Amendment VII of the Bill of Rights of the U.S. Constitution protects us all. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any court of the United States.

Firm Expansion

A Few New Faces...

In 2008, the firm hired four new associate attorneys, Frederick Aranki, Nick Gjelaj, Anthony Minko and Sean Constable. Fred Aranki is a veteran attorney who spent the majority of his career defending catastrophic injury cases for a major defense firm. He brings a unique perspective as well as his vast experience to the firm. Fred will be handling significant personal injury work from inception to trial on behalf of the firm.

Nick Gjelaj came to the firm from a prominent plaintiff's firm that specialized in construction litigation. Nick is a welcome addition to the firm’s burgeoning construction practice. Nick will be focusing his attention on significant personal injury work.

Anthony Minko comes to the firm directly from the Corporation Counsel of New York City where he was assigned to their elite Special Litigation Unit. He is an intelligent and aggressive attorney who will continue the firm’s commitment to excellence in the courtroom.

Sean Constable comes to the firm with a vast amount of litigation experience, working for a prominent civil defense firm and then later handling the defense of major personal injury actions on behalf of the Long Island Railroad.

Stephen J. Murphy Named a Partner

Jeffrey Block and Daniel O’Toole are proud to announce that Stephen J. Murphy has been named a partner at the firm. The firm will now be known as Block O’Toole & Murphy. Mr. Murphy joined the firm in early 2005 after a rewarding career as a homicide prosecutor.

Solano joins firm as of counsel

Javier Solano, a well known and talented trial attorney, has joined the firm in an of counsel capacity. Mr. Solano, hailing from the Bronx, was a former homicide prosecutor who now handles a myriad of catastrophic civil and criminal cases. He also serves as legal counsel to the National Puerto Rican Day Parade.

O’Toole, Murphy and Donahue Serving on the Board of Directors for the New York State Trial Lawyers Association!

Daniel O’Toole, Stephen Murphy and Joseph Donahue have all been recently elected to serve 3 year terms on the Board of Directors of the New York State Trial Lawyers Association. The organization that has been routinely described as “powerful” and “influential” by publications such as The New York Times and Crain’s New York Business represents nearly 5,000 lawyers from the Bronx to Buffalo. The organization focus is to protect the rights of litigants in the civil justice system. At his installation, O’Toole remarked that, for the firm, the organization is “a vehicle to help people and make sure that everyone gets a fair shake in our system of justice.”
The firm continues to achieve astounding results, including a $12,000,000 settlement on the eve of trial that will pay out more than 71 million dollars to a young boy and a record breaking verdict in Suffolk County for $32,756,156. The verdict is the highest verdict of its kind in Long Island history. The firm now enjoys the top non-medical malpractice verdicts in Nassau and Suffolk County as well as Long Island history!

$71,643,000 Result!

Plaintiff was standing on the sidewalk when two vehicles collided within the intersection causing one vehicle to jump the sidewalk and strike him. The two vehicles were a Chrysler and an Audi. The Chrysler claimed he entered the intersection against a yellow traffic light. The Audi claimed that he was traveling at 22 mph and that the Chrysler entered against a steady red light causing the accident. Our accident reconstruction engineer was able to scientifically prove that the Audi was traveling at 38.5 mph at the time of the impact, thus contributing to the cause of this accident. This evidence was crucial in proving the Audi’s liability.

INJURIES/DAMAGES

VERDICT/SETTLEMENT AMOUNT
$71,643,000

NOTE
$71,643,000.00 is the expected payout of Plaintiff's structured settlement annuity based upon a $12,000,000.00 settlement. This case settled prior to jury selection. This case was handled by Jeffrey Block, Esq. and Daniel O'Toole, Esq.

$32,756,156 Verdict!

On March 13, 2004, Plaintiff, a Vietnam Veteran, was a "good samaritan" helping accident victims at the scene of an unrelated motor vehicle collision in Port Jefferson, New York. The road was later blocked off by emergency personnel including members of the local police and fire department. Defendant was driving her car while impaired by marijuana and prescription pain killers. She drove through a police barricade and struck the plaintiff, propelling him 30 feet in the air. Plaintiff crashed to the ground and sustained severe life threatening trauma to his head. He was rushed to the nearest hospital.

INJURIES/DAMAGES
Plaintiff fractured his skull and hip. He underwent an emergency craniotomy to evacuate the hemorrhage in his brain and an open reduction internal fixation to repair his hip fracture. Plaintiff sustained severe brain damage and has been confined to a nursing home since the accident.

VERDICT/SETTLEMENT AMOUNT
$32,756,156. The highest offer was $7,500,000. Plaintiffs rejected the offer and proceeded to verdict.

NOTE
The jury verdict, which was covered extensively by the media, is the largest reported non-medical malpractice verdict in Long Island history. The case was tried by Stephen J. Murphy and Daniel P. O'Toole.
**LAWYERS WITH HARDHATS**

- Block O'Toole & Murphy has a proud and successful history of representing laborers who are injured on the job.
- A few recent results include:
  - $5,030,572 for a construction worker injured when a scaffold tipped over.
  - $4,985,000 for a laborer that fell from an unstable floor at a Manhattan building worksite.
  - $4,000,000 for a mechanic injured after becoming entangled in a pump’s motor.
  - $3,700,000 for an asbestos worker who fell off a scaffold.
  - $3,411,000 for a building superintendent injured by a brick that fell from a scaffold.

**WHAT DOES A WORKER NEED TO KNOW?**

New York laws are designed to protect the workers of this State. Anyone who is injured while working on any construction or renovation project, no matter how big or small, needs to make sure that his or her rights are protected.

**WHO DOES THE LAW PROTECT?**

The law is a broad one. Among others, it seeks to protect: Iron Workers, Construction Workers, Electricians, Mechanics, Bricklayers, Painters and Carpenters
- If you are hurt on the job, ANY job, you should consult an attorney to make sure your rights are protected.
- Don’t make any statements until you have discussed the matter fully with an attorney.

**FIGHTING FOR CHILDREN**

The law firm of Block O’Toole & Murphy continues to excel in the courtroom. But we are mindful that our obligations to help people in need don’t stop at the office or in a courtroom. The firm remains involved in several important charities, perhaps no more significant than the St. Jude Children’s Hospital and The Frances Pope Memorial Foundation.

St. Jude Children’s Hospital is the leading hospital in the world in the ever important fight against pediatric disease, including cancer. Stephen J. Murphy and Daniel P. O’Toole, along with defense attorney Lois Ottombrino, are responsible for organizing the popular annual charity wine tasting to benefit the St. Jude Children’s Hospital. The firm sponsors this highly successful event that continues to raise money for the hospital. The event raised more than $115,000 in 2008.

The Frances Pope Memorial Foundation is the leading charity on the east coast that helps families of children that are inflicted by leukemia and cancer. The foundation contributes money for research to find a cure and financially assists the families with things like mortgage payments, medical bills or money for medications that insurance refuses to pay for. The firm enjoys a close relationship with Mary O’Dowd, the founder of the foundation. We consider it an extremely important responsibility to help this worthy cause. The firm is a perennial sponsor at the Friendship Ball.

**SUPER LAWYERS!**

The firm wishes to congratulate Jeffrey Block & Daniel O’Toole for being recognized in the 2008 Super Lawyers magazine. This honor is reserved for elite members of the bar. The top 5% of practitioners in their respective fields are recognized.
Local man awarded record judgment

Damages add up to $32.7 million, the largest of its kind in county history

By Peggy Speckman Hovey

Jeremy Dunne pumped his fist in triumph Tuesday when he learned he had won his lawsuit.

And he had every reason to.

A Suffolk County jury awarded the 60-year-old Vietnam veteran $32.7 million in damages — said to be the largest personal-injury award in county history — for severe brain damage he suffered when he was struck by a car driven by a drug-impaired driver in March 2004.

Mr. Dunne, of Montauk, was driving home with his wife, Carol, from a friends' backyard soiree at the American Legion in Port Jefferson Station, where he was commanding officer, when they stopped to help victims of a three-car crash on Edgemere Road in Port Jefferson Station.

While Mr. Dunne was giving a treatment to a police officer at the scene, according to testimony by Lisa Lloyd, of Rocky Point, another police officer and drug-impaired driver, Richard McClelland, wasinating some 30 feet into the air, according to the conclusion of Dr. Stephen Murphy of Block and O'Toole in Manhattan.

According to court documents, Mr. Lloyd later pleaded guilty to second-degree assault and reckless driving charges in而在 by taped by Ms. Lloyd.

Mr. Dunne, who could not be reached for comment, his attorney, Allen Kavanagh, was also unavailable for comment.

Mr. Murphy said the money would be divided among the family to help Mr. Dunne, who requires round-the-clock nursing care due to his injuries, home from the veterans' center in Stony Brook, where he has been living since being released from the hospital.

A former railroad conductor who retired after 10 years, Mr. Dunne was in a coma for four months after being hit by the car, and his injuries.

The award money will allow the couple to be cared for by doctors, drains, 37, and her grandson, Mr. Murphy said.

"The money will allow them to care for him," Mr. Murphy said.

Mr. Murphy noted the trial, which lasted about 2.5 weeks, focused on evidence concerning the damages done to Mr. Dunne, nothing else.

But it was validation, he said, that "realized his client's plight, he successfully touched the hearts of the jury with compelling evidence demonstrating his struggle to rehabilitate, which included an account of him reciting his favorite poem, "The Shooting of Dan McGrew."

Dunne and his wife, Carol, a former school teacher, are members of the American Legion in Port Jefferson Station.

The city that is home to the couple's three children and four grandchildren.

"It was done, he pumped the fist and the jurors all cheered," Mr. Murphy said.

Injured Viet vet awarded $32M

Man who suffered brain damage after being hit by an impaired driver who crashed police barricade to get a county record in damages

BY BART JONES

A Suffolk County jury has awarded what attorneys called a county-record $32.7 million in damages to a man from Montauk who suffered severe brain damage when a drug-impaired driver plowed through a police barricade and hit him.

The jury awarded the $32.7 million damages to James Dunne, 56, a retired railroad worker and his wife Carol on Wednesday more than a year after a civil trial, according to court sources. Dunne was represented by Stephen Murphy of Manhattan, Dunne's attorney.

Murphy, who had asked the jury for $35 million in damages, said he was not surprised by the award.

"The evidence was overwhelming, "Mr. Murphy said.

The jury awarded the Dunnes $32.7 million for medical damages.

The jury found in favor of Dunne, a retired railroad worker, and his wife Carol on Wednesday more than a year after a civil trial, according to court sources. Dunne was represented by Stephen Murphy of Manhattan, Dunne's attorney.

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Block O'Toole & Murphy want you to think of us as your law firm. Please feel free to refer us to your family, friends co-workers and neighbors if they are involved in a substantial personal injury case. You are part of the Block O'Toole & Murphy family. If you have any legal matters that need attention, please let us know. If we are unable to handle the matter we will make sure that we introduce you to an excellent attorney that will take care of your legal needs.

Block O'Toole & Murphy accepts referrals of substantial cases from attorneys and law firms throughout New York. We are honored when a colleague entrusts us with a case, and we are proud of the fact that attorneys who refer us one case begin what becomes a lifelong relationship with the firm.

FEATURED EMPLOYEE

Sharon Morris has been with the firm since 1993. She has always been the “face of the firm.” Clients and attorneys know her as the first person they see as they walk in to the warm offices of the firm and definitely the one with the loudest voice. Sharon, who is from the Bronx, is the mother of four. The pride she shows in her work is only matched by the pride she exhibits when discussing the academic and athletic achievements of her children. She is the embodiment of loyalty and we hope she never leaves our side.

Name: Sharon Morris
Job: Receptionist
Nickname: The General