



LAW OFFICES OF  
**ERNEST HOLZBERG & ASSOCIATES, P.C.**

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# LEGAL UPDATE

SPRING 2010

HIGHLIGHTS OF LEGAL NEWS & INFORMATION

## In This Issue

This issue of our newsletter discusses many of the different types of bike accidents, which are a major cause of injuries in New York. It also tells why you should carry uninsured motorist coverage.

If you have a question about any article, please call us.

*Ernest Holzberg  
& Associates*

## Areas of Practice

- Auto, Motorcycle & Truck Accidents
- Slips and Falls
- Medical Malpractice
- Product Injuries
- Construction and Work Accidents
- Falling Ceilings
- Building and Sidewalk Defects
- Lead Poisoning
- Nursing Home Cases
- Bicycle Accidents

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## Obtaining Compensation for Your Injuries After A Bicycle Accident

**B**icycle accidents occur at an alarming rate in the United States. According to the U.S. Department of Transportation, 698 bicyclists were killed in accidents in 2009 and 44,000 were injured. New York has one of the highest numbers of bicycle injuries and is ranked 4<sup>th</sup> in the total number of cyclists killed. Since bicycle riders are unprotected, the injuries they suffer in accidents can often be severe and life altering. Broken bones, dislocated limbs and joints, nerve damage, spinal

cord paralysis, head injuries and even death are not uncommon.

Bicycle accidents can happen in many different ways including:

- **Broadside or Right Angle Accidents at Intersections**, where a bicyclist is hit by a vehicle on a perpendicular roadway/driveway.
- **Approach Turn Accidents at Intersections**, where a bicyclist is hit by a vehicle coming from the other direction and turning right or left.
- **Overtaking Turn Accidents at**

*Continued on other side*

## Insurance Reminder: Protect Yourself With Uninsured Motorist Coverage

**M**any people carry auto insurance and mistakenly think they are fully covered for any auto accident. Unfortunately, sometimes they don't find out they have the wrong coverage or not enough coverage until after an accident and they have to pay for their losses themselves. To help keep this from happening to you, have insurance that protects you and your family after an auto accident. Two of the best coverages to buy are uninsured and supplemental underinsured motorist insurance.

Uninsured motorist coverage helps you if a driver who causes an

accident and injures you has no insurance, is a hit-and-run driver or is driving a stolen car. It lets you collect money from your own insurance company for your injuries. For this coverage to apply in a hit-and-run accident, you must make a police report within 24 hours.

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### **Referrals Welcome!**

When friends, family members or co-workers are in an accident and need legal help, please give them our name and phone number. Thank you.

## Bicycle Accidents, *continued*

**Intersections**, where a bicyclist is hit by a vehicle going the same direction as the bicyclist (approaching from behind) and turning.

• **Sideswipe Accidents**, where a bicyclist is hit by a vehicle going the same direction or a car is passing, changing lanes or weaving.

• **Rear End Accidents**, where a bicyclist is hit from behind by a vehicle traveling in the same direction.

• **Parked Vehicle Door**

**Accidents**, commonly known as being doored, where a parked motorist opens his or her door into the path of an oncoming bicyclist.

• **Accidents Due to Roadway defects**, where a bicyclist loses control of his or her bicycle because a road was negligently maintained.

• **Accidents Involving Another Bicycle**, where the actions of one bicyclist cause an accident with another bicyclist.

Our firm represents clients who have suffered personal injuries

from bicycle accidents, or who may be a survivor of a bicyclist killed in an accident. We know how to deal with the particular legal issues that bicycle accident cases present and sympathize with challenges bicyclists face every day. In fact, Richard



Holzberg, one of our partners, has been an avid road bicyclist and mountain biker for many years. He has completed several century (100 mile)

rides, raced on both road and mountain bikes, and frequently commutes by bicycle to his local train station. He has put in thousands of miles on his bike and knows what it is like to have to deal with careless drivers.

If you or a loved one has been injured while bicycling due to an irresponsible motorist or from unsafe road conditions, please contact our firm for a free consultation. We will fight for your rights and to get you the maximum recovery for your injuries.

## Protect Yourself, *continued*

Supplemental underinsured motorist coverage helps you if the other driver does not have enough insurance to pay for your injuries. Your underinsured motorist insurance takes effect to provide you additional money.

With so many uninsured and underinsured drivers on the road, it's vital to have uninsured and underinsured motorist coverage. Everyone should take a look at their insurance policies to make sure they are adequately covered. Once an accident happens, it's too late to redo your auto insurance.

### IF AN INJURY OCCURS

If you are hurt in an accident, call us. We are dedicated to providing the highest quality legal representation to accident victims. We represent only accident victims — never insurance companies. We fight for your rights and try to quickly resolve your claim, with the goal of obtaining the maximum compensation for you.



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