

OGEN & SEDAGHATI, P.C.



The team of Natalie Sedaghati and Eitan Ogen 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. Once again, they have had several of their cases honored in this year’s NYLJ’s Top Verdicts publication. Both partners were reselected 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’s Top Leaders in Personal Injury, as well as Fox 5 News, UPN 9 News, the Montel Williams Show, NY Times, NY Daily News and NY Post for their very successful and unprecedented litigation in high profile cases

NOTEWORTHY CASES

\$4.25 Million Settlement for disc herniations with surgery. Defendants argued no tow, no ambulance, and no ER, claimant returned to work, and surgery was not related to the accident as the claimed injuries were pre-existing.

\$2.76 Million Settlement for 63 year old man for neck and back injuries, which Defendants argued were degenerative. Low impact/minor property damage accident.

\$2.5 Million Jury Verdict against MTA/NYC Transit, for a shoulder impingement (no tear) with arthroscopic surgery resulting from MVA, and disputed disc bulge. Defendant’s doctors testified that there was nothing wrong. Amount suggested to Jury was \$1 million. MTA’s initial offer was \$2,500. Top offer was \$125,000. 2nd highest verdict for a motor vehicle/case in 2011 Top NY Verdicts.

\$2.45 Million Settlement for 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 surgery or treatment, as client had returned to work after MVA, she had minimal and sporadic therapy and she had resolved. Zurich previously had maintained a no-pay position.

\$1.6 Million Jury Verdict for pedestrian involved in MVA with taxi. Defendants argued that plaintiff was responsible for the accident in running 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 that plaintiff had soft tissue injuries which had fully resolved. American Transit’s offer before trial was \$40,000.

\$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 settled for the \$25,000. We successfully pursued the rental car company, who denied they were liable to pay anything additional, due to Graves Amendment.

\$1.375 Million Jury Verdict for unemployed man in a soft-tissue MVA, 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 with degeneration. Client had a prior injury and surgery to same body part. Allstate maintained no-pay position.

\$1.3 Million Settlement, full policy tender, for 50 year old undocumented housekeeper in minimal impact MVA (\$638 property damage), no injuries reported at scene, no hospital, waited 1 month to see a doctor (while continuing to work), large gaps in treatment, MRI showed bulging disc. USAA’s offer was \$7,500, then \$50,000 after surgery (which was several years after the accident), arguing that surgery was unnecessary and related.

\$1 Million Settlement full policy limits, plus full “Medical-Payment” policy tender, for a disputed liability case involving a burned hand. hospital records showed inconsistency in client’s version of how the accident occurred. 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.

\$1 Million Settlement Policy limit obtained in Queens County settlement for 2 immigrants, where Defendants argued that all injuries were degenerative and resolved.

\$877,000 Jury Verdict 2 vehicle accident contested case with no complaints of pain at the scene, no ER. First doctor 1 week later, with minimal treatment, then arthroscopic surgery 2 years later. Defendants’ doctor opined that he did not suffer any injuries and had a prior accident where he claimed same injuries. State Farm’s offer was \$30,000; State Farm paid more than double its policy limits.

\$600,000 Jury Verdict for unemployed convicted felon. No complaints of pain at the scene, no ER returned to physical work. Defendants’ experts opined that he did not suffer any injuries and had large, gaps in treatment. Defendants established that Plaintiff lied on the stand, that the doctor he had initially been to (prior to retaining our office) had been accused of misconduct, and employer testified that he did heavy duty labor. Defense showed photos confirming minimal property damage, no cars were towed from the scene. Original offer: \$3,000; offer before trial: \$125,000. Case tried against head partner of large defense firm.

NON-SURGICAL SOFT TISSUE/DISPUTED LIABILITY CASES

\$1.3 Million Jury Verdict for soft tissue, non-surgical herniated disc MVA, where Defendants denied liability, plaintiff had minimal treatment, no lost wages. Defendants’ doctors testified that 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.

\$1.2 Million Jury Verdict for soft tissue, non-surgical herniated disc MVA case, where Defendants denied liability. No lost wages and minimal treatment. Defendants’ doctors testified that Plaintiff’s exam and films were normal. Amount suggested to Jury was \$1 million. The award was one of the highest ever for pain and suffering only for a single, non-surgical disc. App. Div. sustained \$700,000, one of the largest amounts sustained ever for such injury. NJ Manufacturers valued case at \$7,500. 100K policy tender during trial rejected as untimely. Bad faith lawsuit successfully settled for amount significantly above policy limits.

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

\$850,000 Jury Verdict for unemployed man in a soft tissue, nonsurgical disputed, degenerative herniated disc MVA case, with minimal property damage, no ER, no lost wages. Plaintiff first sought care with a chiropractor 9 days later, with minimal treatment. American Transit valued the case at \$6,000.

\$500,000 Settlement for non-surgical bulging and herniated disc. Defendant’s doctors stated Plaintiff’s exams were normal, that he was capable of working, his soft tissue injuries were degenerative, and resolved.

\$425,000 Settlement in MVA where Defendants argued that Plaintiff sustained soft tissue injuries from which she had resolved, her medical exams were normal and she was working full time. Recovery was 30 times greater than that of another passenger in her vehicle, with similar injuries, but represented by another attorney.

\$300,000 SUM Arbitration Award (full policy limits) in non-surgical herniated disc (contested), minimal property damage case, no complaints at scene, no ambulance, no lost wages, large unexplained gaps in treatment, and normal exams by insurance doctors. GEICO’s top offer was \$7,500. Featured in NYLJ’s Top Settlements.

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 sued the tenant (a related corporate entity from to the employer). 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 landlord, denied any liability. Jury awarded 100% liability against the landlord. Greater New York had no-pay position until liability verdict.

\$450,000 Settlement for an employee who injured hand on the job (ordinarily barred from suing the employer), wherein we successfully sued employer’s related corporate entities. 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 Court in widely publicized case where fan was struck by a hockey puck at MSG. (Precedent-setting case in NY)

Appeals Court Triples Award for Plaintiff’s soft tissue injuries in a minor impact accident where Defendant disputed that Plaintiff suffered a causally related “serious injury,” (one of the top motor vehicle verdicts in NY in 2011). Appellate Court added additional \$300,000 to the verdict. The total recovered, with interest and costs, exceeded \$550,000. GEICO originally valued the case at \$7,500.

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