

ANIMAL RELATED LITIGATION DISCLAIMER

It has been explained to Client that animals are considered property under current New York State law and that damages associated with the death of companion animal are normally limited to the fair market value of the animal, minimal consequential damages and “out-of-pocket” costs. Client understand that punitive damages and damages for emotional distress, pain and suffering, loss of companionship etc., are causes of action that have been historically not recognized by New York Courts in relation to companion animals. Notwithstanding the aforementioned, the Client wishes the Firm to investigate and possibly institute and/ or defend this action or proceeding and argue that past precedent should be changed regarding the damages that may be received from the death or injury of an animal and argue for new law. Client acknowledges that it has been explained to the Client and the Client understands that existing case law and legal precedent is against the course of action that the Client wishes to pursue and that this will be a very difficult case to bring to a successful conclusion.