



WINGFIELD & GINSBURG

ATTORNEYS AT LAW

Season's Greetings

May you and those you love experience a wonderful holiday season. We hope that peace, happiness, and good health come to you and yours throughout the coming year.

The law firm of Wingfield & Ginsburg, P.C.



Pedestrian hit-and-run... *who pays for damages?*

As a pedestrian, there is no greater fear than being struck by a vehicle. According to the National Highway Traffic Safety Administration, 4,280 pedestrians were killed as a result of motor vehicle crashes and 70,000 were injured in pedestrian accidents in 2010.

It is likely that a pedestrian will sustain serious, potentially life-changing injuries when struck by a vehicle. If a driver is liable for the accident, their insurance company will pay for damages. But what happens in the case of a hit-and-run accident? If the driver is never identified, who pays for the damages?

Even as a pedestrian, your automobile insurance, or the insurance of someone whom you live with, may cover such an accident. Many pedestrians who find themselves in this unfortunate position are surprised to learn that injuries are covered by their uninsured motorist or personal injury protection insurance coverage, even though they weren't in their own vehicle.

If you've been injured by a hit-and-run driver, contact our office to discuss your rights.

Brought to you by
Wingfield & Ginsburg
Attorneys At Law

700 5th St. NW, Suite 300
Washington, D.C. 20001

202-789-8000

800-584-4165

FAX: 202-371-1825

e-mail:

bulletin@wgpilaw.com

Web site:

www.wgpilaw.com



PERSONAL INJURY PRACTICE

- Free consultation
- Home or hospital appointments available
- No recovery, no fee. We do not get paid unless you do.
- Trial attorneys

Referrals

We want you to think of us as your law firm.

Slip and fall... proving fault

We've all tripped, stumbled, and fallen at some point. Luckily, in most cases we simply get up with nothing more than an embarrassing story to tell. But slip-and-fall accidents can cause much more than bruised egos; they also cause broken bones, torn ligaments, herniated discs, and spinal cord injuries that can require a significant amount of treatment and therapy. More serious injuries often result in lost wages. With every slip-and-fall case comes the question of who was at fault. ***Was it the carelessness of the property owner, or the person who fell?***

In order to prove fault in a slip-and-fall accident, a victim must show that:

- The owner or employee caused the condition or hazard that resulted in the slip.
- The owner or employee was aware of the condition and did nothing.
- The owner or employee should have been aware of a hazard or condition through reasonable property management and repaired or removed it.

The first two scenarios are pretty cut and dried, but determining what is reasonable and what the owner or employee should have known in the third case can be tricky. Say someone slides on a piece of cardboard left by a stock person and falls and breaks their wrist. Was the employee stocking the shelves at the time of the accident (a visual clue that there could be packaging material), or was the cardboard left behind? Does store policy provide stockers with adequate time to perform their job and personnel to maintain safe shopping areas? These are questions that insurance adjusters and lawyers will need to have answered to prove fault in a slip-and-fall case.

Likewise, the victim will also have to answer similar questions. It is reasonable to expect that a customer will be carrying a shopping basket and scanning the shelves for specific products; however, it would likely be considered carelessness on the part of a customer if she or he slipped while trying to text and walk.

If you have been injured in a slip-and-fall accident caused by the negligence of another, call our office for a confidential consultation.

Don't let Throwback Thursday or Flashback Friday wreck your case!

If you use Facebook regularly, you've probably noticed people posting photos from their pasts on Thursdays and Fridays. These Internet memes (when many individuals imitate or participate in a common concept) are known as Throwback Thursday and Flashback Friday. It's a fun way to share memories with family and friends.

If you have legal matters that need attention, please let us know. If we cannot handle the matter, we will refer you to a competent firm that can. Please feel free to refer us to your family, friends, and neighbors for their legal needs. We welcome the opportunity to help.

**CALL US. YOU'RE
GOING TO FEEL A
WHOLE LOT BETTER
ABOUT THINGS.**

If you are in the middle of a personal injury case, you will want to forgo these seemingly harmless memes. Insurance companies and defense attorneys can twist these posts to show that a photo posted is current, based on the post date. It's a bad idea to post any photos of yourself doing before accident activities. The year-old photo or video of you playing paintball will look awfully suspicious if you post it while you are seriously injured. A post that proclaims "Feeling great today!" can be used to prove that you aren't as injured as you claim.

Also refrain from talking about your accident online. Do not share details about the accident, your health, or your well-being on social media. Just about anything you say could be twisted and used against you. Even if your profile is set to "private," Facebook, Twitter, and other sites are still considered public forums.

If you are in the middle of a settlement or lawsuit, you can be sure that insurance companies and defense attorneys are keeping tabs on your social media accounts.

[Wingfield & Ginsburg, P.C.](#), 700 Fifth St. N.W., Suite 300, Washington, D.C. 20001
Phone: (202) 789-8000, Toll Free: (800) 584-4165, Fax: (202) 371-1825

If you are not interested in receiving our newsletters, please click the Unsubscribe link at the bottom of the email message