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Highlights of Legal News & Information

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PRACTICE AREAS

Nursing Home Abuse

Malpractice

Auto Accidents

Slip and Falls

Product Injuries

Work Injuries

Social Security Matters

Family Law

Criminal Matters/DWI/DUI

Wills/Living Wills

Real Estate

Traffic Violations

Cherry Hill

430 Route 70 West • Cherry Hill, NJ

Somers Point

551 New Rd., #B • Somers Point, NJ

Philadelphia

1515 Market St., Ste. 1520 • Phila., PA



Does A Hospital Have To Tell You If They Made A Mistake?

By Robert Aaron Greenberg, Esq.

The answer is more complicated than you think. How does the law of New Jersey deal with the conflict between a patient's right to know what happened, and the medical profession's desire to investigate mistakes without having the results used in a malpractice case? Our courts have been looking at this problem for over 60 years.

In 2004, the Patients Safety Act became the law of the State. It had a goal of reducing medical malpractice by requiring that all "Serious Prevent-

able Adverse Events" (SPAEE) be investigated by hospitals and requiring that the hospital notify the patient of the facts of any such "adverse" event. So far, so good: by law, you must be made aware of facts. But: that same law holds that the opinions and conclusions reached by the hospital in its investigation are privileged.

Our state Supreme court in a recent 2018 opinion in a case called Brugaletta v Garcia, interpreted the Patient Safety Act and created a pre-

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Personal Injury Reminder: Don't Post On Social Media Anything Related To Your Accident

Some people like to post on Facebook or other social media aspects of their life. If you've been in an accident, remember that it's best to not post anything on social media related to your claim, including details about your accident or activities you are doing.

After an accident, the other side or its lawyers or investigators will likely monitor your social media accounts to obtain information about you that can be used to lower the value of your claim or eliminate it

entirely. So if you post information about your accident or photos of all the activities you're engaged in, this could convey to insurance companies or courts that your injuries are not as bad as you claim them to be.

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Free Consultation
No Recovery
No Fee



Safety Alert Automobile & Product Recalls

■ **Ford Focus (2012-2018).** On certain vehicles, the Canister Purge Valve may malfunction and cause excessive vacuum in the fuel vapor management system, which can cause the engine to stall while driving. For more information, call Ford at 1-866-436-7332.

■ **Chevrolet Express and GMC Sierra (2016-2018).** On certain vehicles, the rear climate control module could overheat, increasing the risk of a fire. For more information, call Chevrolet at 1-800-222-1020 or GMC at 1-800-462-8782.

■ **Jeep Wrangler (2018-2019).** On certain vehicles, the front track bar bracket can separate from the frame, which can reduce steering ability and increase the risk of a crash. For more information, call Chrysler at 1-800-853-1403.

■ **Cadillac CT6, Escalade ESV, Chevrolet Suburban, Volt, and GMC Yukon XL (2018-2019).** On certain vehicles, second or third-row rear seatbelt retractor assemblies may not lock properly, preventing a child seat from being secured. For more information, call Cadillac at 1-800-458-8006, Chevrolet at 1-800-222-1020 or GMC at 1-800-462-8782.

■ **Haier Top-Mount Refrigerator model HA10TG31 (certain serial numbers).** An electrical component in the refrigerator can short circuit, posing a fire hazard. For more information, call Haier America at 1-888-364-2989.

■ **Shimano Lazer-branded bicycle helmets (certain models).** These do not comply with the federal safety standard for bicycle helmets, posing a risk of head injury. For more information, call Shimano at 1-800-423-2420.

■ **Yvolve Sports Neon Nitro 8 one wheel electric skateboards (certain models).** The tire can deflate, posing a fall hazard to the user. For more information, call Yvolve Sports at 1-855-981-7177.

■ **Brookstone Big Blue Party™ indoor and outdoor wireless speakers (certain models).** The lithium ion batteries in the wireless speakers can overheat and catch fire. For more information, call Brookstone at 1-866-576-7337.

■ **IKEA CALYPSO ceiling lamp units (certain models and date codes).** The glass shade can detach and fall, posing laceration hazards to consumers. For more information, call IKEA at 1-888-966-4532.

Social Media and Your Accident Claim,

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Even if your social media accounts are private, the other side or its insurers may be able to see them. Recently, a woman hurt after falling in a Target store sued Target to recover for her injuries. She tried to prevent Target from seeing photos on her Facebook page. But a court ruled Target could see photos she posted on Facebook after the accident, even though she deleted some and her account had a privacy setting preventing the general public from accessing her page.

Many experts believe this case is the “new normal” for accident claims – that a person’s Facebook and other social media accounts will play a key role in showing how an accident has affected that person and whether it has limited his or her activities.

Because social media accounts can have a very negative impact on your personal injury claim, the best course after an accident is to not post anything on social media that’s related to your claim, such as activities you’re doing or information about your injuries.

If You Would Like To Receive Our Newsletter By Email

Call (856) 429-1700 or sign up on our website:
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Who Do You Work For?

By Jeremy Lindemann

These days, it is not uncommon for many people to work as independent contractors. So if you are an independent contractor, what happens if you are injured in the course and scope of your employment? The answer may be surprising.

Even if your employer regards you as an independent contractor and even though you may in fact be considered one for tax purposes, you may still be considered an employee un-

der the New Jersey Workers' Compensation Act. If that is the case, you would be entitled to workers'

Just being an independent contractor doesn't prevent you from being eligible for workers' compensation benefits.

compensation benefits under the law which could cover medical bills, temporary disability benefits and

other benefits available under the statute.

In other words, just being an independent contractor doesn't prevent you from being eligible for workers' compensation benefits. There are a number of surrounding circumstances, aside from tax status alone, that must be considered. Therefore, it is important to discuss any work injury with a qualified professional to see exactly what type of benefits may be available to you.

Make Sure Your Will Is Up-To-Date

Many people take the wise step of preparing a will. Wills provide many estate planning benefits, including making sure your property is distributed how you want when you die and letting you name your executor (the person who manages your estate during probate). But making a will is only a first step.

Because family and financial circumstances change over time, your will should be reviewed regularly to make sure it's current.

Along with regularly checking to see if your will needs to be updated, at several key times it's especially important to review, and possibly change, your will. They include:

- Any change in your marriage status — getting married, separated or divorced.
- Any family changes, such as a birth or adoption of a child or hav-

ing new stepchildren or grandchildren.

- Death of someone named to receive a gift in your will, or of an executor or guardian.
- Significant changes in your wealth. You may want to reallocate how your property will be distributed.



- You move to another state or acquire property in another state.
- Change in views about a beneficiary or anyone in your will. If your fondness for a benefi-

ciary or named executor or guardian changes, you may want to revise your will.

If you think your will needs changing, call us, as there are specific rules for changing your will. Not following these rules could have serious consequences, including invalidating the changes or the entire will.



Our firm receives many new clients as a result of referrals from clients and other friends of our firm. We would like to thank everyone who refers friends and family to our firm. We appreciate the trust and confidence you show in us by making these referrals.

We welcome and continue to encourage referrals, and we will strive to provide top quality legal service to everyone you refer.

**Aronberg, Kouser,
Snyder & Lindemann, P.A.**
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Robert Greenberg Makes Medical Malpractice Presentation At New Jersey Association for Justice Seminar

Our Senior Of Counsel attorney, Bob Greenberg, gave a lecture and moderated a credited course on Ethics as part of the Medical Malpractice Seminar at the New Jersey Association for Justice annual Boardwalk Seminar in Atlantic City on May 11. The 3 day seminar, produced and offered by NJAJ, the largest dedicated trial lawyer organization in NJ, is attended by almost 2000 trial lawyers, judges and support staff each year. Along with retired Superior Court Judge Louis Meloni, Bob provided insights and practical advice to the large audience on every day issues that come up in plaintiff's personal injury and in particular medical malpractice cases.

Does A Hospital Have To Tell You About Mistakes?,

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edent for all trial courts in the State to follow by its opinion. The facts were simple: the plaintiff Brugaletta went to the hospital with a perforated appendix and developed a serious infection. The hospital failed to give the right amount of antibiotics, contrary to the express orders of the physician. When the patient plaintiff's lawyers demanded copies of any statements or reports, the hospital disclosed that there were two incident reports, but they would not turn them over, claiming "privilege". After a long legal battle through the trial and appeals court, the case made its way to our State Supreme Court. The Justices held that the patient plaintiff was entitled to the facts in a form that would make

Our law firm is demanding that medical professionals disclose all facts related to our client's care.

her aware of the adverse incident in language she could understand. In other words, the hospital had to create a fact sheet but was permitted to keep the opinions and conclusions of its internal investigation to itself. Here at Aronberg Kouser we will be demanding that medical professionals comply with this opinion and disclose ALL facts related to our client's care and treatment. We read and review these reported cases and all changes in our laws so as to be sure to provide our clients with our best representation. We invite you, your friends and family to call us with your questions and concerns. There is never a fee or charge for a consultation over the phone or in person.



In Case Of An Accident

No one expects to be in an accident. But if you are in one, please call us to find out about your rights. We handle all types of personal injury cases, and we will fight to obtain the maximum compensation for your injuries and losses.

Thank you for letting us serve your legal needs.

Se Habla Español

Por favor, contacte nuestra oficina legal hoy para concertar una cita con un abogado que habla español. Estaremos encantados de hablar con usted.

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★ ★ ★ ★ ★
Seasons Greetings

And Best Wishes For A Happy & Healthy 2019

Aronberg, Kouser, Snyder & Lindemann, P.A.