



FEATURED ARTICLE

RESEARCHERS: MEDICAL ERRORS NOW THIRD-LEADING CAUSE OF DEATH IN UNITED STATES

Recently, a study by researchers at Johns Hopkins University School of Medicine revealed that death stemming from preventable medical errors is the third-leading cause of death in the United States, claiming more than 250,000 lives annually. Death caused by medical error is third only to heart disease and cancer.



Medical errors that may lead to death can range from unrecognized surgical errors to medication mixups to miscommunication between medical staff members over a patient's care. The results of the study highlight the issues surrounding patient safety and the deadly effects preventable medical errors can have on these individuals.

To read the full article in *The Washington Post*, please visit the link below:

<https://www.washingtonpost.com/news/to-your-health/wp/2016/05/03/researchers-medical-errors-now-third-leading-cause-of-death-in-united-states/>

FREE COMMUNITY EVENT

The law firm of Alan W. Clark & Associates, along with the Pulse Center for Patient Safety Education & Advocacy, will present a highly informative and important discussion about Patient Safety.

ARE YOU SAFE IN THE HOSPITAL?

What You Need to Know to Protect Yourself and Your Family

Medical errors are a prevalent concern in today's healthcare system. Although some incidents may not be preventable, there are many steps that patients and their families can take to help achieve better outcomes. COME AND LEARN MORE!

November 29th • 7-8 pm

"YES WE CAN" Community Center
141 Garden Street, Westbury, NY 11590

Light refreshments will be served.

RSVP to Rosa Abel:

Phone: 516-579-6500

Email: ra@awclaw.com

The program is free and will feature the following medical and legal experts who will present important patient safety information on various topics and answer questions:

- **Deborah S. Kurtz, Esq.**, Associate, The Law Firm of Alan W. Clark & Associates, LLC
- **Ilene Corina**, Patient Safety Advocate, Founder and President, Pulse Center for Patient Safety Education and Advocacy



Alan W. Clark is the new chair of the Medical-Legal Committee of the Nassau County Bar Association

CALL 800-300-6564 24/7 FOR A FREE INITIAL CONSULTATION

RECENT RESULTS

\$2,250,000 – Medical malpractice settlement for 62-year-old woman whose radiologist misread her mammogram results and failed to diagnose breast cancer.

\$1,200,000 – Failure to diagnose and treat ongoing cardiovascular disease, resulting in a coronary bypass, and chronic pericarditis, resulting in chronic weakness, shortness of breath and chest pain.

\$900,000 – Failure to treat atrial fibrillation with anticoagulant medication, thereby resulting in a stroke.

VISIT OUR WEBSITE FOR MORE CLIENT RESULTS: WWW.AWCLAW.COM

PRACTICE AREAS

Medical Malpractice
Personal Injury
Workers' Compensation
Social Security Disability
Unsafe Products & Medications
Nursing Home Abuse & Injury
Business Torts



Alan W. Clark, Esq., managing partner and founder of Alan W. Clark & Associates, LLC, is the new chair of the Medical-Legal Committee of the Nassau County Bar Association. This committee strives to confront the challenges and changing needs of the issues relating to medical malpractice and civil justice.

RECENTLY PUBLISHED IN NASSAU LAWYER

Alan W. Clark, Esq., managing partner and founder of Alan W. Clark & Associates, LLC, wrote an article titled "Diminished Chance of Survival or Cure as Proximate Cause in Medical Malpractice," which was published in the May 2016 issue of *Nassau Lawyer*.

WE MOVED

Visit our new offices at 1065 Old Country Road, Suite 215, Westbury, NY 11590, just west of the Wantagh Parkway in the Century 21 shopping center. Our phone number remains 516-579-6500. We thank you for

continuing to place your trust, confidence and loyalty in the skill and integrity that we pride ourselves on.



BEWARE: THE TRAPPINGS OF SOCIAL MEDIA

Written by Deborah S. Kurtz

You post it all. You are one of those people who feel compelled to share. Much of our lives have become an open book as we share personal and family events on the Internet. But did you know that if you are involved in a lawsuit, the information about you publicly posted on Facebook, Myspace, Instagram etc. can be used against you in court?

Our firm represents persons injured by medical negligence or the negligence of others. Once a lawsuit is commenced, the attorneys for the defendants will scour the various social media sites and the Internet to locate public information about you and the activities you engage in. Their purpose in doing so is to find inconsistencies between what you put on social media and what you claim you can or cannot do because of your injuries.

For example: one of our clients, while recuperating from his injuries caused by negligence, began posting photographs of himself, taken right before the time of the malpractice. The photographs showed him on the beach, playing sports. At his deposition, he was questioned extensively about the photographs. He needed to prove that the photos were not taken during the time he said he was incapacitated. These postings caused his credibility to be called into question.

This problem can and should be avoided. It is important to your lawsuit that your credibility remain fully intact. A jury will not award you fair compensation if they think you are dishonest. You must be careful as to how you portray yourself on social media, so that a seemingly innocent posting does not become a detriment to your case.

It is important to know that it is improper for you to delete social media/computer/Internet postings while you are contemplating a suit, and during the pendency of the lawsuit. To do so could result in court sanctions and/or penalties. Therefore, it is important that you preserve and not delete postings during these time periods.

As tempting as it may be to dream aloud or share your difficulties with friends and family online, try to avoid it. You can still express yourself, but beware that the trappings of social media could very well become an effective defense against your claim.

WORKERS' COMPENSATION

We are pleased to announce that our law firm has joined forces with the prestigious law firm of Pasternack, Tilker, Ziegler, Walsh, Stanton & Romano, LLP, one of the largest Workers' Compensation firms in New York State, with 13 offices dedicated to representing injured claimants at the Workers' Compensation Board on Long Island and in the greater New York area. We believe that the synergy of our law firms working together will continue to provide our clients with first-class service and the best possible outcomes and results.

ALAN W. CLARK SELECTED TO NEW YORK METRO SUPER LAWYERS FOR THE NINTH CONSECUTIVE YEAR

Alan W. Clark, Esq., managing partner and founder of Alan W. Clark & Associates, LLC, has been selected to the list of New York Metro Super Lawyers for 2016. This is the ninth consecutive year Mr. Clark was recognized in the practice area of Plaintiffs Personal Injury - Medical Malpractice. No more than five percent of the lawyers are selected by Super Lawyers.

Mr. Clark often takes on complex cases. Twenty-five years ago, he represented Charlie Leal, a mentally handicapped blind man who became permanently disabled after suffering neurological injuries as the result of physician negligence and error. The \$2.5 million verdict Mr. Leal received set a precedent for protecting severely disabled individuals.

In addition to the New York State courts, Mr. Clark is admitted to the U.S. District Court for the Eastern and Southern Districts of New York and the U.S. Court of Appeals, Second Circuit. He is also a sustaining member of the American Association for Justice, the New York State Trial Lawyers Association, and the New York State, Nassau County and Suffolk County Bar Associations. He has also been a frequent guest speaker before local bar associations. He is also the new chair of the Medical-Legal Committee of the Nassau County Bar Association. This committee strives to confront the challenges and changing needs of the issues relating to medical malpractice and civil justice.

Mr. Clark is also a past president of the Long Island chapter of the New York State Trial Lawyers Association; he continues to serve on its Board of Directors and has been a sustaining member since 1978. He also serves on the Nassau County Bar Association's Grievance and Supreme Court Committees. He has garnered an AV-Preeminent rating from Martindale-Hubbell, its highest peer-reviewed rating. He has also been recognized by *The New York Times* as one of Long Island's Ten Leaders in Civil Trial Law.

He received his Juris Doctor in 1977 from New York Law School, where he serves on the school's Board of Trustees and on the recently formed Public Safety Initiative Committee. He has been published in various publications, including *The Nassau Lawyer*. His article, "Impeachment by Medical or Scientific Literature: The Magic and Elusive 'Authoritative' Rule," was published in the July/August 2014 issue.

"My efforts are dedicated to advocating for patient health and safety and reducing negligent medical errors that result in preventable injuries," Mr. Clark said. "I seek accountability, fair and just compensation for those victims who have suffered serious injuries, disabilities and/or economic losses caused by the unsafe practices and wrongdoing of doctors and hospitals."

Super Lawyers, a Thomson Reuters business, is a rating service of outstanding lawyers from more than 70 practice areas who have attained a high degree of peer recognition and professional achievement. The annual selections are made using a patented multiphase process that includes a statewide survey of lawyers, an independent research evaluation of candidates and peer reviews by practice area. The result is a credible, comprehensive and diverse listing of exceptional attorneys.

CLIENT TESTIMONIALS

When my husband suddenly became ill and needed surgery, we sought out legal advice.

A good friend of mine recommended Alan W. Clark & Associates and when we first visited his firm, we met Debbie Kurtz, who took the time to listen to our story.

Ms. Kurtz and the staff at Alan W. Clark & Associates were extremely thorough, careful and knowledgeable while handling our case, all the while maintaining compassion and respect for my husband and I.

As a result of the very professional, thorough and effective representation provided by Alan W. Clark & Associates and Debbie Kurtz, my husband and I were able to agree to a settlement that we feel is appropriate and just.

We would recommend them to anyone who needs legal advice and representation.

- Lisa and John, Medical Malpractice Client



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ALAN W. CLARK

& ASSOCIATES, LLC

ADVOCATING FOR PEOPLE HARMED BY PERSONAL INJURIES, NEGLIGENT MEDICAL CARE AND THOSE INJURED ON THE JOB

- **REPUTABLE**

In practice for over 38 years, we take great pride in providing quality service and personal attention to the details and circumstances of each case. We maintain the highest legal standards of professional ethics and representation. Most of our new clients come from prior satisfied clients recommending us to their families and friends, and from attorneys who value and trust us with their referrals.

- **RESPONSIVE**

We understand the importance of timely responses to telephone calls and emails of prospective and current clients. During what could be a stressful time, we listen carefully, addressing our clients' needs and concerns with empathy and understanding 24 hours a day, seven days a week.

- **RESULTS**

Our meticulous preparation and commitment to excellence enable us to succeed in many cases that other attorneys thought were too difficult to win. We surpass our clients' expectations and hold wrongdoers accountable to pay fair and just compensation.



Super Lawyers



AMERICAN ASSOCIATION for JUSTICE