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Batavia, NY 14020

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Buffalo, NY 14202

Clarence/Williamsville Office

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Williamsville, NY 14221

Niagara Falls Office

810 Main Street
Niagara Falls, NY 14301

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FREE LEGAL GUIDES

These legal guides are available for free on WNY-Lawyers.com and LegalSurvival.com:

- ✓ *Executor's Legal Survival Guide*
- ✓ *Checkpoint: A Complete Guide to New York DWI Law*
- ✓ *NY Personal Injury Guide*
- ✓ *2018 Nursing Home Medicaid Guide*
- ✓ *Answers to Your New York Probate & Will Contest Questions* ■

NURSING HOME MEDICAID SEMINARS

"14 WAYS TO PRESERVE YOUR ASSETS WITH THE MEDICAID LAWS" will be presented at the:



Robert Friedman

- **Golden Age Center**, 3278 Whitehaven Road, Grand Island on Thursday, September 27, 2018 at 1:00 PM.
- **Henrietta Senior Center**, 515 Calkins Road, Henrietta on Friday, September 28, 2018 at 10:30 AM.
- **The Salvation Army Golden Age Center**, 960 Main Street, Buffalo on Wednesday, October 24, 2018 at 11:00 AM.
- **Amherst Center for Senior Services**, 370 JJ Audubon Parkway, Amherst on Wednesday, November 7, 2018 at 4:00 PM.

Attorney, Robert Friedman will explain how to preserve your assets and plan for incapacity with powers of attorney, health care proxies, living wills, wills, trusts, transferring your home to family members, long term care insurance, prepaid funeral accounts, IRAs, pensions, properly documented gifts, spousal allowances and transfers, caregiver agreements and promissory notes. To register for the free seminars, call 716.631.9999 or 585.343.0746, complete the contact form at WNY-Lawyers.com or email Jessica@LegalSurvival.com ■

WE HELP AUTO ACCIDENT VICTIMS

Consult anytime with local, compassionate and experienced personal injury attorneys that you know and trust.

- ✓ **Experience:** Mike Ranzenhofer has over 38 years of trial experience representing the victims of automobile accidents, dog bites, slip and fall accidents and defective products. Robert Friedman is a vehicle and traffic prosecutor who successfully prosecuted over 30,000 dangerous drivers; stopped a legal challenge to the constitutionality of the New York seatbelt law; wrote the *Injury Victims' Legal Survival Guide* and was the 2003 WNY Prosecutor of the Year.
- ✓ **Availability:** We are available seven days a week by telephone at 716.542.5444 or 585.343.0746, text at 716.983.6370 or by email: mranz@legalsurvival.com . We will meet personally with you at your home, the hospital or at one of our seven local offices.
- ✓ **Free Consultation:** We will advise you of your rights at a free consultation. Our initial conversation costs you nothing even if you choose not to have us represent you.
- ✓ **No Fee Guarantee:** You pay no fee unless you win your case. ■



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THE DIRE CONSEQUENCES OF DISTRACTED DRIVING



The National Highway Traffic Safety Administration (NHTSA) considers distracted driving to be any activity that diverts attention from driving, including talking or texting on a cell phone, eating and drinking, talking to people in the vehicle, operating the stereo, entertainment or navigation system or anything that takes one's attention away from the

task of safe driving. NHTSA considers texting as the "most alarming distraction" because sending or reading a text takes the driver's eyes off the road for five seconds. At 55 mph, that's like driving the length of an entire football field with one's eyes closed.

Robert Friedman has launched the "Distracted Driving Blog" at <https://www.wny-lawyers.com/distracted-driving-blog/> which will discuss these and other consequences of distracted driving in depth:

- 1) There are 3,450 deaths and 391,000 persons injured per year from motor vehicle crashes involving distracted drivers. 27% of all crashes involve drivers using cell phones. Traffic crashes are now the leading cause of death for teens. The vast majority of teen crashes are caused by common driver distractions.
- 2) Distracted drivers face imprisonment for up to 15 years for second degree manslaughter:
 - A tractor trailer truck driver whose laptop computer was streaming pornography when his rig hit a disabled car on the NYS Thruway in Pembroke was sentenced to three-to-nine years in prison for killing the other driver, a 33-year-old mother of two.
 - A truck driver driving 70 mph in a construction zone on the NYS Thruway between Pembroke and Depew rear-ended a 44-year-old mother of two who died at the scene. He was using his cell phone to buy a video game and complete an online survey. He was sentenced to 1 ½ to 4 ½ years.
- 3) Large verdicts against businesses for distracted driving by their employees:
 - \$24.7 MILLION – A tractor trailer driver for a commercial transportation company killed three people and injured 15 others, some seriously. He was checking his cell phone for text messages when his truck, without braking first, ran into 10 vehicles that had stopped in backed-up traffic on a freeway.

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DO YOU NEED ANY OF THESE LEGAL SERVICES?

Accidents/Personal Injury

Animal Law

Commercial Litigation

Corporate/Business/LLC

Criminal/Traffic/DWI

Divorce/Custody/Support/Family Law

Elder Law/Guardianships

Fire Company/Fire District Law

Landlord/Tenant

Probate/Estates

Trials/Appeals

Wills/Trusts. ■

CONTACT US 24 HOURS A DAY

Have an urgent, late night legal question? Have you been injured in an accident? Arrested for DWI? Served with a lawsuit summons? We answer our phones 24 hours a day/seven days a week. Additionally you can reach us using the chat service and contact forms on our websites, WNY-Lawyers.com and LegalSurvival.com ■

continued from page 3 ...

- \$16.1 MILLION – A lumber distributor salesman rear-ended a vehicle, with no attempt to stop, while talking on his cell phone as he drove to a sales appointment. The crash severely and permanently disabled a 78-year-old woman, who has since died.
- \$5 MILLION – A construction company employee reached over to a mounted, hands-free cell phone provided by his employer to retrieve a message and crashed into a stationary sedan that had stopped to turn left, severely injuring a passenger in the sedan.
- \$4.1 MILLION – An electrical contracting company employee was lost and using a global positioning system on a cell phone while driving a company van. The employee ran through a red light, broadsiding another vehicle and seriously injuring a 70-year-old woman.

4) Large verdicts against cities and counties:

- \$1.45 MILLION – City of Palo Alto agreed to pay a crash victim who suffered permanent, debilitating spinal injuries after being rear ended at a red light by a city worker who was reaching for his cell phone while driving.
- \$4 MILLION – An off-duty Prince George’s County, Maryland police officer sent or received a text message moments before a crash that struck another vehicle and killed a college student. Although the officer was off-duty at the time, he was driving his police cruiser and the county was held liable.

5) Drivers face five points on their licenses and maximum fines of \$400 for cell phone and texting violations.

6) Distracted drivers with probationary, Class DJ, Class MJ or learner’s permits face 120-day driver license or permit suspension.

For the many ways that parents, employers, schools and municipalities can prevent distracted driving, see the Distracted Driving blog at <https://www.wny-lawyers.com/distracted-driving-blog/> ■

EMOTIONAL SUPPORT ANIMAL (ESA) WEBINAR

“How to Prevent Emotional Support Animal Discrimination Lawsuits” webinar will be presented by Robert Friedman for the American Apartment Owners Association on Thursday, November 8, 2018 from 2:00 PM to 3:00 PM EST. Mr. Friedman will provide updates on the latest laws and answer these frequently asked questions:

- What is the difference between a service animal, a therapy dog, a psychiatric service dog and an emotional support animal (ESA)?
- Does an ESA need specialized training? What exceptions are there to the law?
- What documentation may a landlord request from the tenant who needs an ESA?
- Can the landlord charge a pet security deposit or extra rent for an ESA?
- Can animals other than cats and dogs act as ESAs?
- How much are tenants being awarded for discrimination against ESAs?
- What special lease language should be used for ESAs?
- What laws protect the landlord if the tenant misrepresents the need for an ESA?

Robert Friedman has assisted landlords for over 39 years with evictions, lease preparation, defense of lawsuits, formation of limited liability companies, defense of building and zoning code violations, rent collection and estate planning.

To register for the free webinar, visit: <https://bit.do/ESAnimals.com> ■

LANDLORDS’ COMMON MISTAKES SEMINAR

“The 21 Most Common Mistakes Made by Landlords” will be presented by Robert Friedman at the BUFFALO MULTIFAMILY INVESTMENT PROPERTY EXPO & TRADE SHOW on Saturday, September 22, 2018 from 8:00 AM to 1:00 PM at the Millennium Hotel, 2040 Walden Avenue, Cheektowaga. Drawing on over thirty-nine years of experience representing landlords, Mr. Friedman will give examples of mistakes made by landlords and their attorneys in screening tenants, drafting leases, evicting tenants, complying with government regulations and collecting judgments for rent and damages.

According to Mr. Friedman, author of *How to Survive Legally as a Landlord*, “default notices, notices of petition and petitions are often incorrectly prepared, served and filed, especially with Section Eight tenants. Landlords fail to protect themselves with key lease provisions. Landlords are not taking advantage of Limited Liability Companies (LLC) and other asset protection strategies. Landlords need to know what to do if a tenant dies or is arrested for drug-dealing.” Other presentations will be: “The Benefits Of Having Your Property Professionally Managed”, “How To Analyze a Multifamily Investment Property”, “How To Reduce Your Property Taxes”, “The New Tax Law Changes Affecting Real Estate Investors” and “How To Pay No Tax When Disposing of Investment Property. To register, visit www.rjgullo.com. ■

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NEW NIAGARA FALLS OFFICE

Effective October 1, 2018, our Niagara Falls office will be located at 810 Main Street, Niagara Falls, NY 14301, between Cedar and Spruce Avenues. ■

JUSTIN R. FRIEDMAN NAMED AN ASSOCIATE ATTORNEY



JUSTIN R. FRIEDMAN

Friedman & Ranzenhofer, PC is pleased to announce that Justin R. Friedman has been named an Associate Attorney. He is a third-generation lawyer of the firm started by his grandfather, Fred Friedman in 1955. Justin earned his J.D. from the Catholic University Columbus School of Law in 2017 with a concentration in Criminal Law. He was an active member of the school's Legal Services Society which provides opportunities for students to engage in pro bono advocacy. Serving as President in his third year, he was responsible for organizing naturalization seminars for the area's immigrant community and leading a group to New Orleans to work in public defense. He also worked as a law clerk in D.C. Superior Court, served on the editorial board of the *Catholic University Law Review* and was an active participant of the school's Clemency Clinic, investigating claims for the Mid-Atlantic Innocence Project and filing petitions for executive pardons and sentence commutations. Upon graduation, he received the Cardinal Hickey Award for Dedication to Community Service. Justin earned a B.A. from S.U.N.Y. Geneseo in 2001, a M.F.A. in Creative Writing from American University in 2009 and has completed extensive work in the fields of education and content writing. He is committed to utilizing the skills he has honed over the course of his previous career to best serve his clients in Western New York. ■

While a great deal of care has been taken to provide accurate and current information, the ideas, suggestions, general principles and conclusions presented in this newsletter are subject to local, state and federal laws and regulations, court cases and any revisions of same. The reader is thus urged to consult legal counsel regarding any points of law – this newsletter should not be used as a substitute for competent legal advice.

The purpose of this newsletter is to give the reader a general understanding of the law – not to provide specific advice. Every effort has been made to achieve accuracy. The law constantly changes and is subject to differing interpretations. Always consult with your attorney and act only on his or her advice. Friedman & Ranzenhofer, P.C. shall not be responsible for any damages resulting from any inaccuracy or omission. This newsletter is designed to provide accurate and authoritative information in regard to the subject matter covered. If legal advice or other expert assistance is required, the services of a competent professional person should be sought. Certain portions of this newsletter may be applicable only to New York State law. Prior results do not guarantee a similar outcome.

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