




WORKING HARD FOR **HARD WORKING** WESTERN NEW YORKERS

NEWS & VIEWS **Spring 2017**

Losi & Gangi Fights For Worker's Just Compensation

For nearly three decades, Losi & Gangi has represented thousands of clients in legal matters of workers' compensation, personal injury and social security. The Buffalo firm recently resolved a construction site injury claim for a 54-year-old laborer who sustained serious injuries to his neck and back while working on the renovation of a historic downtown property.

The plaintiff was injured on August 30, 2012, when the floor he was working on collapsed, causing him to fall approximately eight to ten feet to the floor below. Although the plaintiff was exposed to an elevation-related risk, he was not provided with safety devices such as safety harnesses, safety belts, safety nets, ropes, lifelines or scaffolds. Losi & Gangi commenced a lawsuit against the property owner and the general contractor in charge of the renovation alleging violations of the New York State Labor Law. Under the New York State Labor Law, owners and contractors are held responsible for job site safety. After lengthy negotiations, the insurance carriers for the owner and general contractor agreed to pay the plaintiff \$850,000 in compensatory damages. This result ensures that the plaintiff will be able to support his family and afford all future medical expenses associated with his injuries. 

Losi & Gangi attorneys, Jeffrey D. Gangi and Harry G. Modeas, Jr., pride themselves on achieving successful and substantial monetary settlements for employees and their families. Their dedication to Western New York clients is unmatched. When workers are hurt on the job, rendering them unable to work, the legal counsel of Losi & Gangi can offer a life-changing solution and peace of mind for victims of workplace accidents. For more information about the professional legal services provided by Losi & Gangi, please visit losi-gangi.com




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Losi & Gangi Successfully Resolves \$2.1 Million Claim

The plaintiff, a 30-year carpenter, was installing drywall from atop a scaffold when it collapsed, causing him to fall approximately six feet to the ground below. The collapse of a safety device such as a scaffold is a violation of the New York State Labor Law. Losi & Gangi immediately commenced a lawsuit on behalf of the plaintiff against both the owner of the construction project and the general contractor.

As a result of this accident, the plaintiff sustained significant injuries to his back and received extensive treatment including thoracic fusion surgery. Unfortunately, the plaintiff has continued to experience residual symptoms including pain, stiffness and reduced range of motion. According to a life care plan obtained by our office, the plaintiff will require future medical care for his back for the remainder of his life. Our office also obtained a vocational evaluation which indicated the plaintiff will be limited in the future to medium-level work and will be unable to return to his prior occupation as a drywall hanger.

Losi & Gangi resolved the claim and the plaintiff was awarded \$2,100,000. The settlement included compensation for pain and suffering, lost wages and medical expenses. 





Losi & Gangi Obtains Financial Security For Worker in Personal Injury Settlement

Losi & Gangi is pleased to report that it has successfully resolved a significant personal injury claim under the New York State Scaffold Law.

The plaintiff, a 31-year-old laborer, was injured on January 25, 2010, when he fell 18 feet from the roof of a pole barn while installing ice blocks. Although the plaintiff was exposed to an elevation-related risk, he was not provided with safety devices such as safety harnesses, safety belts, safety nets, ropes, lifelines or scaffolds. Losi & Gangi commenced a lawsuit against the owner of the pole barn alleging violations of the New York State Labor Law. After completion of discovery and depositions, Losi & Gangi successfully moved the Court for an Order granting the plaintiff partial summary judgment on the issue of liability pursuant to Labor Law 240(1).

As a result of this fall, the plaintiff sustained injuries to his cervical spine, right arm and head. He underwent several surgeries including open reduction and internal fixation of the right distal humerus fracture and cervical discectomy and fusion. He continues to experience residual symptoms related to his right arm and neck injuries and will require future medical treatment. These include routine orthopedic care, pain management care, prescription medications, MRIs and X-rays.




Jeffrey D. Gangi

At the time of his accident, the plaintiff was working as a construction laborer/carpenter earning approximately \$585 per week. The plaintiff did not return to work as a construction laborer for a period of time but was forced to stop because he was unable to handle the physical demands

of the work due to his injuries. According to the Vocational Assessment conducted by Alan Winship, M.S. Ed, CRC, the plaintiff is limited to performing sedentary to light work due to his injuries and will have to undergo vocational rehabilitation before reentering the work force.



Harry G. Modeas, Jr.

After a lengthy mediation, Losi & Gangi was able to obtain our client a settlement of \$1,600,000. The settlement included compensation for pain and suffering, lost wages and medical expenses. This settlement will provide the plaintiff with financial security as he looks to rebuild his life. 

Losi & Gangi attorneys, Jeffrey D. Gangi and Harry G. Modeas, Jr., pride themselves on achieving successful and substantial settlements for their clients.

Their dedication to Western New York workers is unmatched. In the aftermath of an accident, Losi & Gangi offers solutions and peace of mind for those who have been injured. For more information about the professional legal services provided by Losi & Gangi, please visit losi-gangi.com



Recent Settlements

One of our core practice areas at Losi & Gangi is representing clients who have suffered loss as the result of suffering a serious personal injury. These cases arise from workplace accidents occurring on construction sites and in industrial settings as well as from motor vehicle collisions, the use of defective products and falls at defective premises. Our lawyers have many years of experience representing clients who suffer personal injury. We have represented clients at trial, in mediations and arbitrations. As well as in appeals and at settlement conferences. Losi & Gangi partners, Jeffrey D. Gangi, Harry G. Modeas, Jr., and Patrick J. Brown, Of Counsel to the firm, work hard to make certain that each client's case receives the maximum attention in order to obtain the maximum recovery.



We are pleased to report the following verdicts for our personal injury clients in 2016:

- The plaintiff, a 50-year-old carpenter, received \$700,000 for injuries he sustained in his neck and low back in a rear-end automobile accident. A case was commenced against the driver of the offending vehicle and the company for which he was working. Although the plaintiff had preexisting cervical and lumbar disc degeneration which was actively treating for with a chiropractor, it was determined that this accident aggravated these conditions and resulted in his having to undergo surgery. The plaintiff missed approximately six months of work due to his injuries but has been able to return to his employment on a light duty basis.

- The plaintiff, a 40-year-old woman, slipped and fell on accumulation of ice in the parking lot of the office complex where she was employed sustaining injuries to her right arm and low back. A claim was pursued against the owner of the office complex for failure to properly maintain the parking lot. The plaintiff underwent extensive treatment for her injuries including arthroscopic repair of a torn ligament in her right wrist and lumbar fusion surgery. The case was settled at mediation for \$425,000.
- The plaintiff, a 23-year-old mother of three children, was rear ended on the I-90 by a commercial vehicle which was traveling at an excessive rate of speed. As a result of this accident, the plaintiff sustained injuries to her neck and left shoulder which caused her to undergo extensive medical treatment including neck surgery. After lengthy negotiations with the insurance carrier for the owner and operator of the commercial vehicle, the plaintiff was awarded \$350,000.
- The plaintiff, a 32-year-old college student and part time health aide, sustained serious injuries to both legs when she was struck head-on by another vehicle while driving home from a final exam. As a result of her injuries, the plaintiff underwent surgeries on both of her legs. Prior to this accident, the plaintiff had sustained work-related injuries to her back and neck which limited her to light duty work and led her to return to school. As a result of the injuries she sustained in this accident, the plaintiff was unable to continue working part-time and missed an entire semester of school. The defendant driver only had a \$300,000 liability policy and the plaintiff agreed before trial to settle her claim for \$245,000.
- The plaintiff, a 31-year-old male, suffered neck injuries when the vehicle he was a passenger in was rear-ended. Prior to this accident, the plaintiff had been unemployed for several years due to a work-related low back injury. As a result of this accident, the plaintiff underwent extensive treatment on his neck. He received a settlement of \$150,000 for pain and suffering.

Sponsorships

Losi & Gangi takes pride in supporting our community in ways both big and small. Not only does our firm maintain support of Buffalo's major sports through our partnership with the Buffalo Sabres and Buffalo Bills, we also believe in supporting local organizations with fundraising to demonstrate our commitment to give back and invest in Western New York. 

Delaware Soccer Club

A not-for-profit providing soccer to the youth of Western New York

New York Diamond Girls Softball

Bringing together some of Western New York's most talented and motivated young ladies

St. Gregory the Great Annual Auction Dinner

Benefiting the parish and school of St. Gregory the Great

2017 Spring Tennis Championship

Village Glen Tennis Club, Buffalo