

Service

## Personal Injury Litigation



## Dedicated Lawyers Fighting for Your Best Interests

Being in an accident can be a traumatic and oftentimes overwhelming experience, especially when injuries are involved. It is important to have dedicated lawyers fighting for your best interests. At Mirick, we have a long history of obtaining favorable outcomes for our personal injury clients.

## Personal and Responsive Service

We have handled thousands of serious and complex injury matters, including several high-profile cases. Whether you have been in a fender bender or suffered a severe brain injury, our Team provides personal attention and responsive service, and as a result, we are oftentimes referred cases from other lawyers.

## Ready to Fight Hard for You

As experienced litigators, our goal with every case is to maximize your recovery. Although most clients prefer to settle their personal injury case outside of court, we are always well prepared to take your case to trial if the insurance company does not offer you a fair settlement.

Types of matters we handle:

- Car Accidents
- Truck Accidents

CHAIR

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### Related People

**Edward C. Bassett, Jr.**  
**Judy Southland**  
**James Bradbury**

### Related Services

**Litigation**

### Related Industries

**Construction**

- Motorcycle Accidents
- Brain Injuries
- Neck Injuries
- Spinal Cord Injuries
- Bicycle Accidents
- Slip and Fall/Trip and Fall
- Product Liability/Defective Products
- Construction Site Accidents
- Liquor Liability
- Daycare Injuries
- Negligent Security
- Wrongful Death

If you are unable to come to any of our three Massachusetts offices, we can travel to meet you, on your schedule.

## Validation/Landmark Cases

- **Record Setting Traumatic Brain Injury Case \$22,650,000 million**  
Ted Bassett represented a young woman hit by a drunk driver who was on his way home from a local bar. The young girl sustained permanent brain damage with memory loss and cognitive deficits. The defendant was sentenced to eight to ten years in jail. Ted sued the drunk driver and the six bars where he drank before the accident. Ted obtained a judgment totaling \$22.65 million—which was reported to be the largest personal injury judgment in Worcester County, Massachusetts.
- **Premises Liability Accident Results in \$2,200,000 Settlement**  
Ted Bassett successfully prosecuted a case against a landlord who negligently failed to inspect the sliding glass doors in a second floor apartment.
- **Victim of Drunk Driving Accident Awarded \$2,000,000**  
Ted Bassett also obtained a judgment in the Worcester Superior Court for \$2,049,867.00 for the victim of a drunk driving accident.
- **Interstate Truck Accident Results in \$2,000,000 Settlement**

Ted Bassett secured a \$2.1 million settlement for a client injured when a Canadian Trucking Company failed to properly secure a cargo of lumber. It was later discovered that the truck driver was fatigued and had falsified his logbook.

- **Motorcycle Driver Recovers \$900,000**

Ted Bassett settled a personal injury case for a motorcycle driver even though the police reconstruction team concluded that the motorcycle had crossed over the center line. Ted assembled an accident reconstruction team which proved that other vehicle crossed the center line.

- **Electrocution Case Results in \$895,000 Settlement**

Although plaintiff was injured in a foreign country, Ted Bassett successfully negotiated a settlement in the Federal District Court of Massachusetts for the injured plaintiff.

- **Amusement Park Injury Results in \$600,000 Settlement**

Ted Bassett has been an advocate for safety regulations at amusement parks. Quoted in the Boston Herald, I don't think anybody can give a rational reason why amusement parks should be exempt from regulations when the safety of our children is at stake.

- **Cable Car Accident in Canada Results in Confidential Settlement**

Ted Bassett secured confidential settlements for three clients injured in a freak cable car accident in Canada. The case was featured on Canadian National Television.

- **Defective Toy Case Results in \$270,000 Award**

Court approved an award of \$270,000 for child who was injured by a dangerous toy which had been the subject of a recall by the Consumer Product Safety Commission.

- **Confidential Settlement in Louise Woodward Case**

Ted Bassett served as co-counsel for Drs. Sunil and Deborah Eappen in the well-publicized wrongful death case of Matthew Eappen v. Louise Woodward (British nanny).

## Awards

- APITLAmerica
- Million Dollar Advocates
- Top 10 Trucking Trial Lawyers

- MA Academy of Trial Lawyers
- Massachusetts Super Lawyers

## **Car Accidents**

### **The Recovery You Deserve**

If you or a loved one has been seriously injured in a car accident, you may think that all you have to do is call your insurance company to tell them you have been in an accident, but all too often that is not enough to get the recovery you deserve. Working with an experienced personal injury attorney who knows how to deal with the insurance company can be a game changer.

### **Know Your Rights**

Whether you have been rear-ended or ejected from the vehicle, no doubt you are shaken up and may not even know the extent of your injuries yet. Depending on the extent of your accident, you may be subject to an exorbitant amount of medical bills, lost wages, property damage, pain, and suffering. It is important to know your rights and what is lawfully owed to you

### **Strong Advocates on Your Behalf**

Mirick attorneys are skilled negotiators with a proven track record for obtaining the best possible results for our clients. We take the burden of dealing with the insurance company off your plate, so you can focus on your physical and mental recovery.

Perhaps the most important function of a car accident attorney is making sure you are treated fairly. At Mirick, we have experience in bringing “bad faith” claims directly against insurance companies.

## **Truck Accidents**

### **Time is of the Essence**

If you or a loved one has been injured in a trucking accident, it is critical that you talk with a Massachusetts trucking accident lawyer right away. At Mirick, we immediately begin looking at black boxes, onboard computer logs, police reports, licenses, inspection records, and

compliance audits.

## Truck Drivers Must Abide by Strict Laws

Trucking accidents may seem pretty straightforward on the surface, but they can be very complex. There are a huge number of regulations that 18-wheeler and other large truck drivers must follow in order to ensure they are driving legally. It's important to have an attorney that understands these unique laws. Among the rules trucking companies must comply with are:

- Limits on miles a driver may travel in a day
- Reduced speed on turns
- Cargo must be loaded safely
- Trucks must be maintained
- Drivers must slow down in work zones

Mirick personal injury attorneys are skilled at identifying irresponsible trucking companies. When you hire Mirick to represent you in your trucking accident, you can rest easy knowing we expend the right resources, such as medical experts, trucking safety experts, rehabilitation experts, and economists when necessary to obtain the best outcome for our clients.

## Motorcycle Accidents

### Motorcycle Accidents Cause Severe Injuries

The rates of injury and death among motorcyclists is alarming. Putting fatalities aside, there are a number of injuries, such as road rash, broken bones, concussions, serious brain injuries, internal injuries, and spinal cord injuries, we see frequently in motorcycle accidents that are much more rare than other types of accidents. Most of these injuries come from the fact that a person is unprotected when a motorcycle overturns.

### Dealing with the Insurance Companies

Motorcycle accidents are also unique in Massachusetts in terms of insurance issues. While Massachusetts automobile drivers are required to carry Personal Injury Protection (PIP) coverage on their automobile

insurance, motorcycle drivers are not. This makes dealing with an insurance company even more difficult after a motorcycle accident.

## Experience Matters

At Mirick, our Personal Injury Team helps victims of motorcycle accidents obtain the best possible outcomes. Injuries suffered in motorcycle accidents can be horrific, even deadly. If you or a loved one has been involved in a motorcycle accident, it's important to work with an experienced law firm that will devote the resources necessary to get the recovery you deserve.

## Brain Injuries

### What causes a Traumatic Brain Injury?

Virtually every day, we see a television story or news article about an NFL player in the "concussion protocol," or a person feeling the effects of head trauma years later. While the injuries on the football field get most of the attention, there are a variety of things that cause traumatic brain injuries (TBIs). The leading cause is falls, most common with our youth and elderly. Being struck by an object also results in high emergency room visits, followed by car accidents. There are varying degrees of TBIs, from a mild concussion to moderate and severe damage to the brain.

Often, the most troubling part of a brain injury is that a victim can look perfectly normal to family and friends, and to insurance investigators, defense attorneys, and jurors. All too often, that normal appearance masks internal pain which can include memory loss, debilitating headaches, and inability to concentrate.

## Experience Matters

At Mirick, we know that a brain injury is unlike any other injury. Our years of experience have given us great knowledge about these unique injuries and exactly what a victim goes through after suffering a brain injury. We also work with a network of neuropsychologists and other brain injury experts who provide helpful medical perspectives, insights, and testimony.

If you or a loved one has suffered a brain injury, it is important to work with a law firm that understands what you are dealing with and knows

how to fight for your best interests. We have represented countless brain injury victims and devote the resources that these cases require.

## Neck Injuries

Unfortunately, the neck is an area of the body that is highly prone to injury. The neck is used in nearly every movement that a person makes, and when injured the pain can be never-ending and often constant.

## What Causes a Neck Injury?

Neck injuries can come in any number of ways, such as car accidents, defective products, construction site accidents, slip and falls, sports injuries, and injuries sustained in violent crimes. At Mirick, we have seen them all and have a proven track record in helping clients with neck injuries obtain positive outcomes.

## Focus on Your Recovery

Working with a law firm with a long history of handling neck injury cases will make all the difference. We take the burden off of you of dealing with the insurance companies, so that you can focus on your recovery.

## Spinal Cord Injuries

### A Spinal Cord Injury Can Cost You Millions

An estimated 17,000 people suffer from life-altering spinal cord injuries every year. While advancements in medicine, equipment, and treatment have improved the outlook for many with spinal cord injuries, the truth is they can cost in the millions to treat over the span of a lifetime.

## The Right Counsel

A spinal cord injury victim oftentimes only has one chance to file suit against the person or company who injured them; money that needs to last a lifetime. The reality is that a spinal cord case requires the personal attention of highly skilled personal injury attorneys who understand the day-to-day challenges of living with a spinal cord injury.

## **A Strong Advocate on Your Behalf**

Mirick attorneys vigorously advocate for our clients with spinal cord injuries. We work with a network of dedicated medical, rehabilitation, and liability experts and economists, who provide critical opinions, insights, and testimony in these types of cases. In our extensive experience, this can make all the difference when fighting for positive outcomes.

## **Bicycle Accidents**

### **Bicycle Accident Injuries are Very Serious**

Injuries from bicycle accidents occur more often than one might think. When these accidents happen, the injuries are typically very serious, even death since a cyclist does not have the protection that a car or truck provides. Many times, these accidents include intoxication since the misnomer is that a bicycle rider believes that the laws concerning operating under the influence of alcohol only apply to motor vehicle operators. That is simply not the case.

Mirick personal injury team has represented injured bicyclist in accidents causing spinal cord injuries, road rash, neck and shoulder injuries requiring surgery, brain injuries, paralysis, and quadriplegia.

### **Time is of the Essence**

After a bicycle accident injury, it is important to call an attorney right away. Mirick attorneys act quickly to investigate the scene of the accident, interview witnesses, and retain any necessary experts. While an injury victim will generally have three (3) years to file a lawsuit after being injured in a bicycle accident, we can gain significant advantage by getting involved early and doing the necessary due diligence to manage the case and obtain the best possible outcome for our clients.

## **Slip and Fall**

### **Who is Responsible for a Slip and Fall Accident?**

When a person or company owns a property, they have an obligation to make sure that premises is safe for all visitors. For example, stairways must have handrails, floors should be free of unreasonable tripping or spilling hazards, and property owners should warn visitors of anything



dangerous on the property. If you have been injured in a slip and fall accident, you may be entitled to remedies if injured due to an owner's negligence.

Often, premises liability claims are not limited to just the owners; the business that operates on that premises is also responsible for ensuring the property is safe. In addition, any company performing work on a property must make sure they leave the property in safe condition, even during construction.

## **Know Your Rights**

Massachusetts law provides different levels of protection to people depending on the reason a person is on a property. Having an experienced personal injury attorney who understands slip and fall laws is critical. At Mirick, we fully investigate every case, obtain all available insurance policies, and obtain the best possible recovery for our clients.

## **Product Liability**

### **Safety First**

Sadly, people are injured every day as a result of defective products. As consumers, we have a reasonable expectation that these products will be safe. When products are not safe, people are in danger of serious injury or death. Defective products not only diminish the trust we have for certain brands, but they also expose us to the possibility of horrific injuries.

The three main categories of product liability cases are manufacturing defects, design defects, and insufficient instructions or warnings.

### **Keep the Product**

It can be very difficult to make a product liability case without access to the product.

If you have been injured as a result of a product defect, you should first attempt to save the product, assuming this can be done safely. Many times, an injury happens when a product is in someone else's hands or company; in those cases, it is even more critical to contact a product liability attorney right away, as we will ensure that the product is maintained.

## The Right Counsel

Product liability cases involve extensive background work. Mirick attorneys investigate the cause of a product failure and work with the top experts in product liability cases, including engineers, doctors, and analysts, to name a few. These types of investigations also involve a deep dive into a product's history, including when and where it was manufactured and sold. At Mirick, we have the resources that are necessary to successfully analyze these cases to build the strongest case possible from the beginning.

Our extensive experience includes handling countless product liability cases involving:

- Automobiles
- Tires
- All-terrain vehicles
- Medical devices
- Power equipment
- Lawn mowers
- Prescription drugs
- Industrial machinery
- Sporting goods
- Cranes

The personal injury attorneys at Mirick pride ourselves on representing those who have been harmed by product defects. Every case does not go to trial, but we are always well-prepared should litigation be warranted.

## Doing the Right Thing

While product liability cases may affect one or thousands of individuals at a time, legal action over defective products may lead to real safety change. Forcing wrongdoers to pay will often ensure these companies reconsider the way they warn about defective products, design these products, and manufacture them.

## Construction Site Accidents

When a construction site is not run safely, it can be extremely dangerous and cause injuries or death. Thousands of workers are injured or killed on construction sites every year.

## Making a Claim

Health insurance will not pay medical bills when an injury occurs at work. Workers compensation insurance will pay medical bills and any lost wages that result from the injury, so in many cases an injured worker has no choice but to file a workers compensation claim. While workers compensation is helpful, it only covers a portion of your salary.

## Who is Responsible?

In many cases, an experienced construction accident attorney will be able to file a case against another contractor who was on the site and was responsible for safety. It is the job of a general contractor to make sure sites are safe. Beyond that, every subcontractor has a job to do on a jobsite, and if they do not do it safely, an injured person may have a claim against that contractor.

At Mirick, we have successfully helped maximize recovery for client in cases involving:

- Scaffolding accidents
- Falls
- Being struck by objects
- Tree removal
- Forklift accidents
- Electrocutions
- Trucking accidents
- State and federal regulation violations
- OSHA violations

## The Right Outcome

If you or a loved one has been injured in a construction accident, contact

Mirick's personal injury team right away. The faster we know about a possible case, the faster we can begin to investigate. In the immediate aftermath of a construction accident, we can interview witnesses, make sure your medical bills and lost wages are getting paid by workers compensation, talk to expert witnesses that we may want to retain, and do a number of other things that will help us gain an early advantage over the insurance companies.

## **Liquor Liability**

### **Who is Responsible?**

Each year, thousands of innocent people are injured or killed by drunk drivers. In Massachusetts, if a bartender or waitress continues to serve drinks to someone who is obviously drunk and that person then gets in their car and causes an accident, the drunk driver and the bar or restaurant can be found jointly responsible for injuries.

Many of the drunk driving cases we have handled at Mirick have involved death, brain damage or permanently disabling physical injuries.

### **Building Your Case**

Cases against bars and restaurants are difficult cases because there needs to be evidence that the bartender knew or should have known that the customer was intoxicated when the customer was served their last drink. At Mirick, we have developed relationships with pharmacologists and toxicologists who can review the police reports, hospital records and blood alcohol test results to determine whether these drunk drivers would have been showing signs of intoxication at the time they were served their last drink. These experts carefully analyze the number of drinks served, the types of drinks served, the time period over which the drinks were consumed, the height, weight and amount of food ingested along with the alcohol. Based on all of this information, scientific evidence can be presented to establish that the bartender should have known they were serving an individual who was already intoxicated.

### **Timing is Critical**

If you have been injured by a drunk driver you need to retain an attorney immediately to determine if there is a potential case against the bar or restaurant.

## **Wrongful Death**

### **Holding Wrongdoers Responsible**

There is no more devastating event in a person's life than hearing a family member has been taken too soon. As trial lawyers, we are well aware that no amount can ever truly heal such a tragedy. We will, however, fight tirelessly to ensure that the legal rights of families are protected, and that wrongdoers are held financially responsible for causing a death.

### **Proving Your Case**

A wrongful death case can come about in a number of ways, including negligence, gross negligence, or a breach of warranty. In a wrongful death case, it will be up to the Plaintiff to establish that one of these factors contributed to the death of a loved one. Unlike other types of cases, a wrongful death case does not stand on its own. Rather, the case will be tied to the way the death occurred, such as an automobile accident or product failure.

### **Loss of Companionship**

If a loved one has been killed, and you suspect that the death may have been preventable, it is critical that you consult an attorney who is experienced in this area. Like many states, Massachusetts has a Wrongful Death Statute, which determines what loved ones may and may not claim. For example, family members may be able to collect money for loss of companionship- also called loss of consortium- as well as medical expenses, burial costs, and money for any conscious pain and suffering that the decedent experienced.

In Massachusetts, as a factor in your loved one's death, an attorney may be able to not only recover the damages that you and your family deserve, but also hold the person or company that caused the death accountable.

### **We Fight For You and Your Family**

If you choose to file a wrongful death lawsuit, it is critical to hire an attorney as quickly as possible. In a case so steeped with worry, fear, and heartbreak, it is important to have someone with the experience and the resources to fight for you and your family. At Mirick, we understand the severity and complexity of these cases, as well as the extreme financial

and emotional turmoil that results from such tragedy.