

RICHARD R. MOGG

◆ QUALIFICATIONS

Attorney and Counselor at Law, Duly Licensed and Admitted to Practice Law in Courts of the State of New York since 1989.

Practice in all New York State Courts and Federal Courts for the United States District Courts for the Southern and Eastern Districts.

Negligence Trial Lawyer and Litigator since 1990.
Trials in all 5 boroughs, Westchester, Putnam & Nassau Counties.
Extensive plaintiffs' negligence trial experience in all areas including motor vehicle, premise slip/trip and fall, elevator and escalator cases, dental, medical malpractice, wrongful death and lead poison.

◆ EXPERIENCE

THE LAW OFFICE OF RICHARD R. MOGG, P.C.
PLAINTIFFS PERSONAL INJURY PRACTICE SINCE 1993 TO PRESENT

LEAHEY & JOHNSON, P.C.
(1990 – 1993) DEFENSE TRIALS

Extensive training in all aspects of trial defense litigation in personal injury cases.

◆ EDUCATION

Bachelor of Arts, City University of the City of New York, Cum Laude, 1983
Juris Doctor Degree, Antioch School of Law, Washington, D.C., 1986
New York Law School, New York Practice, 1986

◆ PROFESSIONAL AFFILIATIONS

Member of the Bar, State of New York, admitted 1990
Member New York State Trial Lawyers Association

VERDICTS/SETTLEMENTS OF NOTE :

Kenric Bishop –v- Ivan Harris, Kings County Supreme, MVA, settled at mediation. \$2,500,000
This high profile case was reported on the internet and in NYC newspapers and boxing journals.
Plaintiff was sitting in parked car and hit by vehicle operated by the professional boxer, defendant
Harris. On liability, defendant argued “emergency doctrine defense”, alleging his vehicle was
being shot at when accident occurred. I did the EBTs of the defendant and proved he started the
altercation which lead to the shooting which meant defendant could not use the affirmative
defense argument. Plaintiff had pre-existing HIV positive, out on full disability when accident
occurred for pre-existing liver and heart problems related to drug abuse. His injuries from the
accident were torn spleen, punctured lung, fractured hip and pelvis, recommendation for hip
replacement at age of 59. Index No.: 722/04 0-3/20/08.

Viola Morton –v- Glenwood, Kings County Supreme, MVA -\$420,000 Verdict,
Torn meniscus, no surgery – Index No.: 22614/90 - 10/15/99

Julia Figueroa –v- The City of NY, Kings County Supreme, Slip and fall on ice.
\$430,000 Verdict. Fractured ankle; open reduction/internal fixation. Index No.: 43887/94-5/1/01

Amato-v-Beda, Kings County Supreme, MVA, - \$150,000 Verdict (Allstate 100K), herniated
disc, bad faith successful. Index No.: 809/99 - 1/11/01

Lucilla Ramos/William Ramos –v- Mike Chou, MD – settled at time of trial \$750,000.00
Kings County Supreme, High Profile case- Reported by Channel 2 News and the New York Post.
Cervical Corpectomy: defendant doctor cut vertebral artery and paralyzed plaintiff who
eventually died one year after the surgery. I conducted all depositions and prepared file prior to
trial. Dr. Jack Stern was expert – little pain and suffering because he was in coma after surgery,
little lost earnings as he was a retired 64 year old Con-Ed worker.
Index No.: 42494/00- 5/15/03

Shyla Chacko –v- Vavakos, Kings County Supreme, MVA-\$600,000 Verdict, C5-6 herniated
disc, epidural injections, recommendation for surgery. Index No.: 50555/02- 8/17/05

Elysse Williams –v-Aboubakar Samake, Kings County Supreme, MVA against America Transit,
Verdict - \$390,000.00. Shoulder Supraspinatus tear, arthroscopic surgery. Defense biomechanical
expert said the “minor impact” accident could not have caused the injury. Index No.: 36674/04,
10/14/06 (Tried Case for Lever & Stolzenberg)

Cheryl Reece –v- Oceanwood, Kings County Supreme, Premise, herniated disc, shoulder
arthroscopy, verdict \$600,000.00 (Tried case for Lever & Stolzenberg) 7/5/07, Index No.:
28108/04

William O’Donnell –v- Scheessell, Westchester County Supreme, MVA, Verdict \$755,000.
Plaintiff had prior Hodgkins Lymphoma out on full disability when accident occurred. Prior to
accident lumbar fusion , prior cervical injury in rear end accident. In this accident, he alleged
aggravation of pre-existing neck injury leading to cervical fusion surgery with plate. Defendants
served video surveillance during trial of plaintiff using his neck and arms without problems.
Index No.: 5466/06 – 1/20/09

Elvin Nunez –v- City of New York, Kings County Supreme, MVA, claim of brain damage, no brain bleed or hemotoma at hospital. He went back to work, was promoted and went to school for further degree, settled after jury selection, \$300,000. Index No.: 1479/06- 2/9/09

Fe Capo –v- Blount, Bronx County Supreme, MVA, side swipe accident with minimal property damage in photos. Claim of torn meniscus, defect of the femoral condyle and knee replacement. Defense argued pre-existing osteoarthritis found in operative report, surgeons narrative and MRI reports. While jury was deliberating, settled \$775, 000. Index No.: 23655/04 -5/21/09