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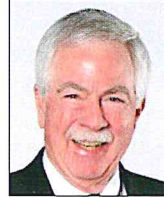
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- Business, Banking & Corporate Law
- Residential & Commercial Real Estate Law
- Municipal Law
- Business Succession & Estate Planning
- Estate Planning & Wealth Management
- Elder Law & Medicaid Planning
- Estate Planning & Administration
- Medical Malpractice, Hospital & Nursing Home Negligence
- Personal Injury & Wrongful Death
- Litigation
- Family Law
- Creditor's Rights
- Collections

NOTE FROM THE MANAGING PARTNER



As Managing Partner of Lacy Katzen LLP, I would like to thank all of you, our valued clients, for your support. At Lacy Katzen, we are passionate about serving you with excellence each day. Whether it's representing a client in a personal injury action, a real estate transaction or a complex business matter, our attorneys and support staff are dedicated to helping you reach your goals.

I would also like to thank Peter Rodgers for his 20 years of service as Managing Partner. Under Peter's leadership, the firm expanded its practice areas, invested in cutting edge technology and grew in size. Peter understood the need for controlled growth and brought our firm into the 21st century with new and innovative ways of practicing law. As the new Managing Partner, I would like to build on Peter's success. Peter continues his outstanding work here at Lacy Katzen in the personal injury/medical malpractice areas.

I am looking forward to the firm's continued growth and am thankful for your support, and for the dedication and passionate work ethic of the Lacy Katzen team. Thank you all, for making Lacy Katzen a great place to be! - **Craig Welch, Managing Partner**

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Craig R. Welch
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Louis A. Ryan

OF COUNSEL

Christopher B. Mumford
Michael S. Schnittman

LACY KATZEN NEWS

WELCOME TO OUR NEW DIRECTOR OF OPERATIONS



Lacy Katzen is pleased to welcome Sarah DiChiara as the firm's new Director of Operations. Sarah holds an MBA from University of Rochester's Simon Business School, as well as a Bachelor's degree in electrical engineering from Rochester Institute of Technology. Sarah joined us from Xerox Corporation, where she held a number of leadership positions in Engineering, Purchasing, Information Technology, Human Resources and Labor Relations. She is responsible for the firm's overall operations and plays a vital role in our continuing success and growth. Sarah has 3 boys and resides in Penfield, NY with her 2 youngest boys, husband, and their five year old yellow Labrador retriever. When not at work, Sarah can often be found at our local rinks watching her boys play ice hockey.

LACY KATZEN ACQUIRES ESTEEMED LOCAL LAW FIRM

Lacy Katzen LLP is pleased to announce the acquisition of the esteemed Law firm of David C. Pettig, P.C. After careful consideration, and speaking with three area law firms, David Pettig chose Lacy Katzen as the best law firm to serve his Trusts and Estates practice. "I spoke with three local firms, and in my opinion, Lacy Katzen is the best fit for my clients," David said.

David faithfully served his clients for forty years and we are privileged to have been selected by him to continue on in that rich tradition of outstanding client service. David's Paralegal Barbie Ruffell, who spent more than fourteen years working with David and his clients, has joined Lacy Katzen's Trusts and Estates practice group as an estate administration and estate planning paralegal. Barbie will play a key role in continuing to assist David's clients throughout the transition.

LACY KATZEN RELOCATES CANANDAIGUA, NY OFFICE

In 2017, Lacy Katzen moved to a new office in Canandaigua, NY. Previously located at 23 North Street, the new office is located nearby at 25 North Street, Suite 100. We are excited about having a new, larger space, to better accommodate our clients.

REMEMBERING FOUNDER LEON KATZEN

In February 2017, the Bergen Community Center honored our founding partner, Leon Katzen, through the dedication of the Leon Katzen Conference Room. Leon was the Bergen Village attorney for more than 50 years before his passing in 2015.



Leon Katzen

LACY KATZEN GIVES BACK TO THE COMMUNITY

In 2017, Lacy Katzen supported **Willow Domestic Violence Center**. Throughout the year, Lacy Katzen employees volunteered their time to raise money and awareness for this important cause, including participation in the **Walk-A-Mile in My Shoes** event that took place in October at Ontario State Park.

Willow's mission is to prevent domestic violence and ensure every survivor has access to the services and support needed along the journey to a safe and empowered life. Its vision is a community free from domestic violence, where healthy relationships thrive. We were excited to be part of and support this important mission in 2017.

LACY KATZEN NEWS

CAMPAIGN FOR JUSTICE LAW FIRM CHALLENGE

Lacy Katzen is proud to announce 100% participation in the 2017 Campaign for Justice "**Law Firm Challenge**". The "Law Firm Challenge" is a competition among Rochester law firms and public sector entities, the goal of which is to encourage attorneys under the age of 40 to contribute toward the annual Campaign for Justice. This year, all Lacy Katzen attorneys under the age of 40 made a pledge or contribution. On December 4, 2017, Lacy Katzen received an award certificate in recognition of this accomplishment. A special thanks to **Karen Schaefer**, who served as co-chair of the 2017 Campaign for Justice, and **Michael Wegman**, who led Lacy Katzen in the Law Firm Challenge, as well as to the attorneys who made contributions toward this year's Campaign for Justice!

ATTORNEY RECOGNITIONS



Lacy Katzen Partner **Mary V. Fisher** was the recipient of the 2016 **Joe U. Posner Founders Award**. Each year, the Rochester Area Community Foundation presents an annual philanthropy award recognizing those who make a difference in our community. Mary and other award recipients received a bronze loving cup designed by Scottsville artist Wendell Castle. Thank you Mary, for working to make a difference and bring about positive change in our community!



Partner **Lawrence J. Schwind** was recognized as ***Two Years 10 Best in New York** for Client Satisfaction by the American Institute of Family Law Attorneys (AIOFLA). Attorneys selected for the "10 best" list must pass AIOFLA's rigorous selection process which is based on client and/or peer nominations, thorough research and AIOFLA's independent evaluation. We thank Larry for providing an outstanding level of service to our valued clients at Lacy Katzen.



Congratulations to Lacy Katzen Partner **Jacqueline M. Thomas** who is now a member of the ***Million Dollar Advocates Forum**. This is one of the most prestigious groups of trial lawyers in the United States. Membership is limited to attorneys who have achieved a final judgement, award or settlement for their clients of a million dollars or more. This is a true testament to Jacqueline's hard work and dedication to her clients.

SUPER LAWYER and BEST LAWYER RECOGNITIONS

Eight Lacy Katzen attorneys were recognized by ***Super Lawyers®**. Super Lawyers® selects attorneys using a patented multiphase selection process. Peer nominations and evaluations are combined with independent research. Congratulations to the following attorneys: **Peter T. Rodgers**, (*Medical Malpractice*), **Karen Schaefer** (*Trusts and Estates*) and **Jacqueline M. Thomas** (*Personal Injury*). Attorneys **Robin Folts** (*Estate Planning*), **Timothy C. Muck** (*Business, Corporate*), **Rachelle Nuhfer** (*Estate Planning*), **Michael J. Wegman** (*Creditor Rights*), and **John Wells** (*Personal Injury*) were named ***Super Lawyers Rising Stars** in their respective area of practice. Nine Lacy Katzen attorneys received recognition by ***Best Lawyers** for the following: **Peter T. Rodgers** and **Jacqueline M. Thomas** (*Medical Malpractice Law, Plaintiffs*), **Jacqueline M. Thomas** (*Personal Injury Litigation, Plaintiffs*), **Craig R. Welch** (*Closely Held Companies and Family Businesses Law*), **Karen Schaefer** (*Corporate Law*), **Terrance W. Emmens**, **Mary V. Fisher** and **Karen Schaefer** (*Trusts and Estates*), **David D. MacKnight** (*Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law*), and **Jennifer L. Chadwick** (*Banking and Finance Law*). **Peter T. Rodgers** was also a "Lawyer of the Year" recipient. Recognition by ***Best Lawyers** is based entirely on peer review. For more information on Super Lawyer and Best Lawyer methodology view their websites at www.superlawyers.com and www.bestlawyers.com.

**Prior results do not guarantee a similar outcome.*

Teamwork ♦ Excellence ♦ Ethical Behavior ♦ Fiscal Responsibility

LACY KATZEN NEWS

WELCOMING NEW ATTORNEYS

We are pleased to welcome the following new attorneys: **Collin J. Doane** and **Matthew Eaves**. Both Collin and Matt are graduates of University at Buffalo School of Law. Collin joined Lacy Katzen's Business, Corporate and Banking practice group. Matt joined the Estate Planning, Wealth Management & Business Succession practice group.



Matthew Eaves



Collin Doane

WE ALSO WELCOME THE FOLLOWING NEW STAFF MEMBERS TO OUR TEAM

Lacy Katzen welcomes: Charles Cotton, Carol Greco, Linda Lane, Barbie Ruffell, Melissa Rutherford, Susie Thornton, Wendy 't Sas, Haley Werner and Christina Weymann to the firm.

RETIREMENTS

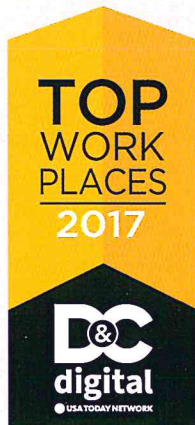
As some join Lacy Katzen, others are retiring. It's with great pride we recognize the retirement of Robert Burke and Christopher Mumford. Their dedication to our clients and the practice of law is impressive; we were fortunate to have them on the Lacy Katzen team. In June 2017, Bob and Chris were honored at the Monroe County Bar Association's annual dinner for 50 years of practicing law. Bob and Chris will transition their practice areas to other Lacy Katzen attorneys eager to continue their work and dedication to their clients.



Chris Mumford



Robert Burke



LACY KATZEN AWARDED TOP WORKPLACE FOR SECOND YEAR

In March of 2017 Lacy Katzen received the **Democrat and Chronicle's Top Workplace award** for the second year in a row. We attribute our positive culture to the hard work and dedication of our team and also extend our gratitude to Lacy Katzen's **Culture Team**, whose mission is to promote Firm values: **Teamwork, Excellence, Ethical Behavior and Fiscal Responsibility**. Craig Welch, the firm's Managing Partner states **"Our shared values and aligned behaviors are critical to the organization, and most importantly, the people of the organization are what drive success"**. The Culture Team is led by HR Manager Sherry Rettew. Current team members are Director Of Operations Sarah DiChiara along with attorneys Lisa Arrington, Daniel Bryson and John Refermat and staff members Gail Martindale, Tracy Mastrangiola, Elizabeth Pierce, and Wendy 't Sas. The Culture Team at Lacy Katzen plays a vital role in fostering a positive, productive, and ethical work environment!

PROPERTY VALUE GRIEVANCES IN NEW YORK STATE

By John T. Refermat, Esq.

Springtime means baseball, cookouts and ... real property tax grievance season! Property owners, real estate professionals, municipalities and school districts all know how significant property taxes are to their finances and to the funding of various local and state initiatives. We proudly count among our clients representatives from all of these groups, so this article provides a brief overview of the property tax process from these various perspectives.

First, a basic but key point: with all of the notoriety that sometimes surrounds property taxes (particularly in Upstate New York), some people conflate assessment with tax rate: this article addresses the former, which is the property value determined by the assessor, not the latter, which is set by the assessing jurisdiction's legislative body, such as the city council or town board. While the tax rate is based on multiple factors, including revenue needed to fund annual operations, the assessment should fundamentally be based on market value.

Before any lawsuit or judicial proceeding may be commenced to challenge an assessment that the owner or other aggrieved person believes exceeds market value, an administrative complaint typically must be filed with the assessor/Board of Assessment Review ("BAR" or "Board"), a quasi-independent group usually comprised of volunteers with experience and expertise in various real estate issues. In most towns in New York, "Grievance Day" is the fourth Tuesday in May: this is the date by which grievances must be filed (separately for each parcel being challenged) and it is also the day on which owners and/or their attorneys or other representatives may appear before the Board to present their case in person.

The Board reviews challenged assessments. Assessors may attend BAR presentations; their presence helps facilitate discussion of key issues. Most Boards strive to provide a careful, fair consideration of the evidence presented. When owners employ attorneys to represent them, it is best to do so well before Grievance Day, so that counsel has adequate opportunity to marshal the evidence required to present the best case. While the evidence need not be as formal as in a judicial proceeding, the higher quality the evidence, the more likely an owner is to secure a reduction at the "Grievance" stage, which can save significant additional time and expense of a lawsuit.

What are some examples of "quality evidence?" In most cases, it will be recent sales of reasonably comparable properties. Municipalities and real estate professionals often have better and more data (e.g., through paid services) than property owners but the internet has leveled the playing field greatly, by providing access to sales information that is available at little or no cost. An example in Monroe County is <http://www.monroecounty.gov/etc/rp/>. Please note that other assessments, even of nearly identical properties, are of little use in assessment disputes because it is "properties in motion" – (those bought and sold in arms' length transactions) that provide relevant, probative evidence. Of course, appropriate adjustments will often be needed in order to reach a reliable conclusion as to value, but it usually must start with solid sales data.

PROPERTY VALUE GRIEVANCES IN NEW YORK STATE cont'd

By John T. Refermat, Esq.

If a property produces income (e.g., rent), the best way to value it is typically by applying a proper “capitalization rate” to the property’s net operating income (NOI), which is generally gross revenue less expenses. In some cases, the subject property’s data may be compared to “market” income and expense information and capitalization rates.

Some unique properties lack comparable sales or income information. In such cases, particularly where the improvements were recently built, it can be appropriate to conduct a “cost” approach that is generally based on the construction and/or replacement costs, less depreciation.

Usually, multiple valuation approaches are employed, after considering all potentially applicable methods, with appropriate weight assigned to each.

Properly done, property valuation is based on rigorous, reliable methodologies using principles from economics, mathematics, finance and other established disciplines, but it is not a science, and “market value” is a range rather than an exact number. The better the data, the more likely that reliable values will ultimately result, whether that occurs at (or before) Grievance Day, or in subsequent litigation. For a complimentary initial review of your assessment issue, feel free to contact John Refermat directly at (585) 324-5762 or jtr@lacykatzen.com.

DON'T LET NURSING HOME NEGLECT AND ABUSE HAPPEN TO YOUR LOVED ONE

By: Jacqueline M. Thomas, Esq.

The attorneys at Lacy Katzen recently successfully concluded a high profile lawsuit involving the abuse and neglect of a nursing home resident. The case involved a man who had been a resident in a local nursing home for many years after a stroke rendered him unable to care for himself. He was unable to turn or reposition himself and had difficulty communicating due to the stroke. Nurses and aides employed by the nursing home were arrested and criminally charged as a result of a year long investigation conducted by the Medicaid Fraud Unit of the New York Attorney General’s Office.

The investigation came about because family members of the resident suspected that nursing home staff were stealing money from their loved one. The Attorney General’s Office supplied a hidden camera for the family to place into the resident’s room. The family had no idea what indignities the video would depict.

The video showed that medications were routinely documented in the chart but not actually provided to the patient. Occupational and physical therapy ordered by a physician was not being provided, incontinence care was not provided consistently or in a timely manner. The resident, who was at high risk for bedsores, was not turned and repositioned according to his care plan and developed painful bedsores. The video showed lengthy spans of time where no caregiver even entered his room.

The resident struggled with health conditions related to uncontrolled diabetes and ultimately died before the AG’s office had completed its investigation and before the family had any idea he was receiving poor care. The family presumed their loved one had died due to complications from his many health conditions. They now live with agonizing questions as to whether they should have known sooner that something was wrong and if their loved one would have survived if given proper care.

DON'T LET NURSING HOME NEGLECT AND ABUSE HAPPEN TO YOUR LOVED ONE cont'd

By: Jacqueline M. Thomas, Esq.

How could this happen? Family members visited regularly and were vocal if they thought care was lacking. Unfortunately, nursing home neglect or abuse can be difficult to detect, particularly if nursing home staff is making false entries in the patient's chart. Even doctors and nurses treating these patients may be duped by false records and presume the patient is just not responding to the treatments or medications.

Certain patients are at increased risk for neglect and abuse. These include those with dementia or Alzheimer's disease, those who have difficulty remembering events or communicating and residents who themselves are verbally or physically aggressive. Patients who cannot reliably remember or report what is happening to them on a daily basis are particularly at risk. However, there are signs that you can look for and steps you can take to prevent abuse or neglect of your loved one.

Watch for sudden or increased tension between caregivers and the patient, changes in personality or behavior, an increase in depression or crying, sudden unexplained weight loss, signs of dehydration, unexplained injuries such as bruises, fractures and sprains, frequent falls, signs of overmedication, bedsores or a strong smell of urine or fecal matter in the room. Unexplained changes in toileting routines such as moving from assisted toileting to incontinence briefs or catheterization should be questioned.

Be leery of providers who report frequent refusals by your loved one of treatments, medications or even daily care like bathing. Overworked staff may be tempted to document that your loved one refused her shower or physical therapy rather than take the time to actually give it to her. Advise nursing home staff that you should be called for any refusal so that you can talk to your loved one and convince them to cooperate.

Be active in your loved one's care plan. Ask to attend care plan meetings and doctor visits whenever possible. Familiarize yourself with the therapies, treatments and medications your loved one is supposed to get and when. At each doctor visit, ask for a list of medications and therapies your loved one should be getting and how often. You can't notice something is missing if you don't know that it has been ordered.

Visit often and at all different times of the day. Certainly watch how your loved one is cared for when you are present, but also pay attention to the care provided to the resident across the hall with no visitor. How long does it take staff to respond to the call light? Get to know the care providers and the chain of command. If you are not happy with a provider, ask that another be assigned. Particularly if your loved one is unable to report problems to you, or make friends with other residents who can watch out for your loved one and report back to you. Listen to your instincts, if something does not seem right, it may not be.

Some family members have gotten creative to investigate their suspicions of poor care. Some families have placed markings on incontinence care items or bed linens in order to tell if they have been changed between visits. Some count pills in medication bottles to see if they are being administered. Photograph any bruises, sores or injuries. Ask many questions. Review billing records to look for any discrepancy between the care you are observing and what is being billed.

The Attorneys at Lacy Katzen proudly represent the interests of our most vulnerable members of society. We are experienced in representing patients who have suffered injury or death due to nursing home neglect or abuse. If you have concerns about the care your loved one has received, please give us a call to discuss your situation.

PROBATE STRATEGIES TO MAXIMIZE WEALTH PROTECTION

By: Robin Folts, Esq.

Life is unpredictable. Within the past five years, I was rear ended in two separate automobile accidents. Although I was not at fault in either accident, both cases reminded me how unpredictable life is. I was fortunate enough to have a wonderful adult child as my caretaker in my own home, and not required to pay for such care. I know how lucky I was.

Obtaining Medicaid benefits can help cover the cost of medical care. With proper planning, Medicaid can cover the cost of in-home care; medical services obtained in certain assisted-living facilities; reduce room rates in certain assisted-living facilities; and can cover a substantial amount of medical charges including pharmaceuticals and co-payments for physician visits, and all or a substantial amount of room and board charges in nursing homes. However, Medicaid rules are subject to change.

Obtaining Medicaid for wealth preservation requires planning. It may be transferring all or a substantial amount of your wealth into an irrevocable trust, or gifting your wealth to your children is absolutely appropriate for wealth-protection purposes. However, subject to Medicaid rules, in the majority of those cases, those assets will not be protected for at least five years under the current Medicaid rules. What if you have enough health-care information available to know you are not expected to live five years, or expected to live five years independently? In most cases, wealth-protection planning is still available.

We have heard about the five-year look-back period. If gifts were made, subject to Medicaid rules, and five years have not passed, some or all of those gifts may be required to be returned to the donor for wealth-protection purposes. Otherwise such gifts may impose severe Medicaid penalties. However, in some cases it may be strategic to use probate to protect your wealth. For example, subject to Medicaid rules, if a spouse was not provided for under his/her spouse's will, a surviving spouse has substantial legal rights when an estate is probated and he or she timely exercises those rights. The timing of filing a probate estate can have significant wealth-protection advantages if the surviving spouse is living in a skilled nursing facility. Many wealth-protection strategies may be available simply by changing the terms of a will. Trust provisions created in a will (known as a testamentary trust) is another way to use probate for wealth preservation. With proper estate planning, if you and/or your spouse will not live for five years, under the current Medicaid rules, the probate process can significantly reduce assets available to pay for care.

Each client's estate or wealth-protection plan is different, each family dynamic is different and each client's wealth and income positions are different. Avoid mistakes. Meet with your estate and/or wealth-protection planning attorney every 3-5 years to review your estate plan.

LAVERN'S LAW GIVES NEW HOPE TO VICTIMS OF MEDICAL MISTAKES

By: Jacqueline M. Thomas, Esq.

On January 31, 2018 Lavern's Law was enacted giving victims of malpractice additional time to file a claim in missed cancer diagnosis cases. The bill was named for Lavern Wilkinson, a 41-year-old single, Brooklyn mother who died in 2013 of a curable form of lung cancer after doctors at Kings County Hospital misdiagnosed her. By the time Wilkinson found out that she had been misdiagnosed, her window to file a lawsuit had already expired, leaving her with both terminal cancer and no recourse for clear medical negligence. She left behind a then 15-year-old autistic and developmentally disabled child who needs round-the-clock care.

Under the new law, cancer victims will be allowed to sue for malpractice within a 2 ½ year window that starts when the patient discovers the error, with a 7 year maximum from the date of the error. Under the old law, the clock for people to sue started when the medical error occurred, even in situations where the patient had no idea there had been any error. By way of example, a tumor showing on a patient's CT scan in January of 2014 was missed and not reported to the patient who did not become symptomatic until January of 2017 when she was diagnosed with lung cancer. Under the old law her time to pursue a claim expired in June of 2016 before she had any idea she was sick. Under the new law, her 2 ½ year time limit would start to run in January of 2017 upon discovery of the mistake, or when a reasonable person should have discovered the mistake. The Law also revives claims that became time-barred in the 10 months before enactment of the law on January 31st, allowing those claims to be filed within six months of the effective date.

Application of the time limits in medical negligence cases can be tricky as the time limits can also be extended in other, limited, situations where the doctor continues to treat the patient for the same condition. If you believe you have been the victim of medical negligence, and have suffered a significant harm as a result, it is best to consult with an attorney who can assist you in evaluating your situation.



The Lacy Katzen Team

PREVENTABLE MEDICAL ERRORS CAUSING INJURY OR DEATH

By: Peter T. Rodgers, Esq.

We respect doctors and medical professionals for their advanced education and training. We trust them with our lives and the lives and well-being of our loved ones. While our trust in them is usually well placed, that trust can sometimes end in misfortune and anguish when a patient suffers severe injury or death as a result of a preventable medical error. At Lacy Katzen, we are committed to fighting for the rights of the victims of medical malpractice.

Our firm has successfully represented individuals in cardiac, pediatric, emergency medicine, primary care-medicine, neurologic, neurosurgical, urologic, obstetrical, orthopaedic, oncologic, vascular, surgical and infectious disease suits, including the failure to diagnose cancer, heart disease, infectious diseases and other diseases and conditions.

Medical malpractice is a negligent act or omission committed by a healthcare provider whose treatment failed to meet the standard of care, subsequently causing harm to a patient. In order to prevail in a medical malpractice claim, the injured patient, or family of a deceased patient, must: establish the applicable standard of medical care; show a departure or departures from the standard of care; show a causal relationship between the departure from the standard of care and the injury; and show the extent of harm or damages.

We have successfully represented our clients in a diverse array of claims. Examples of cases successfully concluded by settlement or verdict include:

- Esophageal intubation causing hypoxic brain damage
- Lacerated carotid artery during surgery
- Failure to treat increased intraocular pressure in a child resulting in loss of vision
- Perforated intestine during a cesarean section causing infection
- Failure to diagnose and treat a cerebral hemorrhage
- Perforated small bowel during gall bladder surgery causing infection
- Cut ureter during an oophorectomy
- Failure to diagnose and treat compartment syndrome causing a foot drop
- Failure to expedite delivery with evidence of fetal distress leading to cerebral palsy in an infant
- Failure to promptly diagnose and treat a post-operative infection
- Failure to correctly interpret an EKG only days before a middle-aged man suffered a heart attack
- Erb's Palsy injury to an infant caused by negligent delivery of an infant presenting with shoulder dystocia
- Failure to appreciate an immuno-compromised patient with rheumatoid arthritis on Remicade and methotrexate resulting in failure to diagnose systemic infection
- Failure to correctly interpret a CT scan of the chest and abdomen depriving a cancer patient of the opportunity for prompt treatment of cancer recurrence
- Failure to diagnose and properly treat acoustic neuroma
- Failure to maintain proper cuff pressure in an endotracheal tube resulting in tracheal necrosis
- Failure to diagnose and treat a breast lesion leading to patient's death

PREVENTABLE MEDICAL ERRORS CAUSING INJURY OR DEATH cont'd

- Failure to diagnose lung cancer in a timely manner resulting in advanced disease
- Failure to properly place a feeding tube
- Failure to properly place a chest tube causing serious injury
- Neurological injury to arm and hand during rotator cuff surgery
- Failure to monitor patient following lumbar puncture leading to patient's fall and serious fractures
- Improper post-operative pain medication and improper post-operative monitoring in a surgical patient with a history of sleep apnea resulting in cardiac arrest
- Failure to recognize malunion or non-union following orthopaedic surgery
- Failure to diagnose and treat pulmonary embolism resulting in death
- Failure to diagnose and treat a heart attack resulting in death
- Failure to perform an arterial Doppler study to rule out an arterial blood clot in the leg leading to amputation of the leg
- Failure to timely and accurately diagnose symptoms of a stroke resulting in partial loss of arm function
- Perforation of the stomach during laparoscopic procedure causing infection
- Failure of emergency room to protect the airway of a patient unable to swallow causing asphyxiation
- Failure to protect a non-displaced cervical spine fracture from displacement leading to neurological injury with loss of motor function
- Failure to timely and accurately diagnose and treat an arteriovenous malformation in the brain of an infant
- Failure to diagnose and treat a stroke
- Failure to properly perform cataract surgery leading to loss of vision in one eye
- Failure to diagnose a bladder tumor
- Failure to properly perform a renal vascular embolization procedure
- Failure to properly remove a colon polyp
- Failure to promptly diagnose and treat infection following shoulder surgery resulting in avulsion and permanent loss of deltoid function
- Failure to diagnose and treat sepsis
- Failure to diagnose and treat intussusception in a child

The attorneys at Lacy Katzen who handle medical malpractice, hospital and nursing home negligence matters are Peter T. Rodgers, Jaqueline M. Thomas and John M. Wells. Our firm is nationally recognized as a leading law firm in medical malpractice. Named a Tier 1 Best Law Firm in Plaintiffs' Medical Malpractice by the national publication Best Lawyers in America, our team includes consulting physicians, nurses, an economist and life care planner. Best Lawyers in America recognized Peter Rodgers as the Lawyer of the Year in Plaintiffs' Medical Malpractice in Rochester in 2013 and 2017. Jacqueline Thomas is listed in New York Super Lawyers for 2017. John Wells is listed as an upstate "Rising Star" by New York Super Lawyers for 2017. (Prior results do not guarantee a similar outcome.)

For more information, visit our website at www.lacykatzen.com/medical-malpractice.

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Legal Notes

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*The phone numbers for these locations are answered at our main office.

**The phone number for this location is now being answered at our Greece office.