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The team of Eitan Ogen and Natalie Sedaghati have an impressive proven record of multiple 7-figure and 6-figure verdicts and settlements, many for non-surgical, "soft tissue" disputed cases with problematic liability scenarios. Both partners have been reselected several times as Super Lawyers—a designation awarded to only the top 5% of attorneys in New York—and are Members of the Multi-Million Dollar Advocates Forum. Additionally, Natalie Sedaghati was one (1) of only nine (9) female attorneys selected as a Super Lawyer in New York in the practice area of Personal Injury. They have also been featured in *NY Magazine*, *Newsweek*, Fox 5 News, UPN 9 News, Montel Williams Show, *NY Times*, *NY Daily News* and *NY Post* for their very successful and unprecedented litigation in high profile cases.

NOTEWORTHY CASES

\$4.9 Million Settlement for 58 year old woman who fell in a closet in classroom. Defendants argued it was her own fault, that all her injuries were pre-existing, that she had prior MRIs/treatment to the same body part, that she made a good recovery, and they had surveillance of her long shopping trips to Lowes and loading heavy bags of gardening soil, as well as running up stairs to catch trains. Starr Ins.'s initial offer: \$500,000.

\$4.65 Million Settlement for 52 year old felon, with multiple convictions, with multiple prior accident claims, who was driving drunk down the NJ Turnpike, with a confirmed blood alcohol level of over 2 X the legal limit, with his lights off, and at a speed of 10 MPH, well below the minimum speed allowed, when he collided with another vehicle.

\$4.25 Million Settlement 44-year-old man in MVA, with degenerative disc herniations, sporadic treatment. Defendants argued that he was not injured from this accident, there was no tow, no ambulance, no ER, returned to work and the surgery was not related to the accident as the claimed injuries were pre-existing, and that he made a good recovery.

\$3.5 Million Settlement in Queens County, for 49 year old client, where a RR crossing gate swung into a side window (not next to our client) of her train. LIRR disputed any liability as well as the mechanism of injury. Also disputed that she suffered any injuries from the accident, and claimed that she was exaggerating.

\$2.5 Million Jury Verdict against MTA/NYCTransit, for woman with shoulder impingement (no tear), arthroscopic surgery in MVA. Defendant's doctors testified that there was nothing wrong with her and that any symptoms were from an unrelated carpal tunnel condition. Initial offer was \$2,500. This was the second highest verdict in NY for a motor vehicle case in 2011 Top NY Verdicts.

\$2.5 Million Settlement in Nassau County MVA for 55 year old client in low impact accident, no ER, with neck MRI showing degeneration, who had a prior accident with injuries and a prior neck surgery, missed no time from work, had minimal treatment with large, unexplained gaps in treatment, and where "independent" insurance doctors asserted he was fine. USAA's initial offer: \$60,000.

\$2.45 Million Settlement 42-year-old in a low-speed, minimal impact disputed liability MVA. Client had nearly identical degenerative MRI findings prior to the accident.

Defendants' doctors disputed any causality and necessity of any treatment, as client had returned to work after MVA, she had minimal and sporadic therapy and she had resolved. Zurich initially had no-pay position.

\$2.25 Million Trial Recovery for 34 year old man who fell down one step in disputed premises liability case. Defendants argued that the surgery was unnecessary and that they had no notice. Starr Ins.'s initial offer: \$60,000.

\$1.8 Million Settlement (Suffolk County) for 54 year old woman immigrant who claimed she slipped and fell on ice/snow in parking lot. Defendant claimed parking lot was properly plowed, that she was responsible for her own fall, that she suffered no causally related injuries, she had made a good recovery, did not immediately go to a hospital and had actually gone back to work that day. 6th Largest Premises case settlement in NY for 2016.

\$1.6 Million Jury Verdict for a 35 year old involved in MVA with taxi. Defendants argued that plaintiff was fully responsible for the accident as he walked into the side of the taxi. The Jury awarded 100% liability against the Defendants. Plaintiff alleged a disc bulge and a shoulder tear. Defendants' doctors argued that the MRIs showed no injuries and he only had soft tissue injuries which had fully resolved, and returned to work shortly after the accident. They argued to the Jury to award no money. American Transit's valuation of the case and best offer before trial was \$40,000. Appellate Court sustained the verdict and resulting \$1.8 Million judgment. Bad faith claim made against the carrier. The Defendant driver ended up coming to us to represent him for a subsequent case.

\$1.5 Million Settlement involving a rental car company in a one car accident, with only a minimum \$25,000 policy. Many attorneys would have stopped the inquiry there and settled for the \$25,000. We pursued the rental car company, who denied they were liable to pay anything additional, due to Graves Amendment.

\$1.375 Million Jury Verdict 39-year-old unemployed man in a minor impact, knee arthroscopy case with no property damage, no ER, no lost wages, minimal treatment. Defendants' doctors testified that plaintiff's examination and MRIs were normal. Client had a prior injury and surgery to same body part. Allstate maintained no-pay position through time of verdict.

\$1.3 Million Settlement full policy tender, for 50 year old undocumented immigrant housekeeper in minimal impact MVA (\$638 property damage to her vehicle, no visible damage) no injuries reported at scene, no hospital, waited almost 1 month after accident to see her first medical provider (while continuing to work full time), large unexplained gaps in treatment, MRI showed bulging disc. USAA initial offer: \$50,000.

\$1.25 Million Settlement in Suffolk County for 51 year old client with had 2 minor arthroscopic procedures, which carrier disputed were needed or caused by the MVA. Client never stopped working and his earnings actually increased following the accident. "Independent" insurance doctors asserted that he was. {Carrier initially wanted to settle for \$200,000, which would have been well beyond what most attorneys would get for this type of case in Suffolk County.}

\$1.1 Million Settlement for pedestrian in Manhattan involved in a disputed liability accident

Attorney advertising. Prior results do not guarantee a similar outcome.

with a motor vehicle. Defendant driver and two witnesses claimed that his vehicle was actually stopped at the time and that our client walked into his stopped vehicle. Defendants also disputed her injuries, claimed that she continued working and getting raises, and only had 2 minor arthroscopic procedures. GEICO's initial offer: \$175,000.

\$1.016 Million Trial Verdict (\$1.4 Million paid by carrier including interest) for 47 year old man in minimal impact case. Defendants argued that the surgery was unrelated to accident and that his condition was pre-existing and degenerative. He not only went back to work as a patrol officer, he worked overtime and had 2 subsequent accidents with surgeries. Prosight's offer before trial: \$30,000.

\$1 Million Settlement in MVA where Defendants denied liability, claiming that our client passed a red light, as stated in the police report. Defendants also denied that Plaintiff sustained any injuries from the accident and claimed that any problems were pre-existing. They also blamed multiple prior and subsequent accidents for any alleged injuries. Moreover, they had surveillance video of him running out of his home with multiple large and heavy trash bags, belying claims of injuries. Initial offer was \$100,000.

\$1 Million Settlement for full policy limits, plus full "Medical-Payment" policy tender, for a disputed liability case where client claimed she burned her hand in the sink of her boyfriend's NJ apartment. Defendant disputed any liability whatsoever. Client was working full time with no restrictions and defense liability doctor said that she had made a good recovery and didn't need future care. Farmers initially denied claim in its entirety.

\$1 Million Settlement (Policy limits) obtained in Queens County pre-trial settlement for 2 Middle Eastern immigrants, where Defendants argued that all injuries were degenerative. Sedgwick initially had a no pay position.

\$1 Million Settlement full policy tender, in disputed slip and fall on ice, where Defendants argued that claimant's condition was pre-existing.

\$1 Million Settlement for 57 year old undocumented immigrant in an unreported and unwitnessed fall. Defendants denied liability and argued he had fully recovered.

\$1 Million Full Policy Settlement Disputed liability, minimal property damage, no hospital, and police report indicated "no injuries." Most significantly, he was actively treating and receiving injections for a prior accident involving the same body parts, and the other case was still active in litigation. He only missed a few weeks from work and returned to work full time. Progressive initially took a no pay position.

\$1 Million Full Policy Settlement Disputed liability motor vehicle accident where Defendants claimed our client had degenerative conditions. Allstate Insurance Co.

\$965,000 Settlement where Defendant claimed that our client was speeding and negligent in the manner he was driving and was the one that caused the accident. Defendants also disputed the injuries as he returned to work, and only had 2 minor arthroscopic procedures. AIG's initial offer: \$75,000.

\$877,000 Jury Verdict for 32 year old with no complaints of pain at the scene, no ER. He first went to a doctor 1 week after the accident. He had minimal treatment and an arthroscopic procedure with large, unexplained gaps in treatment. Defendants' doctor opined that he did not suffer any injuries in the accident and that he was completely fine. Prior accident with injuries to the same body parts. Defendants disputed any liability in the case. State Farm's offer was \$30,000. Client ended up with \$250,000—more than double the available insurance coverage.

\$825,000 Settlement for 53 year old immigrant who claimed she tripped and fell on a carpet at Defendant's supermarket. She did not report the accident until 1 month later, did not go to the hospital, and continued shopping. Plaintiff had multiple falls in the years prior to the accident for which she was actively treating up until the very day of the accident. Defendants claimed there was no way to prove the accident happened, no notice nor proof that a defect existed, and in any case all of her injuries pre-existed her accident and there was no change in her complaints or physical condition from prior to the accident. (10th highest premises settlement).

\$825,000 Settlement in Disputed Liability Case. 49 year old client bicyclist whose front wheel collided with a City owned vehicle, which the City claimed was responding to an emergency. The City often gets let out in such situations, and would then not be liable to pay a penny. Client missed no time from work, had a laser procedure to his back and shoulder, and made a quick and full recovery. The "independent" medical exams were all normal. City initially offered \$150,000.

\$650,000 Settlement (Nassau county case) for driver where Defendants disputed her injuries as pre-existing and degenerative as she had prior accident claims with MRIs and injuries to the same body parts, who had a minor arthroscopic procedure in a minimal impact accident. Traveler's initial offer was \$65,000.

\$500,000 Settlement for pedestrian in NY County case where Defendant driver claimed that our client was looking down at her phone and not watching where she was going, and where defense doctors disputed her injuries, as she continued to work and only had a minor arthroscopic procedure. Liberty's initial offer was \$42,000.

NON-SURGICAL SOFT TISSUE/DISPUTED LIABILITY CASES

\$1.3 Million Jury Verdict 35-year-old, in a soft tissue, non-surgical herniated disc MVA, where Defendants denied liability, plaintiff had minimal treatment, no lost wages. Defendants' doctors testified their exams were normal. Defendants argued he had the same injury from a prior MVA, which he failed to reveal to his doctors. State Farm valued case at \$50,000. Appellate Court sustained \$1 Million, which carrier paid, plus interest.

\$1.2 Million Jury Verdict 43-year-old driver, in a soft tissue, non-surgical herniated disc MVA where Defendants denied liability, client's treatment was primarily with a chiropractor. No lost wages and minimal treatment. Defendants' doctors testified Plaintiff's exam and films were normal. The award was one of highest ever for pain and suffering only for a single, non-surgical disc. App. Div. sustained \$700,000. Jury awarded more than what we asked for. 100K policy tender during trial rejected as untimely. Bad faith lawsuit successfully settled for amount significantly above policy limits. NJ Manufacturers initial offer: \$7,500

\$960,000 Judicial Award 37-year-old driver with non-surgical bulging discs, minimal property damage.

\$850,000 Jury Verdict 49-year-old unemployed man in a soft tissue, non-surgical degenerative herniated disc MVA case, with minimal property damage, no ER, no lost wages. Plaintiff first sought care with a chiropractor 9 days after the accident. Treatment thereafter was sporadic and minimal. Defendant's doctors testified that plaintiff's back condition was pre-existing and degenerative, that he was not injured and his exam was completely normal. American Transit's initial offer: \$6,000.

\$775,000 Settlement in "Soft Tissue," No Surgery, Disputed Liability MVA. Defendants claimed our client was 100% at fault for causing the accident, that it was a minor sideswipe, no visible property damage to either vehicle, no tow, no pain reported at the scene, police report documented no injuries, no ambulance/hospital from scene, no surgeries (none even recommended), and any claimed injuries to neck and back were degenerative. The "independent" medical exams were all normal. AIG's initial offer: \$75,000.

DISPUTED ON-THE-JOB CASES

\$900,000 Settlement in a case involving an employee injured on the job (ordinarily barred from suing the employer), wherein we successfully held the tenant (a separate but related corporate entity from the employer) liable for the client's injuries. St. Paul had previously maintained a no-pay position.

\$600,000 Settlement following liability jury verdict in disputed liability case, where our client was injured while working. The tenant who operated the store was her employer. We sued the landlord, who denied any liability, and argued that he was an absentee landlord who had nothing to do with the store. Jury awarded 100% liability against the landlord. Greater New York had no-pay position.

\$450,000 Settlement Hand injury in a case involving an employee injured on the job (ordinarily barred from suing the employer), wherein we successfully sued related, but separate corporate entities, despite the fact that they were owned by the same parent corporation and owners. Zurich had previously maintained a no-pay position.

COURT DECISIONS IN THE NEWS

\$11 million lawsuit against Madison Square Garden given go-ahead to proceed by New York State Supreme Court in widely publicized case where spectator was struck by a hockey puck at MSG.

Appellate Victories: Our firm has successfully prosecuted dozens of appeals, leading to victories such as increasing and even tripling of already substantial Jury awards, as well many making new law that has benefited other Plaintiffs.

The collage features several logos and mentions:

- Multiple 'New York's Top Rated Lawyers 2022' logos from NYSBA.
- 'Personal Injury Litigators' logos from NYSBA.
- 'Super Lawyers' logos for the years 2011, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, and 2022.
- 'Ranked by Super Lawyers' logo.
- 'Both Partners are members of Multi-State Bar Association Forum' logo.
- 'Newsweek LEADERS IN PERSONAL INJURY' logo.
- Ogen & Sedaghati, P.C. logo with the tagline 'GREEN & SHAPIRO, P.C.' and contact information: Tel: (212) 344-3440, www.osfirm.com.