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Doctor intentionally caused harm. Why most NY Medical Malprac- tice Lawyers won't touch this

Why won't most medical malpractice attorneys take on a case if the doctor did something intentional to cause you harm? You want to know the answer? Come join me for a moment as I show you some great information. I'm Gerry Oginski. I'm a New York medical malpractice and personal injury attorney practicing law here in the state of New York.

If the doctor did something intentional that cause you harm, the reason why most medical malpractice attorneys in New York will not take on your case is because there won't be any available insurance coverage. Now, that's not to say it won't happen, but in almost all of these instances where something is done intentionally, that doctor's professional liability insurance company is going to turn around, say "Hey, we don't cover anything that was intentional. We only cover things that are accidental. Things that were negligent, things that were a mistake. That's what we cover."

If an attorney is unable to obtain insurance coverage for you as a result of a doctor's intentional conduct, if you are able to get a judgment against that doctor, well guess what? That's what's called a "Pyrrhic Victory," meaning you get a victory on paper, but you can't collect anything. Why? Because the doctor doesn't have any insurance coverage for that particular act. That's different than if you were to do something improperly, or it's different if you were to fail to do something that he should have done, causing you injury and harm. If the doctor, during the course of his care and treatment, intentionally harms you, now that's a whole different thing. That might rise to the level of criminal conduct, but that's not going to help you recover

compensation for the injuries and the suffering and the pain that you're going to endure as a result of the doctor's actions.

Why do I share this quick tidbit of information with you? I share it with you just to give you an insight and an understanding in to what goes on behind the scenes in these medical malpractice cases here in New York. I recognize you got questions or concerns about your own particular matter. If you're thinking about bringing a lawsuit and you have legal questions and your matter happened here in New York, what I invite you to do is pick up the phone and call me. I can answer your legal questions. This is something I do every single day and I'd love to chat with you. You can reach me at 516-487-8207 or by email at gerry@oginski-law.com. That's it for today's video. I'm Gerry Oginski. Have a wonderful day.