

# TODD J. STRIER, ESQ.

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Personal Injury - LODI Accidents • NYCERS Disability Pensions

Fall 2021



## **Supervisor Directed to Block Roadway, No Training/Equip, Struck by Private Car**

Our client and another supervisor were directed to the LIE to block a tire left in the roadway, without any training or equipment. Both supervisors did their best to block the lane but a private car, without any warning, struck the supervisors car which was propelled into our client who had just decided to walk to his partner's for safety. He never made it. He had right knee, lower back and hip injuries and only had 5 years. He could not return to work and our office helped him obtain his 3/4 Accident Disability pension. There is a pending lawsuit against the private car and the City of NY as well.

## **Supervisor Directing DSNY Equipment during Winter Operations, Trip-Fall**

Our client was assigned to handle snow operations at an intersection partially covered with snow. While directing the FEL, he tripped and fell in a hole in the roadway, sustaining an achilles injury. After surgery, he could no longer do his full duties, so we helped him obtain his 3/4 Accident Disability pension.

## **Sanitation Worker Ejected From Truck after Driver Strikes Subway Stanchion**

Our client was the passenger on a collection route when his partner, without warning, swerved to avoid a crossing pedestrian while making a turn under an elevated subway. The truck struck the stanchion with such force that our client was ejected from the truck and thrown to the ground. He was only

36 y/o with 10 years on. He had a lower back spinal injury requiring surgery and was never able to return to full duty. We helped him obtain his 3/4 Accident Disability pension as well as hold the City (his partner) responsible for the accident. The matter was settled prior to trial for \$2,500,000.00.

## **Sanman Acting as Guideman, Trips and Falls in Dangerous Parking Lot**

The Perfect Storm defined: our client was guiding his partner in SI3 when he fell off the back of the paved parking lot because the jersey barrier's were pushed back leaving a tripping hazard. Once he fell, a random piece of equipment left on the jersey barrier fell and crushed his foot. He sustained multiple fractures and infections and required a skin graft to his foot. He was never able to walk normally again and with our help, obtained his 3/4 Accident Disability pension. We also sued the City for a dangerous condition in the SI3 parking lot. The matter was settled prior to trial for \$1,000,000.

## **Sanman with 3 Weeks On Job failed to look and ran over his partner's leg - \$8,000,000 Settlement.**

As our client exited his truck and turned to pick up a basket, his partner having only 3 weeks on the job and operating from the right side, failed to look before moving the truck. As a result, the front tire struck our client's leg causing catastrophic injuries including a below the knee amputation and premature retirement. Our office helped him in obtaining his 3/4 pension and settled the lawsuit against the City of New York for \$8,000,000.00 for his partner's negligence.

**If You Are in a City Vehicle MVA: City Vehicle provide No-Fault benefits! You can get back lost overtime pay including Sundays and Holiday!! But, you must File with the Comptroller within 30 days.**

### **Sanman Backs Truck, fails to look, Striking our Client Beside his Truck -**

While at the MTS, our client was in the process of opening the hopper, another sanman was backing up his truck without a guideman and struck our client, injuring his hip. Luckily, he didn't need surgery and returned to full duty. We brought a case against the MTS/City and settled for \$350,000.00.

### **Sanitation Worker fails to set brake, truck rolls and our client injured trying to stop truck - foot run over - \$750,000.00**

Our client was behind truck loading hopper when her partner failed to set parking brake, exited the truck. Without warning, the truck started rolling and our client tried to get back in to stop the truck, but was run over by the truck's front tire. The partner claimed electrical failure, but CRS confirmed it was human error. She sustained a crushed foot and never returned to work. We helped her get her 3/4 and \$750,000 from the City.

**\*\*** Please be sure your personal car policies have sufficient insurance to protect you and your families! A cheap premium doesn't help anyone when its you!

**NYCERS PENSIONS:** Just because you are injured on the job doesn't mean you get a pension. The Clinic and NYCERS are very different.

**\* The Lodi report is Crucial to winning a Pension. There is a big difference between Accident and Incident - its important to know the difference.**

### **Pension Cases:**

»» Supervisor tripped and fell over a metal roadway plate in Manhattan 5, sustained knee injury with surgery. Our office successfully obtained his 3/4 accident disability pension.

»» Superintendent involved in a motor vehicle accident with private car, sustained knee injury with surgery. Our office successfully obtained his 3/4 accident disability pension.

»» Supervisor while conducting facility check, tripped and fell over defective metal door saddle, causing shoulder injury requiring surgery. Our office successfully obtained his 3/4 accident disability pension.

»» Sanman injures bicep after partner drops his side of sausage bag, unable to return, NYCERS grants 3/4 disability pension.

»» Supervisor trips on private residence walkway attempting to serve summons. Has back surgery, never returns. He gets 3/4 pension from City and has a valid lawsuit against the homeowner for negligent maintenance of the walkway.

»» Sanitation woman attempts to stop a run-away collection truck, her foot is run over and she can't return to work, gets 3/4 pension and \$800,000 from City due to negligence of partner in failing to use brakes.

**\*\* SSD does not offset Your Disability Pension**

**\*\* IF YOU HAVE A CASE AGAINST THE CITY OF NY, YOU MUST FILE A NOTICE OF CLAIM WITH THE COMPTROLLER WITHIN 90 DAYS.**

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**TODD J. STRIER, ESQ.**

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