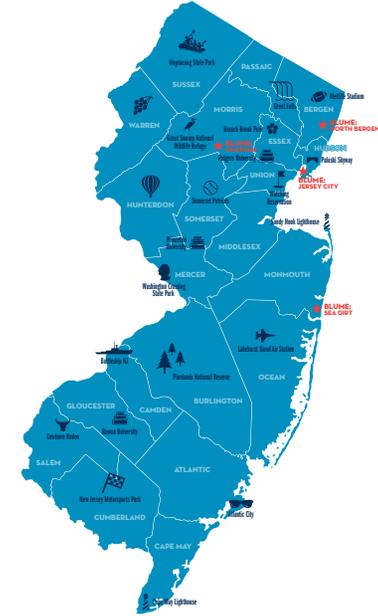


**Less stress.
More recovery.**

BLUME FORTE FRIED ZERRES & MOLINARI



Our success in
personal injury litigation
spans the entire
state of New Jersey!

Blume Forte Fried Zerres & Molinari
NJ Personal Injury Litigation/Medical Malpractice
Phone: 973-635-5400 | 800-734-5613
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njatty.com

From the Editor:

Welcome to the newest edition of the Blume Forte Fried Zerres & Molinari Newsletter.

First and foremost, I hope that you and your family are in good health and spirits during this unprecedented time in our nation's history.

We know many of you have faced personal and professional challenges throughout the year. We hope that this year brings prosperity and less stress to you and your loved ones.

Our firm has worked for nearly a century to protect and help those injured as a result of medical and nursing home negligence, automobile and trucking accidents, unsafe products and premises, as well as workplace and construction site accidents. I am proud to announce that not even a global pandemic prevented us from accomplishing our mission. Our firm has remained 100% fully operational for our clients. We have worked virtually when necessary and taken all health precautions so as to protect our staff and clients.

Our mission remains the same: less stress, more recovery. On behalf of all of our attorneys and dedicated support staff, I thank you for the trust you have placed in our firm.

Jeffrey Zenna
JEFFREY J. ZENNA

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John Blume Our founder, mentor and friend.

John was a legend among the trial bar, and his talents and contributions to the law and our firm, are irreplaceable. John graduated from Washington and Lee University and Rutgers Law School. He joined his father, Charles Blume, in practice in 1956, and, over the course of his nearly 60-year career, built a formidable plaintiff's personal injury practice.

Throughout his career, John represented those whose lives had been upended and who turned to him for help. He treated each person with respect and compassion. He was a constant source of new and bold ideas and was always willing to push boundaries and create new law in his field, often recognizing before anyone else, where the law needed to go. In *Alfone v. Sarno*, 87 N.J. 99 (1981), he established that there could be a distinct cause of action for the wrongful death of a person who had previously brought their own suit for damages. He did not shy from difficult cases of varied types, whether on behalf of a person

paralyzed from a defective car; a family whose husband and father had been killed at a worksite, *Tirrell v. Navistar*, 248 N.J. Super 390 (App. Div. 1991); one whose child had been grievously injured at birth, *Cogdell v. Brown*, 220 N.J. Super 330 (Law Div. 1987); member had been electrocuted by PSEG's high-voltage wire, *Black v. Public Service Elec and Gas*, 56 N.J.63 (1970); one whose wife and mother had been kidnapped from a parking lot and killed; or one whose parents had drowned when their car drove into the water from a boat ramp, to name but a handful of so many over his decades of practice.

John gave freely of his time, experience and expertise and was willing to help anyone, professionally or personally. He was one of the most



generous people we knew. He gave many their start in the law and taught trial skills not only to those at this firm but also to others. He was a Master in the Inns of Court and a true master in the courtroom. He was a Certified Civil Trial Attorney, one of the first attorneys in New Jersey to receive this designation and was a member of the American Board of Trial Advocates.

According to an article in the *National Law Journal*, "John M. Blume is the attorney named by most other prominent New Jersey litigators as a leading trial attorney." John received awards from the Essex County Bar Association, Trial Attorneys of New Jersey and was honored with the James J. McLaughlin Award. He was recognized by the *National Law Journal* as a top Litigator in New Jersey and was designated every year between 2005 and 2014 on the N.J. Super Lawyers list and was named Lawyer of the Year in 2009 and 2012 by Best Lawyers, to name but a few of those organizations and people both locally and nationally who recognized his exceptional abilities. The *National Law Journal* described him as a "Jersey Giant"; while he was fearless, he was also gentle; while formidable, also approachable, humble, and unpretentious.

He had boundless energy and never stopped motivating others to do more for their clients and the law. In addition to his family – including his wife Myrna, his children Randy Lee Blume, Lawrence Blume and grandson Elliot Kephart, he leaves behind an unparalleled legacy and many grateful clients and colleagues.

Recoveries

\$10 Million

For anesthesia malpractice.

Carol Forte obtained a ten million dollar settlement for a woman who was about to undergo a routine surgical procedure, but who ended up being injured from a lack of oxygen. Before the surgical procedure started, there was difficulty putting in an airway, through which oxygen is given. Because the airway was not properly placed, and because the doctor had not properly prepared for this potential problem by having all the necessary medication and equipment immediately available, there was a delay in properly positioning the airway, during which time the patient's oxygen level went very low.

\$3.25 Million

Driven to obtain a better recovery.

John E. Molinari represented a 46-year-old man who was driving his car on a two-lane road when he was struck almost head-on by a tow truck that crossed into his lane of travel.

The plaintiff suffered a subarachnoid hemorrhage; severe traumatic brain injury; prolonged loss of consciousness/coma; comminuted fractures of both femurs; tibial fracture that broke through the skin; displaced foot fractures and multiple fractured ribs. The plaintiff's severe injuries required numerous invasive procedures including drill holes and placement of an intracranial pressure monitor; nailing of the right femoral shaft fracture; open reduction and internal fixation of right tibial fracture, repair of meniscus tear; the closed reduction and fixation of first foot joint; and nailing of right femoral shaft fracture.

The main issue during the litigation was plaintiff's alleged failure to use his seat belt and whether that contributed to his injuries. Each side had retained experts after multiple witness depositions were taken. Eventually the experts were deposed. Just prior to trial the parties agreed to mediation and the case settled for \$3,250,000.00.

\$1.7 Million

The road to recovery

Jeffrey Zenna represented a motorcyclist injured as a result of a motor vehicle accident with a driver on a rural road in NJ. The client suffered a serious leg fracture that required multiple surgeries. In addition to being seriously injured, the client was out of work for more than a year. Mr. Zenna successfully recovered monies to compensate his client for his lost wages, unpaid medical bills, pain and suffering, and injury to the leg.

\$1.185 Million

On the case, from surgery to recovery.

Ken Elwood represented a 45-year-old police officer who was injured in an intersection collision with a motorist who disregarded a stop sign. The plaintiff, who was on duty at the time, had just recovered from shoulder surgery one year prior to this accident and, as a result of this accident, required three additional shoulder surgeries over the ensuing 18 months. He was left with permanent loss of function and strength in his shoulder and faces the prospect of possible shoulder replacement surgery in the future. The settlement involved the repayment of \$95,000 to the employer's workers' compensation carrier for medical bills and permanent disability provided to the plaintiff.

Here is a sample of other results we have obtained for clients over the last year.

\$7,000,000

Recreational Accident
Michael B. Zerres

\$1,490,000

Motor Vehicle Accident
John E. Molinari

\$750,000

Motor Vehicle Accident
Jeffrey J. Zenna

\$500,000

Motor Vehicle Accident
Jeffrey J. Zenna

\$375,000

Construction Accident
Harris S. Feldman

\$5,370,000

Wrongful Death
Michael B. Zerres

\$1,375,000

Medical Malpractice
Mitchell J. Makowicz, Jr.

\$600,000

Motor Vehicle Accident
Mitchell J. Makowicz, Jr.

\$497,500

Motor Vehicle Accident
Richard J. Villanova

\$350,000

Dog Bite
Harris S. Feldman

\$5,350,000

Birth Injury
Michael B. Zerres

\$1,100,000

Motor Vehicle Accident
John E. Molinari

\$575,000

Medical Malpractice
Harris S. Feldman

\$440,000

Medical Malpractice
Harris S. Feldman

\$350,000

Medical Malpractice
Harris S. Feldman

\$1,800,000

Medical Malpractice
Michael B. Zerres

\$985,000

Motor Vehicle Accident
Mitchell J. Makowicz, Jr.

\$562,500

Motor Vehicle Accident
Mitchell J. Makowicz, Jr.

\$425,000

Medical Malpractice
Mitchell J. Makowicz, Jr.

\$250,000

Medical Malpractice
Mitchell J. Makowicz, Jr.

\$1,525,000

Motor Vehicle Accident
John E. Molinari

\$950,000

Premises Liability Accident
John E. Molinari

\$550,000

Medical Malpractice
Mitchell J. Makowicz, Jr.

\$375,000

Motor Vehicle Accident
Mitchell J. Makowicz, Jr.

\$240,000

Motor Vehicle Accident
Norberto A. Garcia

Results may vary depending on your particular facts and legal circumstances.

FYI

Auto insurance and claims in New Jersey – what you need to know

by Mitchell J. Makowicz

When a person is injured in an automobile accident in New Jersey, it is absolutely necessary that the circumstances be scrutinized to determine the coverages available to and/or chosen by the client. Auto insurance is mandatory in New Jersey. It is required to provide numerous coverages in addition to liability coverage, and it will define the scope of that client's right to bring a claim for non-economic damages.

All auto insurance policies in New Jersey – except for “Basic Policies” – must provide a minimum of \$15,000 per person/\$30,000 per accident of both Liability and Uninsured Motorist coverage. Underinsured Motorist coverage is typically provided with Uninsured Motorist coverage (with the same limits). For New Jersey insureds, that coverage applies when the insured or a resident relative within the insured's household is the driver, the passenger or a pedestrian injured in an automobile accident. “Basic Policies” offer no Liability, Uninsured Motorist, or Underinsured Motorist coverage.

All auto insurance policies in New Jersey must also provide for payment of medical expenses in New Jersey, to some extent. Initially, Personal Injury Protection (PIP) coverage was afforded to the insured and all resident relatives of the insured with a mandatory limit of \$250,000. In recent years, the statute has been amended to permit different levels of PIP coverage to be offered, or the insured may opt to have health insurance primary coverage in lieu of the PIP carrier having to pay for treatment. In addition, there is presently a low-cost policy available to some based upon financial need – called a “Basic Policy” – that provides no medical expense coverage except for emergent/urgent care (limited to \$15,000).

All PIP payments are subject to a deductible (\$250 per accident) and a co-payment (20% of a chosen, designated amount), after which payments are made to the maximum limit chosen by the insured. Medical treatment is subject to pre-authorization and to fee schedules

that apply regionally. Medical expenses incurred above PIP limits are admissible into evidence and may be recovered against the defendant(s). No liens may be asserted by any PIP carrier against the client's recovery.

Every policy also contains a tort threshold, which determines whether a claimant may recover damages for non-economic loss. The tort threshold applies to the “immediate family members” of the insured who reside in the household – spouses, children and stepchildren. The “Zero” or “No Limitation on Lawsuit” threshold permits a claim regardless of the nature or extent of the injuries and does not require objective proof of injury.

The “Verbal” or “Limitation on Lawsuit” threshold requires that the claimant prove one of six injuries. Five of these injuries require no proof of any long-term sequelae – in other words, the injury itself is deemed to be significant by force of law. The sixth category – a “permanent injury” – requires that the claimant prove an injury that has not healed and will not heal with further treatment, that affects function, and that is proven by objective, credible medical evidence.

If a New Jersey resident claimant is not a named insured nor covered under a policy in the household, PIP coverage is available



if he/she is the driver of, or a passenger in, an insured car. If the claimant is a pedestrian struck by an automobile, PIP coverage is provided by the Property-Liability Insurance Guaranty Association. A notice of claim must be filed within 180 days of the date of the accident or within fifteen (15) days of learning of an exclusion or disclaimer.

If the claimant is not a New Jersey resident but is involved in an automobile accident within the state, the rules are quite complex and may implicate a statute colloquially termed “The Deemer Statute.” If an out-of-state automobile involved in the accident

in New Jersey is insured by a carrier that is not authorized to offer auto insurance in the state, the insured claimant will have a “zero” threshold.

Conversely, if the automobile is insured by a carrier that is authorized to offer auto insurance in the state, then the insured claimant will be subject to the verbal threshold – but will also be entitled to PIP coverage, as well as all other statutorily mandated coverages.

The attorneys at Blume, Forte have decades of experience with auto claims in New Jersey and are fully familiar with the complex rules that apply to such claims.

FYI

The many dangers of litigating cases against public entities

by Norberto A. Garcia

There are many hidden traps and dangers in personal injury, product liability, and medical malpractice law. The failure to be aware of these obstacles can cause the extinguishing of a valid claim before litigation can even begin. There are few things more frustrating than getting a call from a client or lawyer wishing to discuss a case and having to tell them that it is too late because they have missed a crucial deadline for even contemplating a lawsuit.

I tell my friends, family, and other lawyers that the moment they think something went wrong, they should call me right away. People sometimes think they should wait to see if they get better. Other times, people try to negotiate a resolution with the negligent party directly before they consult a lawyer. There are also lawyers whose specialty is not personal injury who open a file and try to resolve an issue without sending it to a specialist. Unfortunately, the law has changed throughout the years to the point

where specialization is the norm and not the exception.



The most common traps we encounter are the Tort Claims Act 59:8-8 (90-day notice requirement), The New Jersey Carnival and Amusement Ride Safety Act (90-day notice requirement), and the Port Authority Statute N.J.S.A. 59:8-8 (1 year statute of limitations). New York has similar traps, such a 90-day notice requirement and a one-year and 90 days statute of limitations in cases brought against the Mass Transit Authority or New York City Transit Authority.

The Tort Claims Act is especially tricky when it comes to fall down cases. Modern public housing is different from the Robert Moses - inspired public housing projects of our youth. The tall, impersonal building lots have been replaced by town house communities. Today, especially in urban areas such as Jersey City and Newark, public housing is constructed in a way that it blends in with existing non-public housing. The names of these communities also disguise their public housing designation. It

takes immediate research and familiarity with the local neighborhoods to ascertain which properties are public versus non-public.

Another danger is the existence of many buildings owned by entities such as the Hudson County Improvement Authority. These public entities are involved in redevelopment projects where they transfer formerly public buildings to private and vice versa. A building that looks commercial and has historically been commercial can actually be public if owned by these improvement authorities.

Many government vehicles do not have government signage. Aside from the obvious incidents involving undercover police, the failure to provide a notice of claim against government employees using a “regular” car can doom a simple car accident case before medical treatment has even concluded.

In the medical malpractice arena, many private medical facilities use public hospital physicians on a regular basis. The ability to identify these public physicians in the maze of modern hospital records, most of which are now stored electronically, requires a familiarity with these procedures. We are fortunate to have a full-time medical doctor, nurses, a legal librarian and investigators on staff at our office who assist our experienced medical malpractice lawyers in spotting these issues.



FYI

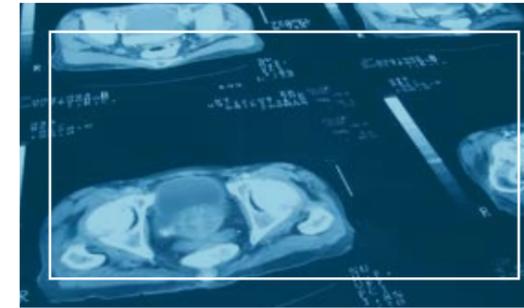
Prostate Cancer and PSA Screening

by Carol L. Forte

I recently resolved a claim for a gentleman whose prostate cancer was not properly diagnosed. By the time it was found, it was very advanced, and the patient ultimately died from the disease and its complications. The patient routinely saw an internist for routine medical care and screening. In 2004, when he was 47, a blood test known as a baseline prostate specific antigen, or PSA, was performed during his annual physical exam. PSA is a protein that is made by prostate cells. The blood test can tell how much PSA is in a man's bloodstream. When a man has prostate cancer, the PSA level increases. Cancer is not the only thing that can cause the PSA level to rise. A PSA test cannot diagnose cancer, but an elevated PSA level is a warning sign that requires follow-up with a doctor to determine next steps. That first PSA blood level done on our client was normal. A normal range is 0-4. Another test was done about 16 months later, and it was again normal. No further PSA levels

were done until July 2009, when it came back at 5.37. The laboratory report on which this value appeared was initialed by the doctor, indicating that he saw it. The patient was not told of this result.

The website zerocancer.org has this to say about prostate cancer screening: "In recent years there has been some controversy surrounding the PSA test. In 2012 the U.S. Preventive Services Task Force (USPSTF) assigned the PSA test a "D" rating. This meant that the USPSTF concluded the harms that resulted from PSA testing, such as unnecessary biopsies and negative treatment side effects, outweighed the benefits of finding and managing the disease early. The USPSTF recommendation is important, as it guides primary care physicians in preventive care and can impact insurance coverage and reimbursement for screening. Prior to its "D" rating, the PSA test had an "I" rating, meaning



the USPSTF concluded there was insufficient evidence to assess the pros and cons of testing." The USPSTF recommendations apply only to screening; these specific recommendations do not dictate what to do with an already abnormal result, like the one of our client from July 2009. Additionally, the client was of African descent, and as such was in a higher risk category for the development of prostate cancer.

After July 2009, no further PSAs were performed. There was no discussion between the doctor and the patient, our client, about whether he wanted to be screened, and no notification telling the patient that the testing had been stopped. Following the USPSTF recommendations, the doctor had discontinued routine PSA screening.

In February of 2016, the patient began to have lower extremity weakness and he was admitted to the hospital with difficulty walking. CT scans showed that he had multiple lesions on his spine consistent with metastatic cancer, along with spinal cord compression. The following day, a PSA level was 496.31, making

the presumptive diagnosis of advanced prostate cancer. It was later confirmed by other testing. After several years of extensive treatment, he eventually succumbed to his disease.

The doctor admitted that he had inadvertently not told the patient of the abnormal PSA result in July 2009, at which point the cancer was at a very early stage. The outcome would have been much different had it been addressed at that time.

In 2018, the USPSTF changed its recommendations and now states that for men aged 55 to 69 years, the decision to undergo periodic PSA screening for prostate cancer should be an individual one. Before deciding whether to be screened, men should have an opportunity to discuss the potential benefits and harms of screening with their clinician and to incorporate their values and preferences in their decision.



Achievements, Announcements & Events



12 Blume Forte attorneys have been named to the 2021 New Jersey Super Lawyers list.
2 Blume Forte Attorneys Named to Rising Stars List

A designation awarded to just 5 percent of the lawyers in the entire state. This research-driven, peer-influenced rating system identifies attorneys who consistently hold themselves to the highest professional standards.

The following Blume Forte attorneys were recognized again in 2021 for their work in Personal Injury

(the number of years next to their name indicates the number of consecutive years they have received the honor):

	David M. Fried 17 Years		Carol L. Forte 17 Years		Michael B. Zerres 17 Years		John E. Molinari 17 Years
	Kenneth W. Elwood 17 Years		Mitchell J. Makowicz 17 Years		Jeffrey J. Zenna 10 Years		Cynthia M. Craig 16 Years
	Brian E. Mahoney 9 Years		Norberto A. Garcia 14 Years		Ronald P. Goldfaden 17 Years		

Super Lawyers, a Thomson Reuters business, is a rating service of outstanding lawyers from more than 70 practice areas who have attained a high degree of peer recognition and professional achievement. The annual selections are made using a patented multiphase process that includes a statewide survey of lawyers, an independent research evaluation of candidates and peer reviews by practice area. The result is a credible, comprehensive and diverse listing of exceptional attorneys. For more information about Super Lawyers, visit SuperLawyers.com. **No aspect of this advertisement has been approved by the Supreme Court of New Jersey.**



Carol L. Forte

Recognized by Super Lawyers in its top ten list as the Number One Attorney in the state of New Jersey.

Blume Forte was also represented in the "Rising Stars" list, a designation given to less than 2.5 percent of New Jersey attorneys who are 40 years old or younger and who have been practicing for 10 years or fewer:

	Alexa C. Salcito 3 Years
	Connor Turpan 1 Year



5 lawyers from Blume Forte Fried Zerres & Molinari were recognized in The Best Lawyers in America ©2021.

Since it was first published in 1983, Best Lawyers® has become universally regarded as the definitive guide to legal excellence. Best Lawyers lists are compiled based on an exhaustive peer-review evaluation.

The following Blume Forte attorneys were recognized again in 2021.

	David M. Fried Personal Injury Litigation – Plaintiffs Product Liability Litigation – Plaintiffs Recognized since 2007		Carol L. Forte Medical Malpractice Law – Plaintiffs Personal Injury Litigation – Plaintiffs Recognized since 2003
	Michael B. Zerres Medical Malpractice Law – Plaintiffs Personal Injury Litigation – Plaintiffs Product Liability Litigation – Plaintiffs Recognized since 2007		Cynthia M. Craig Personal Injury Litigation – Plaintiffs Recognized since 2008
	Harris S. Feldman Medical Malpractice Law – Plaintiffs Personal Injury Litigation – Plaintiffs Recognized since 2019		



Blume Forte Fried Zerres & Molinari has been named a Tier 1 New Jersey "Best Law Firm" in two practice areas by U.S. News – Best Lawyers® in 2021.

The Best Lawyers in America is issued by Best Lawyers and U.S. News and World report. In order to be eligible for selection, "A firm must have at least one attorney who is recognized in the current edition of Best Lawyers in a 'Best Law Firms' ranked practice area / metro area. All of the quantitative and qualitative data is then combined into an overall 'Best Law Firms' score for each firm. Because firms were often separated by small or insignificant differences in overall score, we use a tiering system rather than ranking law firms sequentially. The number of tiers included in each practice area or metropolitan area ranking varies, and some specialties may not be ranked in metro areas in which there is not enough data to provide rankings in a particular specialty." A full description of the selection methodology can be found at <https://bestlawfirms.usnews.com/methodology.aspx>.

What some of our clients are saying...

"The only thing more substantial than the recovery was their support."
-Victoria D., Client, Blume Forte Fried Zerres & Molinari

A victim of medical malpractice, Victoria was physically disabled and needed the help of attorneys to get the help she needed to move on with her life. Our attorneys helped her to move on with her life and helped her to get the best medical care possible.

"They kept the stress way down every step of the way."
-Matt P., Client, Blume Forte Fried Zerres & Molinari

A serious accident turned Matt's life upside down. He turned to us and got his life back on track. Our experience and expertise helped make the process more comfortable and convenient for Matt. We can provide less stress and more recovery for your clients as well. Refer your personal injury and medical malpractice cases to Blume Forte Zerres & Molinari. You'll be glad you did.

"Thanks to a substantial recovery, I was able to get the best medical care."
-Troy H., Client, Blume Forte Fried Zerres & Molinari

Troy was severely injured in a motor vehicle accident. We helped her obtain a substantial recovery that allowed her to get the medical care she needed, giving her peace of mind. We can help your clients achieve less stress and more recovery as well. Refer them to us, Blume Forte Fried Zerres & Molinari, where we have 10 Certified Civil Trial Attorneys with experience in all areas of personal injury law.

BLUME FORTE FRIED ZERRES & MOLINARI
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Achievements, Announcements, and Events

Our attorneys maintain active involvement in many associations and professional organizations and are often recognized for their experience and successes.



Norberto A. Garcia

- Appointed by Chief Justice Stewart Rabner to sit on the Board of the New Jersey Client Protection Fund in January 2021.
- Elected to the executive board of the New Jersey State Bar Association in March 2021.
- Lectured for the New Jersey Institute of Continuing Legal Education on the topic of depositions for the Annual Deposition College.
- Lectured for the New Jersey Association for Justice's Winter Seminar on the topic of maximizing economic damages.



John E. Molinari

- Presented a seminar for the HCBA on premises liability from the plaintiff's perspective.
- Judged the annual Hudson County high school mock trial competition.
- Co-chair and Moderator of the NJAJ auto program for the Winter Seminars



Harris S. Feldman

- Moderator and presenter on a roadmap for handling workplace injury cases.
- Moderator and presenter for a Personal Injury Bootcamp.
- Presenter at the NJAJ Meadowlands Seminar discussing product liability.



Jeffrey J. Zenna

- Appointed Vice Chair of the NJ District XI 10B ethics committee
- Appointed Vice Chairman of the Board of Trustees Fellowship Senior Living
- Guest lecturer at Seton Hall Law School

Community

Blume Forte celebrated another year of its employee student scholarship fund and also established a \$1500 scholarship for current and aspiring college students who love their dogs. Photos of the applicants and their pups will be posted on Facebook weekly.



We proudly welcome Brian Riehl to our firm

Brian Riehl is an Associate at Blume Forte. His practice focuses on automobile accidents, trucking accidents, premises liability, medical malpractice, and general negligence matters.



Prior to becoming an attorney, Brian worked as a Special Agent for Homeland Security Investigations (HSI) where he conducted investigations into transnational criminal organizations involving narcotics, firearms, and human trafficking.

Brian ultimately left HSI to pursue a career in law. He attended Rutgers Law, where he was selected to serve as a member of both the Rutgers Law Review and the Moot Court Board. Additionally, while in law school, Brian worked as a law clerk for Blume Forte.

Upon graduating from Rutgers Law, Brian began his legal career as a Judicial Clerk for the Honorable Alberto Rivas, J.S.C. in the New Jersey State Superior Court, Criminal Division, Middlesex County. At the conclusion of his clerkship, Brian put his prior law enforcement experience to use as an Assistant Prosecutor with the Essex County Prosecutor's Office, where he served in both the Trial Section and Special

Victims Unit. After several years as a prosecutor, Brian left public service to join a prominent law firm in Middlesex County. Ultimately, Brian returned home to Blume Forte, where he applies his unique background in investigations and litigation to deliver exceptional results for his clients.

Brian is licensed to practice law in both New Jersey and New York. He is a member of the New Jersey Association for Justice and the New Jersey State Bar Association.

Brian Mahoney steps down from day-to-day practice, but remains of counsel

After 17 years with the firm, and a distinguished 40-year career, Brian Mahoney has decided to take a step back from day-to-day practice to spend hard earned time with his family and friends and enjoy his favorite pursuits. He will remain of counsel to the firm and will continue to work on special projects of his choosing.

Brian started with the firm in 2004. He has been an integral part of the many recoveries we have been able to secure on behalf of our clients.



Over his 40-year career, he has participated in a variety of complex litigation involving construction, toxic tort, product liability, medical malpractice, and personal injury law. His trial experience has encompassed either trying or co-trying over 50 cases to verdict, including two cases which produced verdicts in excess of \$1.0 million.

Brian is the author of New Jersey Comparative Fault and Liability Apportionment (Gann Law Books), a leading treatise that has been published annually since 2000. In 2005, the treatise was retitled "New Jersey Personal Injury Recovery." This work has been cited by the New Jersey Supreme Court as authoritative in its field. He has also lectured on the subject of comparative fault in the Inns of Court program.

An accomplished appellate attorney, Brian has provided briefing or oral argument in several cases that have produced published opinions. In recent years, his appellate successes contributed precedential advancements or clarifications in successor corporation liability law, the doctrine of forum non conveniens, and the law of evidence, experts, and trial practice.

Brian attended the University of Exeter in Exeter, England and received his B.A. with honors from the College of William & Mary in Williamsburg, Virginia in 1976. He received his J.D. with honors from Rutgers Law School in Newark, New Jersey in 1979 and was admitted to the New Jersey Bar the same year. He was certified by the Supreme Court as a Civil Trial Attorney between 1995 and 2017.

Attorneys

- David M. Fried*
- Carol L. Forte*
- Michael B. Zerres*
- John E. Molinari*
- Kenneth W. Elwood*
- Mitchell J. Makowicz, Jr.*
- Jeffrey J. Zenna*
- Harris S. Feldman*
- Richard J. Villanova*
- Norberto A. Garcia*
- Robin A. Donato
- Alexa C. Salcito
- Brian M. Riehl
- Ashley A. Smith
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- Cynthia M. Craig
- Ronald P. Goldfaden
- Brian E. Mahoney

*Certified by the Supreme Court of New Jersey as a Civil Trial Attorney

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Practice Areas

PERSONAL INJURY

- Brain Injuries
- Slip & Falls
- Catastrophic Injury
- Burn Injury
 - Explosion Injuries
 - Fire Injuries
 - Hot Water Heater Injuries
 - Scalding Burn Injuries
- Child Injuries
 - Daycare Injuries
- Dog Bites
- Nursing Home Negligence
- Wrongful Death
- Amputations
- Clergy Abuse
- Assault
- Aviation Accidents
- Inadequate Prenatal Screening
- Jaundice
- Sickle Cell Anemia
- Spina Bifida
- Tay-Sachs Disease
- Thalassemia
- Wrongful Birth
- Cancer Misdiagnosis
 - Breast Cancer
 - Cervical Cancer
 - Colon Cancer
 - Lung Cancer
 - Ovarian Cancer
 - Prostate Cancer
 - Radiology Errors
 - Uterine/Endometrial Cancer
 - Other Cancers
- Surgical Malpractice
 - Anesthesia Accidents
 - Informed Consent
 - Preoperative Clearance Failure
 - Postoperative Care Failure
 - Surgical Mishaps
- Delayed Diagnosis / Failure to Diagnose
- Delayed or Incorrect Treatment
- Failures in Emergency Room Care
- Physician Malpractice
- Hospital Negligence
- Nursing Malpractice
- Medication Errors
- *Clostridium Difficile* Colitis
- Hemochromatosis
- MRSA Infections

MEDICAL MALPRACTICE

- Birth Injuries
 - Erb's Palsy/Shoulder Dystocia
 - Abrupted Placenta
 - Baby Brain Damage
 - Bell's Palsy
 - Birth Defects
 - Cerebral Palsy
 - Cesarean Section
 - Cystic Fibrosis
 - Down Syndrome
 - Failures of Prenatal Diagnosis
 - Fetal Distress
 - Forceps Injury

- Opioid Prescription Malpractice
- Testicular Torsion
- Testing Errors
- Wilson's Disease

MOTOR VEHICLE ACCIDENTS

- Car Accidents
- Truck Accidents
- Motorcycle Accidents
- Boat Accidents
- Bus Accidents
- ATV Accidents
- Pedestrian Accidents
- Bicycle Accidents
- Auto Insurance Coverage
- Uber & Lyft Accidents
- Distracted Driving Accidents
- Intersection Accidents
- Waving Accidents

CONSTRUCTION ACCIDENTS

- Burn Injury
- Chemical Exposure
- Construction Site Deaths
- Construction Worker Accidents
- Crane Accidents
- Electrocutation Accidents
- Industrial Accidents
- Machinery Accidents
- Nail Gun Accidents
- Scaffold Accidents
- Trench Accidents
- Welding Accidents

PREMISES LIABILITY

- Falls on Snow and Ice
- Inadequate Security
- Lead Poisoning
- Unsafe Stairs

DEFECTIVE PRODUCTS

- Defective Auto Parts
 - Air Bag Defects
 - Car Seat Defects
 - Defective Brakes & Brake Pads
 - Defective Tires
 - Electronic Stability Control Defects
 - Gas Tank Defects & Explosions
 - Seatback Defects
 - Seat Belt Defects
 - Structural Auto Defects
 - SUV Rollovers
- Defective Medical Devices
 - Stryker Hip Implants
 - Zimmer Knee Implants
- Defective Appliances
- Defective Machinery
- Household Product Defects

LEGAL MALPRACTICE

ON THE JOB INJURIES

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