

COURTSIDE

Winter 2016-2017

www.hcblawyers.com

From The Senior Partner...

As we approach the end of 2016, and the beginning of 2017, there are many exciting changes happening at our law firm. We will soon begin renovation at our 2nd Ocean County office, which is located at 848 Route 70, in Brick. As the holiday season is upon us, we want to thank our clients, our colleagues, and our many friends for their support. It is your support that has allowed us to continue to grow and prosper. As our commitment to providing excellent legal representation continues, our objective remains to constantly exceed your expectations and hope that you award us the highest compliment: your recommendation of our firm to others in need. We hope you find this issue of Courtside of interest and we wish you all a safe and healthy holiday season, and I extend our best wishes to you and your families a healthy, happy and peaceful New Year.

-Norm Hobbie



Published For Clients, Friends And Referring Attorneys Of The Firm

"Our practice is limited exclusively to Plaintiffs' Personal Injury and Criminal Defense Litigation, Workers' Compensation and Toxic Torts. Our Certified Attorneys pay referral fees in accordance with New Jersey Law and the Rules of Professional Conduct."

732-380-1515

\$5,975,000 Settlement for Struck Pedestrian Case

During mediation, Plaintiffs G.F. and S.E. settled their claims for damages sustained when their son was struck by a vehicle on a residential street.

On June 11, 2015, the Defendant crashed the Land Rover she was driving into Plaintiff A.E., a two-and-a-half year old boy, in the roadway adjacent to a playground in Bradley Beach, causing him to sustain life-threatening injuries in full view of his mother. The case settled during mediation on November 7, 2016 for a

total of \$5,975,000.00. Norm represented A.E.'s parents, who received a settlement of \$2.725 Million.

Both of A.E.'s parents asserted claims for the loss of their son's companionship, consortium, care, support, contributions and assistance in accordance with seminal case of Green v. Bittner. In addition, Norm prosecuted a Portee claim for the emotional injuries sustained by A.E.'s mother, Plaintiff G.F., as a result of witnessing the crash.

Injured Driver Receives \$1.6 Million Settlement on 1st Day of Trial

In July 2016, Plaintiff H.B. settled her personal injury case for \$1.6 Million after being assigned out for trial in Ocean County.

On March 27, 2012 at approximately 5:20 p.m., Plaintiff H.B., was the operator of a motor vehicle that was lawfully stopped in traffic on Route 70 eastbound in Evesham Township, New Jersey when she was suddenly, unexpectedly and violently rear-ended by the vehicle operated by Defendant who removed his eyes from the roadway in front of him and was engaged in distracted driving in

violation of the law (i.e. texting/communicating with his employer who knew that he was driving).

As a result of the impact, Plaintiff H.B. sustained and suffered disc herniations at C2-C7 necessitating a three-level cervical fusion, and exacerbated previous injuries in both knees necessitating a repeat right knee arthroscopy and a total knee replacement.

Assault Victim Receives \$1.25 Million In Premises Liability Case Involving Inadequate Security

This case arises from a May 10, 2014 incident in which the Defendants failed to provide adequate security, and as a result, Plaintiff T.S. was assaulted. Norm represented T.S. who sustained post traumatic stress following the incident. The case settled for \$1.25 Million.

Intoxicated Passenger Receives \$1.25 Million Settlement

In June 2016, Plaintiff, A.C. settled her personal injury case for \$1.25 Million. Norm represented A.C., who was injured on May 4, 2011 when the vehicle she had been traveling in as a passenger struck two parked cars. The driver of the vehicle, was issued numerous summonses, included Driving While Intoxicated, following the subject crash. He had been served alcoholic

beverages while he was visibly intoxicated at several Jersey Shore bars prior to the subject crash.

As a result of the crash, Plaintiff, A.C. suffered a fracture/dislocation at C4-C6 resulting in an emergency two-level cervical fusion.



Struck Pedestrian Settles Case For \$3.5 Million

Norm represented A.A., a pedestrian who was lawfully walking on the sidewalk at the intersection of South Orange Avenue and Dover Street in Newark, New Jersey when she was struck by a passenger bus. Norm established that the bus driver failed to make proper observations as he attempted to make a left turn across the sidewalk in order to get into a parking lot, when he struck A.A.

As a result of the impact, A.A. sustained multiple, permanent injuries, including, open comminuted and displaced fractures of the right tibia and fibula, as well as, fractures of the pelvis and foot fractures. During mediation, the case settled for \$3.5 Million approximately 6 months after the subject collision.

Passenger in Bus Crash Settles Personal Injury Case for \$1.45 Million

Norm represented S.T., who was injured in a bus crash on September 5, 2014. S.T. was seated in the second row of the commuter bus.

impact, Plaintiff, S.T., was diagnosed with Reflex Sympathetic Dystrophy ("RSD") of the right lower leg, which is a painful and at times debilitating nerve disorder.

Norm established that the bus driver was operating the commuter bus in violation of the posted speed limit on the Pulaski Skyway during rush hour, when he violently slammed into the rear of stopped traffic. As a result of the

On November 10, 2016, Norm mediated the case with the Honorable Thomas E. O'Brien, P.J. Civ. (Ret.) and successfully negotiated a settlement for S.T. in the amount of \$1.45 Million.

Bicyclist Struck by Driver Settles for \$1.2 Million In a Hotly Contested Liability Case

On November 23, 2016 Norm represented Plaintiff P.G., who settled his personal injury case during a mediation proceeding, two weeks before his case was scheduled to proceed to trial in Monmouth County for \$1.2 Million.

sustained a number of severe traumatic injuries, including a one level spinal (thoracic) fusion, hip fracture and significant scarring.

On October 27, 2014, Plaintiff P.G., age 26, was riding his bicycle eastbound on Sixth Avenue in Neptune when the Defendant, who was stopped on Springdale Avenue, failed to yield the right of way. As a result of the impact, P.G.

The case was zealously and aggressively contested by the defense on liability. The defense relied on the police investigator's conclusion that P.G. was operating his bicycle on the wrong side of the street at the time of the crash.





Criminal Defense Update:

Two Criminal Defendants Win Motions To Suppress Physical Evidence

Ted Bertucio successfully argued and won motions to suppress physical evidence in two criminal narcotics cases.

One defendant was charged with several narcotics offenses after an unlawful motor vehicle stop. The trial court agreed with Ted's argument that the stop was illegal and that the searches and seizures of the physical evidence were illegal, and granted the motion to suppress physical evidence in full. As a result, the State

dismissed our client's entire case.

A second defendant was charged with narcotics offenses in his home. The trial court again agreed with Ted's argument that the police unlawfully entered his home and that the searches and seizures of his person and of the home were unlawful. The trial court granted the motion to suppress evidence in full and the State dismissed the narcotics offenses.

Senior Birdsall Executive Gains Release from State Prison Six Months After Being Sentenced

Ted Bertucio secured the release of a former top executive six months after he was sentenced to New Jersey State Prison. This top executive was originally charged with multiple counts in the indictment, including first and second degree crimes for which he faced up to 50 years in New Jersey State Prison.

HCB was retained 10 months before the trial was scheduled to begin. In that time, Ted had to digest thousands of documents and

interviewed and prepared to examine and cross-examine dozens of witnesses. The trial began in February 2016 with pretrial motions and jury selection. After trial began, Ted was able to successfully negotiate a guilty plea agreement, which decreased the client's exposure to prison significantly and ultimately led to his early release.

H O B B I E , C O R R I G A N & B E R T U C I O , P . C .
A T T O R N E Y S A T L A W

125 Wyckoff Road
Eatontown, NJ 07724

848 Route 70
Brick, NJ 08724
Location Coming Soon

506 Hooper Avenue
Toms River, NJ 08753

732-380-1515

Courtside is designed to provide general information on legal issues for our clients, colleagues and friends. Our newsletter is not intended to provide legal advice on specific subjects, but rather, to provide insight into legal developments and issues. You should always consult with legal counsel before taking any action on matters covered in Courtside.

Results will vary depending on the facts and circumstances of each individual case.
Names of clients have been abbreviated in order to protect their privacy.