

# Silbert, Garon, Pitre & Friedman

## AREAS OF PRACTICE

### PERSONAL INJURY

Personal injuries cause not only physical pain, but often emotional and financial hardship through loss of work, medical bills and stress placed upon families and loved ones. We often take our physical and mental well-being for granted....until something goes wrong. When an accident happens lives are forever changed. Simple pleasures become chores. Daily routines are disrupted. Economic losses are often devastating. Whether caused by a collision on the highway, a defective product, medical malpractice, or other negligent conduct, the effect of these injuries can change lives forever. Our role is to aggressively pursue all of the legal avenues to maximize an accident victim's financial recovery. At the same time, we do everything possible to help our clients minimize the often devastating effects of a serious injury, thereby enabling the victim to attend to health, family and economic issues. If you have suffered physical or emotional injuries due to another's wrongful or negligent actions, you may be entitled to bring a personal injury claim to recover your damages. Recoverable damages *may* include:

- Past and Future Medical Expenses
- Physical Pain and Suffering
- Mental Anguish & Anxiety
- Physical Impairment, Scarring and Disfigurement
- Loss of the Ability to Enjoy Life's Pleasures
- Lost Wages
- Loss of Earning Potential
- Punitive Damages

Our team of lawyers, paralegals, experts and investigators effectively work to level the playing field with well-financed insurance companies and corporate defendants by putting our experience and proven techniques to work for you. If you or someone close to you has been the victim of personal injury, please contact our firm for a [free consultation](#).

## [PREMISES LIABILITY AND WORKPLACE INJURIES](#)

The term "premises liability" refers to a situation where an individual is injured on property, or "premises" owned or maintained by someone else. The property owner or party responsible for maintaining the property may be held legally responsible, or "liable," for that person's injuries if the injuries were the result of a dangerous condition that existed on the property.

Property owners and businesses have a duty to provide a safe environment for people on their property and, if they fail to do so and someone is injured as a result, they may be held liable for the injured person's medical expenses, pain and suffering, and lost wages. A premises liability case might arise against owners not only of commercial property, but private residences, vacant lots, and many other types of properties.

Probably the most common type of premises liability situation is where someone slips or trips and falls due to some defect or hazard on another person's property. A classic example of this is where a customer in a store slips or trips due to a slippery substance or hidden defect in the store. If the store knew or should have known about the dangerous condition, it may be liable for negligence. Among the many other instances where premises liability might arise are when people become injured due to poorly designed or maintained sidewalks, stairs, elevators or escalators, or are trapped in burning buildings without adequate means of escape. People are also frequently injured when a part of a building breaks or falls, or when steps, hand rails or other safety devices break or collapse. A property owner might also be held liable if an individual is harmed by the criminal acts of a third person due to a lack of adequate security. Our firm's attorneys have extensive experience handling these and many other types of premises liability claims.

People frequently suffer injuries at work due to dangerous conditions in the workplace. Unless the injured worker is a seaman, a worker "on the clock" cannot sue his/her employer for the employer's negligence. However, if the injury was caused by someone other than a co-employee employed by the victim's employer, a negligence claim can be filed in some instances. In the same way, if a defective condition in the workplace premises is owned or operated by someone other than the victim's employer, a negligence remedy may be available. For this reason, any worker who suffers a serious injury at work should always explore his/her legal rights.

In premises liability cases, it is important to document the hazardous condition as soon as possible. Immediate photographs of the area showing the spilled substance, foreign object, defective stairs, or other dangerous condition which led to the fall, can be critical in a person's recovery for his/her injuries. It is also important to preserve all evidence including shoes and clothing (if applicable).

Our attorneys have the resources and experience to handle these claims. In many cases it is necessary to hire an expert to inspect the premises and evaluate the liability based upon safety codes or engineering standards. We have worked with many of the leading national and regional experts in their respective fields. Our firm's attorneys are extremely knowledgeable in the challenging area of premises liability. If you or someone you care about has been injured because of a defect in a premises, do not hesitate to contact our firm for a [free consultation](#).

## [AUTO & TRUCKING COLLISIONS](#)

Auto and trucking collisions are by far one of the most frequent types of personal injury and wrongful death cases in our court systems today. These crashes can have devastating consequences to the victims and their families. Our firm has extensive experience in litigating all types of claims involving motor vehicle collisions.

The most obvious injuries which can occur in a car wreck are broken bones, cuts, brain injury, and internal injuries including damage to the vertebrae and discs in the spinal column. However, neck and back strains/sprains are the most common injuries suffered in car crashes. These sprains are sometimes called “whiplash” but more commonly, they are termed “soft-tissue injuries.” While not life-threatening, injuries to a person's muscles, tendons, ligaments, and surrounding tissues can create intense pain and stress that can last for a long time, if not permanently. Insurance companies often downplay such injuries and even question whether the victim's pain is real. Soft tissue injuries are very real and easily documented, and in some cases they can develop into serious, permanently disabling conditions, especially if improperly diagnosed or ignored. Many times soft-tissue injuries cover-up what later is discovered to be a spinal disc injury which often leads to surgery. Our law firm has handled thousands of soft tissue and disc injury cases resulting from motor vehicles collisions. We are knowledgeable about the proper presentation and value of these cases. Although we have been successful in securing just compensation in the majority of such cases through settlement, we are most willing to fight with the insurance companies in court if they are unwilling to treat our client fairly.

In many instances, serious injuries or death can result from a one-vehicle crash. Often, guest passengers in the vehicle have legal rights against the car's insurer, even if the driver is related to the victim. In addition, such wrecks occasionally result from the defects in the vehicle or from the condition of the highway. For that reason, any victim of a car wreck ought to get proper legal advice to determine if they have legal rights to pursue justice for their injuries.

Collisions involving commercial vehicles, such as eighteen-wheelers, tankers, and other large freight carriers, can be much more catastrophic than an ordinary car wreck. A recent study by the National Highway Traffic Safety Administration (NHTSA) found that large trucks represented one out of every twelve vehicles involved in fatal crashes. A typical fully-loaded large commercial truck can weigh 80,000 pounds or more, while an average passenger automobile weighs approximately 3,000 pounds. Because of this size disparity, and due to the basic laws of physics, most collisions between large commercial vehicles and private passenger vehicles are likely to result in serious, even fatal, injuries. We understand the unique legal and practical problems associated with truck crashes and have experience dealing with the issues that arise in such cases. Our lawyers have extensive experience in complex litigation against commercial vehicle carriers.

We are knowledgeable of the hundreds of local, state and federal laws and regulations governing the trucking industry (many of which are completely ignored by these trucking companies!). We have a rapid response team of experts at the ready who can travel anywhere in the country to inspect the defendant's commercial vehicle and download any "black box" data and other valuable information to help document the crash.

Our firm has the experience and the resources to take on the large corporations who often refuse to accept responsibility for the carnage they sometimes create on our roads and highways. If you or a loved one has suffered injury from a motor vehicle collision, please contact our office for a [free consultation](#).

### **ADMIRALTY - INJURIES TO SEAMAN, OFFSHORE WORKERS & LONGSHOREMEN**

Injuries or deaths which occur on or near navigable waters, such as the ocean, rivers, gulfs, and lakes, are affected by special laws called "admiralty" and "maritime" laws. These laws are very complex, and a thorough understanding of them is crucial to obtaining fair compensation for a maritime injury or death. We maximize our clients' recovery by combining our knowledge of these laws with real-world experience gained from the handling of numerous admiralty claims.

Admiralty and maritime law is largely governed by federal law and can be extremely complicated. This field is a wide-ranging area of law covering all navigable waterways and its shores, and even though federal courts have primary jurisdiction, maritime law also can sometimes be tried in the state courts. Many workers engaged in maritime employment are covered under a Federal statute known as the Jones Act. A Jones Act "seaman" has the right to sue his/her employer for any injury resulting from the employer's negligence. In addition, a seaman can also make a claim against the owner or operator of the ship or rig on which the injury occurs for any defects on the vessel or its crew, known as "unseaworthiness". Injured seaman are entitled to receive a daily allowance for meals, room and board even after they return to shore to recover from a work related injury. We also fight to make sure that injured seaman receive prompt medical care completely paid for by the ship owner (called "cure").

For those workers who are not seaman, but who are injured or killed in a maritime setting, worker's compensation under Federal (Longshore and Harbor Workers Compensation Act) or state law is available. If the injury or death resulted from the negligence of a company other than the employer, the law frequently allows a suit against that third party based on negligence.

In addition, dangerous conditions on the ship, platform or dock where the injury occurred frequently give rise to legal claims against the owner/operator of the dangerous ship or structure. Consequently, any maritime worker who suffers injury should consult a competent admiralty attorney.

Injuries also frequently occur to those being transported on boat – whether a fishing boat, jet ski, cruise liner, ferry boat or crew boat. When those injuries are caused by the negligence of the vessel owner (whether due to a collision, sinking or dangerous or defective conditions on the water craft) maritime law frequently provides a right to recover damages.

Our firm's partners have experience handling many aspects of admiralty and maritime law. We have regularly received admiralty and maritime client referrals from other attorneys throughout the southeastern United States. Our firm's proximity to the Mississippi River and its tributaries, the Gulf Intracoastal Waterway and the Gulf of Mexico allow us the opportunity to promptly and aggressively investigate these claims. With offices in New Orleans and Gulfport, Mississippi, our firm is uniquely situated to provide legal services to the many seaman, shipyard and offshore workers who populate the Gulf Coast region. If you or someone you know have been injured on a vessel or platform, or while working in or near the water, please contact our firm for a [free consultation](#).

### **DEFECTIVE PRODUCTS**

When a company designs or manufactures a defective product, it has an important responsibility to each person who purchases that product. They are responsible for making certain that their products are neither defective nor inherently dangerous. If a faulty or dangerous product causes injury to a consumer, the manufacturer is considered legally liable, as long as the consumer was using the product the way it was intended for use. Sometimes distributors and retail stores who sell the product may be legally liable as well. Each product must be made safe by the manufacturer, and monitored by experts to make certain that faulty products are kept from entering your local stores.

Cases for injury or death based on faulty or defective products can be quite complex, and require a great deal of time, resources and expertise. Our firm has the experience to handle these challenging cases, relying upon our years of know-how combined with an array of scientific experts we use to help evaluate and present the case at trial. If you or someone you love has been injured by a faulty or defective product, please contact our firm for a [free consultation](#).

## WRONGFUL DEATH

The death of a family member or loved one is an extremely painful experience. The sudden death causes both emotional and financial shock. When that death is caused by someone else's negligence or recklessness, the pain is often magnified. Drunk drivers kill other people on the road, doctors overlook ordinary warning signs that cost patients their lives, and companies manufacture and fail to monitor unsafe products which can lead to death - these are all examples of wrongful death claims. Persons killed on or near the water may have legal rights for wrongful death under Admiralty law. Our lawyers have helped many people obtain just compensation for the loved ones and family killed through the fault of another. These recoveries assure the ability of a spouse, children and other family members to continue with their lives.

Proving wrongful death damages requires an experienced attorney to maximize recovery for the family of a person killed by another's negligence or fault. These cases require highly technical and financial knowledge as well as legal expertise to provide a client with a successful result. Our firm has the knowledge and resources to provide this expertise to each client. If you have lost a family member or loved one due to someone else's negligence, please contact our firm for a [free consultation](#).

## NURSING HOME NEGLECT

We believe that it is reasonable to expect that our loved ones will be properly treated and cared for in their golden years. Often the large multinational corporations which own these nursing homes and long-term care facilities are more interested in profit than the health and safety of those entrusted to their care. These companies do this by hiring inexperienced and poorly trained staff, and they fail to reasonably invest in the training and supervision required. Nursing home abuse and neglect has become widespread and a growing epidemic. According to one recent Congressional report, almost one out of every three nursing homes has been cited for an abuse violation, and the incidences of abuse are growing. It is a serious problem affecting thousands of nursing home residents who are dependent on nursing homes for care. Abuse and neglect can be difficult to recognize and is often covered up by nursing home staff.

We represent people who have been seriously injured or killed by nursing homes and other long-term care facilities in cases involving medication errors, falls, abuse, infections, malnutrition, dehydration, and other areas. We strive to protect those who are not able to protect themselves. Our lawyers are keenly aware of the sensitive nature of these types of cases and strive to provide the best possible representation in a dignified and professional manner. If you believe that your loved one has been abused or neglected in a nursing home, please contact us for a [free consultation](#).

## [INSURANCE COMPANY BAD FAITH LITIGATION](#)

Most people expect that their insurance company will do what they promise, which is to pay you the benefits after a loss has been suffered. Unfortunately, these large multinational corporations have teams of lawyers and experts who try to load up their insurance policies full of exclusions and loopholes in an effort to avoid responsibility for compensating people who have suffered misfortune. Insurance companies have wrongfully denied all sorts of legitimate claims, whether due to a hurricane, fire, theft or many other causes. In many cases, an insurance company may attempt to deny you the full amount of benefits that you deserve, even after you have faithfully paid them premiums for insurance coverage. There are as many examples of bad faith as there are insurance companies, and can include the misrepresentation of policy provisions, unreasonable delay in investigating or paying for a valid claim, the unreasonable refusal to pay for a covered and much-needed medical procedure or the arbitrary denial of a claim without justification. We understand the frustration our clients feel after being mistreated by their insurance company despite having paid years of premiums.

Our firm has extensive experience battling insurance companies, and we have a reputation for getting what each client rightfully deserves from these insurers who act in bad faith. If you believe that your insurance company is treating you unfairly, please contact us today for a [free consultation](#).

## [MEDICAL & HOSPITAL NEGLIGENCE](#)

Every year thousands of Americans die each year because of medical mistakes. Many more suffer permanent and serious injuries. Although many medical mistakes and poor outcomes occur, these are not necessarily medical malpractice. Our firm's lawyers have the resources and experience to tell the difference. Many people think the term "medical malpractice" applies only to doctors, but it applies to all types of health care professionals, including chiropractors, therapists, nurses, psychologists, and dentists.

Medical malpractice cases are very complex and difficult to pursue, and there are many complicated legal procedures that must be followed. We have the experience and expertise to handle these challenging cases. We consult and work with the top medical experts in the nation to closely review and evaluate these cases. The consequences of medical or hospital negligence can in some cases be quite devastating. The lawyers in our firm understand this, and we have particular experience in counseling and helping these victims and their families. If you would like us to investigate your potential medical negligence claim, do not hesitate to contact us for a [free consultation](#).

## HIGHWAY DEFECTS

Our nation's roads are becoming more dangerous every year – and not just because of careless and reckless drivers. In many instances the cause of a wreck is because of a defect in the highway. Defects exist for a variety of reasons, including poor design, negligent maintenance and improper road signs. Examples of highway defects include the failure to trim roadside trees or bushes resulting in a sight obstruction, the failure to install sufficient warning signs, and the improper alignment of streets which can create driver confusion with tragic results. Our firm utilizes top-notch accident reconstructionists, highway design engineers and traffic engineers to help prove our client's case. If you or someone you know has been injured as a result of a highway defect, please contact our office for a [free consultation](#).