

POLICE OFFICER'S RIGHT TO SUE 2022 NEWSLETTER

OFFICER RECEIVES \$1.75 MILLION DOLLAR SETTLEMENT AFTER SUFFERING ANKLE AND NECK INJURIES CAUSED BY MATS DURING TACTICAL TRAINING INITIATIVE

While participating in training at the Police Commissioner's Training Initiative, a New York City Police Officer was performing a takedown tactic on a fellow Officer and her foot became lodged in-between two floor mats. The other Officer landed on her ankle causing a severe fracture. DCD's client underwent multiple surgeries on her ankle and neck; she received an ordinary disability pension. DCD hired a training expert who concluded the separation of the mats secured by a Velcro strap was inadequate and created a dangerous condition. The Officer retained DCD, and a notice of claim was promptly filed with the City of New York within the 90-day time limit. DCD then sued the City of New York pursuant to GML §205-e, alleging the City violated Labor Law §27-a(3) and New York City Administrative Code §§28-301.1 and 27-369 for failing to adequately and safely attach the floor mats to one another. Dominic DiPrisco negotiated an out-of-court settlement with the City of New York for \$1,750,000.

OFFICER RECEIVES \$1.25 MILLION DOLLAR SETTLEMENT AFTER TRIPPING DUE TO UNEVEN PAVEMENT ON ROADWAY

While walking back to his RMP after issuing a summons, a New York City Police Officer unexpectedly stepped onto uneven pavement in the roadway, causing him to suffer a left foot fracture and lower back disc injuries. As a result, the Officer underwent two lower back operative procedures: a microdiscectomy followed by a fusion surgery. He was awarded a ¾ line-of-duty disability pension. DCD immediately filed a notice of claim and sued both the City of New York and a private contractor alleging violations of New York City Charter §§2903(b)(2) and 2904, as well as Administrative Code §§7-201(c)(2) and 19-152 as statutory predicates to General Municipal Law §205-e. Prior to trial, DCD defeated three summary judgment motions brought by the various named defendants seeking dismissal of the case. Dominic DiPrisco negotiated the global settlement of \$1,250,000.

RMP RECORDER RECEIVES \$925,000 SETTLEMENT WHEN OPERATOR FAILS TO USE VISORS TO PREVENT SUN GLARE AND SWERVES INTO ONCOMING TRAFFIC

A New York City Police Officer was caused to become seriously injured when the operator of the police vehicle he was a passenger in failed to use the vehicle's visors and was unable to see due to sun glare. The operator swerved into the opposite lane of travel and came into contact with a civilian vehicle causing our client to sustain lower back and left ankle injuries. As a result, the recorder suffered a herniated disc to his lower spine necessitating lumbar laminotomy and microdiscectomy surgical intervention. Additionally, the Officer underwent arthroscopic left ankle surgery. The Officer was awarded a ¾ line-of-duty disability pension. DCD filed a notice of claim and subsequently brought suit under General Municipal Law §205-e alleging violations of Vehicle and Traffic Law §§1180(a), 1212, 375(1), and 1120(a). Dominic DiPrisco obtained a settlement of \$925,000 from the City of New York.

ICE/STATION HOUSE PARKING LOT/SIDEWALK

OFFICER RECEIVES \$375,000 SETTLEMENT AFTER SUSTAINING SERIOUS INJURIES WHILE WALKING BACK TO HER RMP DUE TO TRIP AND FALL ON BRONX SIDEWALK

An Officer tasked with driving her Sergeant was walking from the command to her RMP when she tripped on the cracked edge of a sidewalk in the Bronx, causing her to fall and suffer injuries to her left knee, right wrist and arm, and left hip. Unfortunately, her injuries required surgeries to both her left knee and right wrist. The Officer was unable to return to her full duties and was subsequently awarded a ¼ line-of-duty disability pension. Initially, the Officer retained a Staten Island law firm who instructed the client that she had no case and to accept a \$1,500 settlement from the City of New York. The Officer fired the law firm and retained DCD. DCD sued the City of New York pursuant to GML §205-e alleging the City violated §§7-210 and 19-152 of the New York City Administrative Code. In order for the City of New York to be responsible for injuries suffered as a result of a defective sidewalk pursuant to §7-210(a)(6), the injured party must show either the City had prior written notice of the defect or that the City of New York created the defect. DCD subpoenaed numerous records from various City agencies in an effort to prove either prior written notice or that the Department of Transportation created the condition. Dominic DiPrisco settled the case for \$375,000 at a pre-trial meeting with Corporation Counsel.

OFFICER RECEIVES A SETTLEMENT OF \$115,000 AFTER SUSTAINING LEFT SHOULDER INJURY CAUSED BY SLIP AND FALL ON SNOW AND ICE AT BROOKLYN PRECINCT

A New York City Police Officer received a \$115,000 settlement from the City of New York. The Officer was walking through the unshoveled parking lot of her command toward the locker room trailer when she slipped and landed on her side. She injured her left shoulder, lower back, and knees. The Officer was diagnosed with a torn rotator cuff and underwent arthroscopic surgery to repair same. The Officer retained DCD who immediately filed a notice of claim against the City within the 90-day time limitation. DCD then sued the City of New York pursuant to General Municipal Law §205-e alleging the City violated §27-a(3) of the Labor Law, as well as §§28-301.1 and 27-479 of the New York City Administrative Code. DCD settled the case for \$115,000 at a pre-trial settlement conference.

OFFICER RECEIVES A \$20,000 SETTLEMENT AFTER SUFFERING A FRACTURED COCCYX (TAILBONE) CAUSED BY FALL ON SLIPPERY STAIRS OUTSIDE OF COMMAND

A New York City Police Officer received a \$20,000 settlement from the City of New York after sustaining injuries caused by a fall down slippery stairs outside of her command. The Officer sustained a fractured coccyx (tailbone). DCD, on behalf of the Officer, filed a notice of claim and sued the City of New York pursuant to General Municipal Law §205-e, claiming the City violated §27-a(3) of the Labor Law and §§ 27-375(f)(g)(h), 27-376, 27-381 and 28-301.1 of the New York City Administrative Code. DCD settled the case for \$20,000.

TRAINING

OFFICER RECEIVES A SETTLEMENT OF \$800,000 AFTER PICNIC TABLE AT RODMAN'S NECK BROKE CAUSING THE OFFICER TO FALL AND SUSTAIN SERIOUS INJURIES

A New York City Police Officer received an \$800,000 settlement from the City of New York after she injured her ankle while attempting to sit down at a picnic table outside at the Rodman's Neck training facility. One of the picnic table legs broke, causing the table to collapse and fall onto her ankle. The Officer suffered significant injuries to her Achilles tendon, which required surgery and resulted in scarring. DCD filed a notice of claim within the 90-day time limit. DCD sued the City of New York pursuant to GML §205-e alleging the City violated New York City Administrative Code §28-301.1 and Labor Law §27-a(3). The Officer was subsequently awarded a ¼ line-of-duty disability pension. Marion Livermore negotiated a settlement of \$800,000 from the City of New York.

OFFICER RECEIVES \$150,000 SETTLEMENT AFTER SLIPPING AND FALLING ON SHELL CASINGS STREWN ABOUT THE WALKING SURFACE AT RODMAN'S NECK

A Lieutenant assigned to a Bronx Command was seriously injured when conducting training exercises within the Bronx Urban Tactical Village. The Lieutenant stepped down from a curb onto pavement which was covered with shell casings, causing him to fall forward and suffer fractures to his left arm

which required surgery. The Lieutenant retained DCD, and DCD immediately filed a notice of claim with the City of New York. DCD then filed suit pursuant to GML §205-e based upon the City's violation of Labor Law §27-a(3). DCD settled the matter for \$150,000.

OFFICER STRUCK BY BULLET FRAGMENT DURING FIREARMS TRAINING RECEIVES A \$25,000 SETTLEMENT

An Officer participating in the Recruit Basic Firearms Training was struck in the inner right thigh by a secondary projectile deflection from a target stanchion, causing a laceration with bleeding, swelling, bruising and substantial pain. DCD filed a notice of claim on the Officer's behalf and then brought suit against the City of New York for creating a ricochet hazard. DCD's claims sounded in GML §205-e for violations of Labor Law §27-a(3) and New York City Administrative Code §28-301.1. The matter settled for \$25,000 at a pre-trial settlement conference.

OFFICER STRUCK BY RICOCHETING ROUND DURING RE-QUALIFICATION TRAINING RECEIVES A \$10,000 SETTLEMENT

While shooting his re-qualification cycle on the seven-yard line at Rodman's Neck outdoor range, an Officer was struck in the face by an unexpected ricocheting bullet causing a laceration near his lip. The Officer's wound was cleaned and dermabonded at a local hospital emergency room. DCD filed a notice of claim for the Officer and brought suit pursuant to GML §205-e claiming violations of Labor Law §27-a(3) and New York City Administrative Code §28-301.1. The matter settled for \$10,000 at a pre-trial settlement conference.

OFFICER RECEIVES A \$25,000 SETTLEMENT AFTER SUFFERING LACERATION TO TORSO FROM A SECONDARY FRAGMENT DURING PISTOL QUALIFICATION TRAINING

While performing the off-duty portion of his Pistol Qualification Course, a New York City Police Officer suffered a painful laceration to his torso with scarring caused by a secondary fragment. He was treated in the emergency room of a local area hospital and returned to the job limited duty shortly thereafter. He retained DCD and a notice of claim against the City was filed. DCD then commenced suit pursuant to GML §205-e claiming violations of Labor Law §27-a(3) and New York City Administrative Code §28-301.1. The matter settled for \$25,000 at a pre-trial settlement conference.

EQUIPMENT

OFFICER RECEIVES \$300,000 SETTLEMENT AFTER SUSTAINING GUNSHOT WOUND TO LOWER LEG CAUSED BY ACCIDENTAL DISCHARGE DUE TO INADEQUATE HOLSTER

A New York City Police Officer received a \$300,000 settlement from the City of New York after sustaining a gunshot wound to his lower leg. While attempting to exit his vehicle, his firearm, a Sig Sauer P226 automatic pistol, became lodged on the steering column causing the weapon to discharge. DCD sued the City of New York pursuant to GML §205-e alleging the City violated §27-a(3) of the Labor Law, arguing that the City created a dangerous and defective condition in equipping officers with the combination of Sig Sauer P226 firearm and Safariland Holster 2955, as this pairing left the trigger guard and trigger of a properly holstered firearm exposed. Dominic DiPrisco settled the matter for \$300,000 at a pre-trial conference.

OFFICER RECEIVES \$250,000 SETTLEMENT AFTER SUSTAINING SERIOUS INJURIES CAUSED WHEN AN OFFICE CHAIR WHEEL BROKE CAUSING HER TO FALL TO THE GROUND

An Officer employed by the New York City Police Department received a settlement of \$250,000 after falling from an office chair placed in the command locker room. The Officer suffered serious injuries to her elbow, thigh, shoulder and head when a wheel attached to the chair broke off, resulting in her fall to the ground. DCD filed a notice of claim and brought suit pursuant to GML §205-e, claiming violations of Labor Law §27-a(3) for the City's failure to provide a safe place to work. DCD engaged in extensive motion practice on behalf of the Officer in protracted litigation. DCD was successful in obtaining a reversal of the Court's decision to dismiss the action due to legal standing requirements. After a series of pre-trial conferences before the Court, Dominic DiPrisco negotiated a settlement of \$250,000 for the Officer.

OFFICER THAT SUFFERED INJURIES WHEN REMOVING IMPROPERLY STACKED BARRIERS FROM TRUCK RECEIVES \$75,000 SETTLEMENT

A New York City Police Officer assigned to Barrier Detail was unloading a metal police barrier from a truck with numerous barriers stacked improperly when the barrier that she was lifting slipped. The Officer attempted to grab the barrier, causing her to suffer a right shoulder rotator cuff tear which required arthroscopic surgery. DCD filed a notice of claim within the 90-day time limit. DCD sued the City of New York pursuant to GML §205-e alleging the City violated New York City General Obligations Law §11-106 and Labor Law §27-a(3). The matter settled at a pre-trial conference for \$75,000.

OFFICER RECEIVES \$20,000 SETTLEMENT AFTER SUSTAINING HEAD INJURY CAUSED BY DEFECTIVE RMP TRUNK LID

An Officer assigned to a Manhattan Command received a \$20,000 settlement from the City of New York. The Officer suffered a blunt head injury caused when the trunk lid of an RMP unexpectedly failed to stay in a raised position and struck the back of her head. The Officer subsequently suffered from headaches, blurred vision, nausea as well as neck, and shoulder pain. DCD filed a notice of claim within the 90-day time limit. DCD sued the City of New York pursuant to GML §205-e, alleging the City violated New York City General Obligations Law §11-106 and Labor Law §27-a(3). The matter settled at a pre-trial conference for \$20,000.

OFFICER RECEIVES \$45,000 SETTLEMENT AFTER SUSTAINING RIGHT KNEE INJURY DUE TO NARROW AND SLIPPERY NYPD SPRINTER VAN RUNNING BOARD

A New York City Detective received a settlement of \$45,000 from the City of New York after she injured her right knee while exiting a NYPD sprinter van. The running board on the sprinter van was narrow and slippery, causing the Detective to roll her ankle and suffer an avulsion fracture to her distal fibula and tearing to her meniscus. The Detective ultimately underwent arthroscopic surgery to one of her knees. She retained DCD and a notice of claim was promptly filed. DCD brought suit against the City of New York pursuant to GML §205-e alleging violations of Labor Law §27-a(3) and Vehicle and Traffic Law §375. The case settled at a settlement conference for \$45,000.

OFFICER RECEIVES \$30,000 SETTLEMENT AFTER SUSTAINING INJURIES CAUSED BY DEFECTIVE BULLET-PROOF WINDOW IN RMP

A New York City Police Officer received a \$30,000 settlement from the City of New York after suffering a fractured nose and a laceration. His injuries were caused when the bullet-proof window on the front passenger side seat of his RMP fell and struck his face. The Officer retained DCD. A notice of claim was promptly filed, and DCD commenced an action pursuant to GML §205-e based upon the City's violation of Labor Law §27-a(3). DCD negotiated a settlement of the case for \$30,000.

OFFICER RECEIVES A SETTLEMENT OF \$100,000 AFTER INJURING HIS KNEE ON AN UNPADDED COMPUTER BRACKET WHILE RESPONDING TO AN EMERGENCY RUN

An Officer assigned to a Brooklyn command received a \$100,000 global settlement from a civilian motorist and the City of New York. The Officer was operating an RMP in response to an emergency radio run when he was struck by a motorist, who had been attempting to pass a sanitation truck. The impact forced the Officer's right knee to slam into an unpadded computer bracket, which caused a right meniscus tear requiring surgery. The Officer also suffered a laceration to his forehead which required six stitches. Initially, the Officer was unaware of his right to sue and the 90-day notice of claim requirement lapsed. The Officer retained DCD. DCD immediately filed a notice of claim to "stop" the lateness and then successfully filed a petition in Kings County Supreme Court to allow DCD to file a late notice of claim. DCD then sued the civilian motorist as well as the City of New York pursuant to GML §205-e claiming the City of New York violated §27-a(3) of the Labor Law, Vehicle and Traffic Law §382-c and §§15 NYCRR 55.1, 55.2, alleging the unpadded computer bracket created a dangerous condition and made the RMP not crashworthy. Marion Livermore settled case settled for \$100,000 at a pre-trial conference.

RMP MOTOR VEHICLE ACCIDENTS

OFFICER RECEIVES A \$500,000 SETTLEMENT AFTER INJURING RIGHT SHOULDER WHEN OPERATOR FAILED TO SLOW DOWN OR STOP AT RED TRAFFIC SIGNAL AND COLLIDED WITH CIVILIAN VEHICLE

A New York City Police Officer received a \$500,000 settlement following an accident which occurred while he was the recorder in an RMP responding to a job with lights and sirens activated. The operator did not stop or slow down when approaching a red traffic signal at an intersection and was struck by a civilian vehicle. The Officer sustained a full thickness rotator cuff tear in the accident which required surgical repair as well as acromioplasty with bursectomy. Following the surgery, he experienced discomfort and limited range of motion. The Officer was subsequently awarded a ¾ line-of-duty disability pension. The Officer retained DCD and a notice of claim was immediately filed against the City within the 90-day time limitation. DCD then sued the City of New York pursuant to General Municipal Law §205-e alleging the City violated Labor Law §27-a(3); Vehicle and Traffic Law §§382-c, 1144(b), 1104(e), 1104(b)(2), 1212, and 375(1); and NYCRR §§55.1 and 55.2. Dominic DiPrisco was able to negotiate a settlement in the amount of \$400,000 from the City of New York and \$100,000 from the civilian vehicle.

OFFICER RECEIVES \$500,000 SETTLEMENT AFTER INJURING HIS KNEE ON AN UNPADDED COMPUTER BRACKET IN AN RMP MOTOR VEHICLE ACCIDENT

A New York City Police Officer received a settlement of \$500,000 from the City of New York. The Officer was in the passenger seat of a marked RMP which was responding to an emergency situation with lights and sirens engaged. The RMP was T-boned by a civilian fleeing the scene of a crime. As a result, the Officer's knee slammed into the unpadded computer bracket causing a serious injury which necessitated surgery. The Officer was subsequently awarded a ¾ line-of-duty disability pension. Unfortunately, the Officer did not know the strict time limitations for filing a claim against the City of New York and retained DCD days after the time limit had expired. Approximately 19 days after the expiration of the applicable notice of claim period, DCD filed a motion with the Court seeking permission to file a late notice of claim. The application was granted by a State Supreme Court Justice. DCD then sued the City of New York pursuant to GML §205-e claiming the City of New York violated §27-a(3) of the Labor Law, Vehicle and Traffic Law §382-c and §§15 NYCRR 55.1, 55.2 claiming the unpadded computer bracket created a dangerous condition and made the RMP not crashworthy. The case settled for \$500,000 at a pre-trial conference.

SERGEANT RECEIVES \$60,000 SETTLEMENT AFTER POLICE VEHICLE COLLIDES WITH CIVILIAN VEHICLE IN BRONX COUNTY

An NYPD Sergeant received a settlement in the amount of \$60,000 from the City of New York. The Sergeant suffered right leg injuries, including two fractures near his ankle, when an RMP traveling in the wrong direction with no lights on struck the Sergeant who was walking, investigating a crime scene. DCD filed a notice of claim and brought suit against the City of New York alleging that the police vehicle was operated recklessly in the opposite direction of travel and without engaging the vehicle's headlights, lights or sirens. DCD brought a General Municipal Law §205-e claim against the City premised upon violations of Labor Law §27-a(3) as well as Vehicle and Traffic Law §§1144(b), 1146, 1180(a), 1212, and 375(1). The matter was settled at a pre-trial settlement conference for \$60,000.

VERTICALS/PREMISES

OFFICER RECEIVES A SETTLEMENT OF \$550,000 AFTER SLIPPING ON DEFECTIVE DRAIN COVER AND INJURING KNEES, ANKLE AND BACK

A Sergeant with the New York City Police Department received a \$550,000 settlement from a building owner. While investigating a trespasser in the poorly lit basement of a building complex, the Sergeant slipped on a defective drain cover and suffered serious injuries to her knees, ankle and back. She ultimately underwent right knee surgery and was subsequently awarded a ¾ line-of-duty pension. DCD sued the building owner pursuant to GML §205-e claiming the building owner violated New York City Administrative Code §28-301.1, General Obligations Law §11-106, and Multiple Dwelling Law §78. Dominic DiPrisco negotiated an out-of-court settlement of the case in the amount of \$550,000.

SERGEANT RECEIVES A \$600,000 SETTLEMENT AFTER SLIPPING ON WET, OILY SUBSTANCE ON STATIONHOUSE STAIRS AND SUFFERING KNEE INJURY

While assigned as the Desk Officer, a Sergeant was conducting a stationhouse inspection when he heard yelling and noises coming from within the stationhouse desk area, which turned out to be civilians out front. While rapidly descending down the stairs between the second and first floors, he slipped on an unknown wet, oily substance. As a result of the fall, he suffered serious injuries to his bilateral knees and back. The Sergeant underwent knee surgery due to the injuries sustained in this accident and was awarded a ¾ line-of-duty disability pension. He retained DCD and a notice of claim was promptly filed. DCD brought suit against the City of New York pursuant to GML §205-e, alleging violations of Labor Law §27-a(3), as well as §§28-301.1, 27-369, and 27-375(e)(f)(h) of the Administrative Code of the City of New York. Dominic DiPrisco negotiated the settlement of \$600,000 in a series of pre-trial settlement conferences with the City before the New York County Supreme Court.

OFFICER RECEIVES A \$200,000 SETTLEMENT AFTER SUSTAINING FOOT INJURIES CAUSED BY SLIP AND FALL ON FRESHLY MOPPED FLOOR AT ONE POLICE PLAZA

A New York City Police Officer received a \$200,000 settlement from the City of New York after slipping on a recently mopped wet floor at the entrance of a bathroom inside of One Police Plaza. The Officer suffered a fractured great toe which required two surgeries. DCD sued the City of New York pursuant to GML §205-e alleging the City violated §27-a(3) of the Labor Law, §§27-369 and 28-301.1 of the Administrative Code, and §11-106 of the General Obligations Law. DCD filed a motion against the City for spoliation of evidence, as video evidence referenced in the Officer's Line-of-Duty Injury Report was never produced in discovery. DCD argued that the video would have shown a custodian mopping the area minutes prior to the accident and failing to place a wet floor sign and, therefore, established the City's negligence. Marion Livermore negotiated a settlement of \$200,000 from the City of New York.

OFFICER RECEIVES A \$60,000 SETTLEMENT AFTER SLIPPING ON WATER AND SUSTAINING INJURIES DURING PRISONER ESCORT IN CENTRAL BOOKING

A New York City Police Officer received a \$60,000 settlement from the City of New York when he became injured after he slipping and falling on water while escorting a prisoner through Central Booking. The hallway of Central Booking was partially flooded due to a burst pipe, which the City failed to repair. The Officer underwent physical therapy for injuries to his knee, middle finger, shoulder, back and hip. Years later, the Officer—who had also injured the same shoulder in prior and subsequent accidents—underwent two surgical procedures. DCD had timely filed a notice of claim and brought suit against the City of New York pursuant to GML §205-e alleging the City of New York violated §27-a(3) of the Labor Law and §§27-369 and 28-301.1 of the New York City Administrative Code. The City of New York settled the case for \$60,000.

OFFICER RECEIVES A \$35,000 SETTLEMENT AFTER SUSTAINING LACERATION WHILE ATTEMPTING TO PLACE TRASH BAGS INSIDE PRECINCT DUMPSTER

A New York City Police Officer became injured while removing a trash bag from his precinct into a dumpster located outside of the command. The Officer was unexpectedly cut by a shard from a broken toilet bowl which was concealed within the trash bag. He suffered a deep laceration to his palm which required 31 stitches and resulted in scarring. DCD filed a notice of claim and then brought suit against the City sounding in General Municipal Law §205-e for violating §§28-301.1 of the Administrative Code and §27-a(3) of the Labor Law. DCD settled the matter for \$35,000.

NYPD OFFICER ON COURT ASSIGNMENT RECEIVES \$75,000 SETTLEMENT AFTER ELEVATOR CLOSES ON HER BODY WITHOUT RETRACTING

An Officer on a court assignment for purposes of meeting with an Assistant District Attorney suffered a right shoulder rotator cuff tear when the elevator doors of the Manhattan courthouse closed on her body without retracting. The Officer suffered a 7mm separation of her shoulder and underwent arthroscopic surgery. DCD sued the City of New York pursuant to GML §205-e claiming the City of New York violated §28-301.1 of the New York City Administrative Code and §27-a(3) of the Labor Law. Dominic DiPrisco settled the matter for \$75,000 at a pre-trial settlement conference.

OFFICER RECOVERS \$80,000 SETTLEMENT AFTER SUSTAINING SHOULDER INJURY AT COMMAND CAUSED BY FALL ON SLIPPERY EXTERIOR STAIRCASE

An Officer assigned to Midtown North received an \$80,000 settlement from the City of New York after he slipped on wet stairs located at the entrance of the command. The Officer sustained a torn labrum which necessitated surgical repair with anchors. DCD filed a notice of claim against the City of New York and then brought suit pursuant to GML §205-e alleging violations of New York City Administrative Code §§ 28-301.1, 27-375(f)(g)(h), and 27-376, as well as Labor Law §27a(3). Marion Livermore settled the case for \$80,000 at a pre-trial meeting with Corporation Counsel.

FAMILY/CIVILIANS

NYPD OFFICER'S WIFE AND YOUNG CHILD RECEIEVE A \$700,000 SETTLEMENT FROM PRIVATE LANDLORD AFTER SUFFERING INJURIES CAUSED BY MOLD EXPOSURE IN THEIR RENTAL HOME

A New York City Police Officer's wife and young child received a \$700,000 settlement from their former landlord after suffering serious injuries caused by mold exposure in their rental home. Among other health concerns, the Officer's wife began to experience debilitating respiratory problems while the young child began to suffer from serious skin issues just a few years after moving into the residence. DCD sued the landlord for negligent maintenance of the premises. At a mediation spanning two days, DCD successfully pierced the landlord's primary insurance policy and tapped into his umbrella coverage, obtaining a \$700,000 settlement for the family.

SUPPLEMENTARY UNINSURED/UNDERINSURED MOTORIST COVERAGE

SERGEANT INVOLVED IN LINE-OF-DUTY MOTOR VEHICLE ACCIDENT WITH UNINSURED VEHICLE OPERATED BY PERPS RECEIVES \$100,000 FROM HIS OWN AUTO INSURANCE CARRIER PURSUANT TO HIS POLICY'S SUPPLEMENTARY UNINSURED/ UNDERINSURED COVERAGE

A Sergeant received a settlement of \$100,000 from his own insurance company following a line-of-duty motor vehicle accident. The accident was caused when two perpetrators in a stolen vehicle travelled in the wrong direction on the Verrazano Bridge and collided with the Sergeant's RMP head on. The Sergeant suffered serious injuries to his neck, head, legs, and back and ultimately underwent surgical fusion. He subsequently retired due to the injuries sustained in this accident and received a ¾ line-of-duty disability pension. Although the offending motorists had no viable automobile liability insurance policies, DCD received permission from the Sergeant's personal automobile insurance carrier to pursue his SUM coverage and recovered \$100,000 for the Sergeant.

DCD cannot overstate the importance for members of the service to avail themselves of additional monetary protection by taking out maximum SUM coverage. The SUM coverage for Police Officers' personal automobile insurance covers line-of-duty accidents. Many motorists in New York State possess the minimum statutory policy limits thereby affording little protection to members of the service who are injured as a result of the negligence of these uninsured/underinsured individuals. Members of the service can acquire additional protection by informing their insurance companies that they want to increase the SUM coverage to match the liability portion of their personal automobile insurance. The increases in rates are nominal and the insurance rates do not increase if a claim is made under SUM coverage.