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## TRANSPORTATION

We understand that the business of transportation in the United States is successful when the income-producing assets of the business—long-haul tractor-trailers, intermodal rail cars, freight yards and the employees that operate all of them—keep moving, keep delivering and keep reloading. That is the day-in, day-out business reality for our clients, which include trucking, rail and automobile fleet businesses.

At Goldberg Segalla, we focus on delivering comprehensive transportation law litigation services and representation throughout the broad geographic reach of our offices, and we maintain strong and active affiliations with leading national organizations of select defense counsel across the United States. As a result, we can immediately connect our clients with transportation law attorneys anywhere in the country—attorneys who are thoroughly tested and proven, and with whom we have developed a high level of trust and confidence. In addition, Goldberg Segalla offers practice groups in insurance, employment law, real estate and other areas that can impact our clients. Few law firms are able to provide their transportation clients with our depth of legal services combined with our nationwide scope.

## AVIATION

The aviation litigation practice group at Goldberg Segalla is led by attorneys who have decades of experience in this specialized field. Combining our knowledge and experience in aviation law with our capabilities in quickly resolving even the most catastrophic of bodily injury claims, Goldberg Segalla is a best-in class choice for aviation litigation defense.

Our experience in this field extends to commercial and consumer claims litigation, as well as the full range of contractual risk-shifting agreements involving airlines and airline alliances, under wing vendors, and municipal authorities.

Goldberg Segalla's aviation practice also counsels and represents aviation clients in matters involving:

- Insurance Coverage
- Products Liability
- General Aviation Liability
- Fixed Based Operators
- Cargo and Baggage Claims
- Subrogation and Recovery
- Wrongful Death and Survival Actions
- Property Damage

## TRUCKING

Trucking companies operate in a complex and highly competitive business world within an even more complex and ever-changing legal environment. Each delivery or trip may be subject to dozens of local, state and federal regulations, all of which affect the vehicles, the personnel operating them, the manner of operation and the consequences of non-compliance. Our goal is to enable our clients to obtain all of the counsel and advice they need to keep moving with just one telephone call to our full-service team of transportation lawyers.

When there is an accident, we understand that time is of the essence in getting investigators to the scene. At Goldberg Segalla, our clients are given cards with 24/7 contact information of partners in each of our offices throughout the Northeastern United States, each of whom has 24/7 contact information for photographers and other experts.

#### *A 24/7 Emergency Response Team*

The Goldberg Segalla 24/7 Emergency Response Team manages the first response to an accident, including:

- Developing contacts with the police agencies involved
- Getting photographers and accident reconstruction experts to the scene
- Obtaining witness statements before they can be corrupted by the passage of time or the influence of other investigators
- Securing the client's vehicle as soon as it is released from police impound
- Beginning the process of building a defense to a potential claim right away, before skid marks fade, evidence is moved or witnesses cannot be located

When there is a personal injury lawsuit, we offer our clients trial-tested litigators in each of our offices, ready to defend against the liability and damages claims that can result from accidents. We have developed relationships with leading national experts in accident reconstruction, trauma medicine, vocational rehabilitation and other disciplines, which helps us build a successful defense. Our strategic courtroom use of on-board electronic data recording systems, global positioning and other technologies employed by our clients can make the difference in helping a jury understand how an accident developed and occurred. One of our partners utilizes these techniques in his role as Regional Coordinating Counsel for a major trucking company. In this capacity he is responsible for overseeing and trying the company's catastrophic personal injury cases throughout the eastern United States.

#### *Highly experienced in insurance, employment and real estate issues*

At Goldberg Segalla, we have some of the leading insurance coverage attorneys in the country. As a result, our clients have the benefit of our experience and knowledge when there is a question of whether an insurer of a trucking company must provide coverage for a particular vehicle, use or load. Few areas of insurance law are as challenging as the interplay of insuring documents on tractors, the trailers they tow and the loads they carry. Our trucking clients rely on us for informed, up-to-date analysis in this ever-changing area of the law.

When there is an employment issue, our employment law attorneys are available to counsel our trucking clients on termination, background checks, employee benefits law and the defense of wrongful termination claims. To help prevent claims from happening, we offer counsel to employers before adverse action is taken, to structure the action in accordance with all applicable employment laws so claims are less likely to result (or are more likely to be successfully defended when they are asserted). Our workers' compensation attorneys have successfully represented our trucking clients in defending meritless medical and injury claims, and know the intricacies involved in navigating the Workers' Compensation Board claims and hearing system.

When our clients own or lease land or equipment for the operation of their fleet we are able to

offer them the services of our business law attorneys who are well-versed in sophisticated commercial and realty transactional law.

This full range of services is just one aspect that distinguishes Goldberg Segalla from other law firms. By providing practice groups that match our clients' business interests, we can help our clients operate properly and profitably.

## **RAILROAD**

The seasoned litigators at Goldberg Segalla have decades of experience meeting the needs of our railroad industry clients, due in part to our detailed understanding of their operations and the laws and regulations that govern them. This unique understanding and appreciation of our clients' business enables our lawyers to effectively partner with our railroad clients and help them achieve their desired results.

At Goldberg Segalla, we have an intimate understanding of the laws and regulations that apply to the railroad industry, including preemption involving various regulations promulgated by the Federal Railroad Administration, Interstate Commerce Commission, the United States Department of Transportation, and the Departments of Transportation of various states.

We are able to leverage our extensive experience to provide our clients with detailed early case evaluations, which often leads to significant savings through precise and targeted litigation strategies, early settlement opportunities and thoughtful, client-focused case budgeting. Our clients have entrusted us with some of their most sensitive and highest-exposure claims, including death and significant traumatic injuries. We have achieved positive results involving fatalities to railroad and intermodal workers, and we aggressively represent our clients in litigated and non-litigated matters, including cases in state and federal courts.

The attorneys at Goldberg Segalla pride themselves on their ability to successfully represent railroads in defense of:

- Traumatic FELA claims
- Cumulative trauma, repetitive stress and whole-body, vibration claims
- Toxic exposure claims, including asbestos, diesel exhaust, welding fumes, solvents and other deleterious substances
- Trespasser claims
- Grade-crossing accident claims
- Third-party claims brought by railroad subcontractors and their employees
- Blocked crossing and other regulatory claims involving railroad operations
- Environmental claims
- Property transit claims, including damage claims involving cargo, demurrage and disputes over ownership of cargo

We also assist our clients with arbitration, mediation and specialized appellate work specific to defending railroads.

Members of this practice group are active participants in the National Association of Railroad Trial Counsel, the Association of American Railroads General Claims Conference, and the American Short Line and Regional Railroad Association. Each of our railroad lawyers also

contributes to our acclaimed quarterly publication CaseWatch: Railroad Litigation—a free publication that uses concise summaries to analyze trends, legislation and cases impacting the railroad industry.

In addition to our railroad clients, we represent intermodal carriers in a wide range of claims involving:

- Interpretations of the Uniform Intermodal Interchange and Facilities Access Agreement (UIIA)
- Amendments to the UIIA
- Filed addenda to the UIIA by various carriers
- Roadability regulations
- The UIIA mandatory dispute resolution process

### **MOTOR VEHICLES/AUTOMOTIVE**

Motor vehicle and commercial fleet litigation matters range in complexity from a collision with uncontested liability, to multimillion dollar exposure including catastrophic injuries and fatalities. At Goldberg Segalla, our multidisciplinary approach to investigating claims has proven to be effective, efficient and economical for our clients, who range from personal policyholders and small business owners to commercial carriers with fleet vehicles and a national presence.

Our attorneys recognize that a cost-conscious defense requires an effective analysis from the beginning of a claim, before a suit is instituted, to better implement an efficient defense. We possess the breadth and depth of experience to recognize whether expeditious settlement is recommended versus an aggressive defense through a trial verdict. When issues of liability or apportionment of liability are an issue, we provide our clients with the information they need before a matter escalates to litigation. This information can come from on-site investigations, as well as from accident reconstruction experts, biomechanical experts, computer animation services, and physicians with diverse medical expertise. Of course, we also provide our clients advice on how to reduce exposure, address liability and plan for indemnification (if warranted) from the beginning.

At Goldberg Segalla, we regularly handle matters including:

- Underinsured motorists/uninsured motorists
- Limited tort options
- Arbitrations
- Mediations
- Bench trials
- Non-jury and jury trials
- Contractual issues for matters potentially involving the assumption of a defense

Perhaps most importantly, we recognize that our clients are a critical part of our team. We believe that the most effective way to achieve success is to partner with the client to attain realistic goals, including everything from an early settlement to a successful defense at trial. Because of this philosophy, we regularly provide in-house educational presentations for our clients on current trends in litigation, innovative methods to address complex defense issues, and suggestions to increase the success of our defense while reducing the overall expense to defend claims.

## **NO-FAULT**

No-Fault litigation presents unique challenges to carriers doing business within New York State. Individually, the amounts at stake with these claims make the cost-effective defense of these cases problematic. However, with a minimum of \$50,000 in coverage available for each individual in a covered auto, medical expenses can quickly exceed the liability exposures on actions against the carrier.

Goldberg Segalla has experienced no-fault attorneys in each of our offices. These attorneys are well-versed in the defense of these actions, and are familiar with the venues where these actions are frequently commenced (including the New York City Civil Courts, the local district courts, the American Arbitration Association and arbitration forums). We can also assist in the development of fraud defenses by conducting pre-litigation examinations under oath, and providing other programs that are tailored to meet the specific needs of our clients.