

Montco lawyer wins \$300,000 for dog bite victim



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WORCESTER — A local attorney who specializes in dog attack cases has secured a \$300,000 civil settlement in connection with a pit bull attack in Gettysburg.

Attorney Thomas Newell, 57, of Worcester, says that on April 13, 2011, a 6-year-old girl went to her friend's house in Fairfield, and as she was opening the door, the dog jumped out and bit off a portion of her nose. Surgeons were able to re-attach the nose, although the girl went through 23, two-hour sessions in a hyperbaric chamber, which is supposed to help grow the skin tissue back.

"A hyperbaric chamber is a room with 100 percent oxygen, and it stimulates tissue growth," Newell said.

Newell said the hyperbaric sessions did not work, however, and the skin tissue began to die. At that point the family found a plastic surgeon who specializes in working with children. The first surgery was performed in the summer of 2012. The victim is going to have to wait another three years before a final surgery.

After the surgery, Newell filed a lawsuit in Adams County for punitive damages, which insurance companies do not pay. However, after the insurance company received Newell's 13-page suit, he said, the insurance company decided to pay in the sum of \$300,000. After lawyer's fees and medical expenses, the victim will receive \$287,650. Newell said was happy he was able to reach a settlement with the insurance company.

"My clients preferred having the insurance company pay rather than make their neighbors pay the costs out of pocket," he said.

The sum is to be paid over the course of four years, starting when the victim is 18, with the last payment to be made when she is 21. She is 9 years old now.

"The hope was not to give it to her now so the money will be able to help her pay for college," Newell said.

Newell said there are no stipulations on the money, however, and if she doesn't want to use the money on college, she doesn't have to.

This was not the first case Newell has done involving animal attacks.

"About two thirds of my cases are related to dog bites," Newell said.

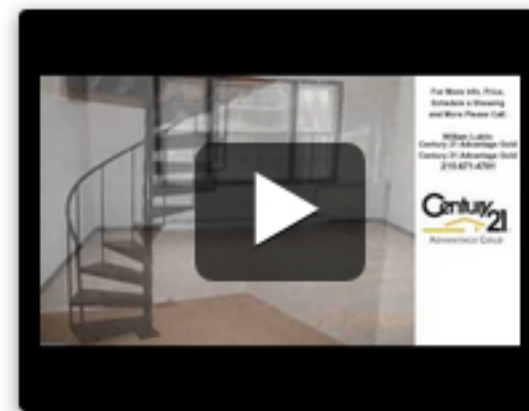
In 1995 Newell secured a \$479,000 settlement after a German shepherd bit a young boy on the face in Worcester. Prior to this case, which came to a final conclusion Tuesday, he helped secure a \$508,000 settlement after a two-year negotiation process with an insurance company for a dog bite injury. He has represented clients in 19 different counties in Pennsylvania for dog bite related injuries.

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