vehicle our client was an occupant in.

Our client sustained injuries to her neck, back and left shoulder. Her injuries required physical therapy as well as pain management treatment. Pain management procedure after conservative treatment had been exhausted. The defendant maintained a \$100,000 policy for us to pursue. We were able to obtain a guaranteed settlement in the amount of \$100,000.

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Slip and Fall **\$475,000**

Our client was a 38 year old pedestrian who slipped and fell on a wet floor and was subsequently struck by a vehicle as he was getting up. The impact from the vehicle forced our client back to the ground. He immediately felt pain in his knees and head. As a result of the accident, our client suffered serious injuries to his neck, back and left knee. He underwent three surgeries, including a spinal surgery.

We brought a lawsuit against the driver that struck our client. The driver's insurance company defended the action and challenged whether our client's injuries were caused by the accident. Defendant's insurance policy was limited to \$500,000. Ultimately, we were able to negotiate a favorable settlement for our client in the amount of \$475,000.



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& ASSOCIATES, PC



*The highest compliment
our clients can give us is
the referral of their friends
and family. Thank you
for your trust!*

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The information included in this newsletter is not intended as a substitute for professional legal advice. For your specific situation, please call the appropriate legal professional.

Every Auto policy should include **Uninsured/Underinsured Motorist Coverage**

It is important to make sure you have sufficient auto insurance protection. You do not want to find out after an accident that you are not covered. Purchase Uninsured/ Supplemental Underinsured Motorist coverage (UM/SUM). This coverage is relatively inexpensive, and every driver should have it.

Never sign UM/SUM waivers.

UM Coverage protects you in a hit-and-run accident or when a negligent driver in an automobile accident has no insurance. It pays you compensation for pain and suffering and economic loss.

SUM coverage safeguards you if you are injured by a careless driver who has only the minimal amount of insurance coverage.

However, your SUM coverage limits must be higher than the coverage limits available in the defendant's liability insurance policy. For example, if the defendant in your case carries a liability policy in the amount of \$25,000 and your Supplemental Underinsured Motorist benefits are \$100,000, we may be able to first obtain the \$25,000 for you from the defendant and then collect additional compensation for you, up to \$75,000 (\$100,000 SUM limits minus \$25,000 already obtained) from your Sum policy.

Full Policy Settlement An out of court settlement of \$100,000 was achieved for a 60-year-old cab driver whose vehicle was struck in the rear on a highway. Our client suffered some serious lower back injuries

which required a minimally invasive pain management procedure. We are particularly proud of the fact that the settlement figure represented the full amount of the prospective defendant's insurance policy of \$100,000. In addition, the client didn't have to go through 3-4 years of litigation. Instead, we were able to settle out of court in 16 months from the accident.

Protect yourself Be sure you have sufficient auto coverage for every driver in the family. Talk to your auto insurance agent to learn the extent that your UM/SUM coverage will safeguard you and your family. If the coverage is inadequate, increase your coverage. It is typically a minimal cost and worth the protection.