



GARY SAYS:

Do You Know What Live Video Surveillance by a Defense Investigator and Social Networking (Internet) Web Sites Have in Common, and How They Can Affect Your Personal Injury Lawsuit?

If your accident case is big enough, and your claim of injury serious enough, usually there comes a time when the attorneys for the defense will hire a private investigator to have you watched, followed, and videotaped.

This tends to happen towards the end of a lawsuit, after you, the hurt plaintiff, have testified at an oral deposition about how badly you've been injured and about all the things you can't do and the activities in which you can no longer participate.

Maybe you're back at your job because it does not require much physical exertion; maybe you're still out of work. Defense lawyers live to make "mountains out of molehills," so they look for the slightest indication that you're not injured—even if you can do something a single time and not more than once. There is no way to show your pain the next day or that you need a heating pad and painkillers that evening from overexerting yourself.

The bad guys are trying to paint a picture of you for the jury—as someone who is not really hurt and, maybe, is a liar or just exaggerated about his or her injuries, so you don't deserve to be believed at trial.

An investigator can videotape you without getting out of their car. He or she tries to catch you running to cross the street or maybe running to catch a bus, or carrying bags of groceries. Maybe you're in a laundromat or at the gym. The most dramatic surveillance videos I have seen show injured accident victims engaging in sports—playing football or tennis or even just bicycle riding.

I wish to make two points here, with a third point to follow.

First point, be truthful when testifying about your limitations. There are very few "can'ts" after an accident. Frequently, an injured person may still be able to engage in most of their pre-accident

(continued on back)



Referrals

Our practice continues to grow through referrals from our clients and friends. If you know someone who has been seriously injured or hurt in an accident, we hope you will recommend us.

Thank you,
Gary E. Rosenberg

(718) 520-8787

www.InjuryAtty.net
(Personal Injury Web site)

What is written here is not legal advice. You should consult your attorney before applying any of this information to a specific situation.

ATTORNEY ADVERTISING

Do You Know What Live Video Surveillance by a Defense Investigator and Social Networking (Internet) Web Sites Have in Common... (continued from front)

activities, but not as strong or as long or as vigorously. So if it's truthful, say "Yes, I can do it. But not too much or too long or too often, and it hurts like heck afterwards."

Second point. Accident victims, be aware that if you go outside, you can be followed and be the subject of video surveillance. Video cameras are small and powerful and easy to conceal.

My third point follows and links back to the title of this article.

MySpace, Facebook, etc. By now you've no doubt read about companies that check out prospective employees' social networking sites over the Internet. Is the job applicant shown in photos doing something incompatible with the company's values? Is she using drugs? Or is he in a state of undress? Or making obscene gestures? Or showing a gang or prison affiliation? These occurrences are all too common these days.

Be especially careful if you're an accident victim. Be wary about posting photographs to a Web site that are inconsistent with your claims of physical limitation. And if you can't engage in sports, don't show your blue ribbon for winning a swim meet or a hockey trophy, and so forth.

The best policy if you're claiming injury from an accident is to tell the truth. And be aware and on your guard in what you do.



Law Offices of
GARY E. ROSENBERG, P.C.

**P.O. Box 750070
109-01 72nd Rd., Ste. 1A
Forest Hills, NY 11375**

(718) 520-8787

PRESORTED
FIRST CLASS
U.S. POSTAGE PAID
MAILED FROM ZIP CODE 17604
PERMIT NO. 242



**Gary's
FREE Library
(Free Books & Reports)**

For FREE books and FREE reports, visit my Web site at www.FreeInjuryBooks.com.