

Insurance company charges survivors \$6K - to fix the car that killed their mother

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Dan Mangan

EXCLUSIVE

Five months after a Long Island grandmother was killed walking home, an insurance company demanded that her shattered family pay more than \$6,000 — to repair the car that mowed her down. “I was shocked,” said the grieving daughter of 70-year-old Anna Cedeno after her mother was fatally struck by a 2012 BMW on a Westbury road in April. Cedeno, a retired seamstress who emigrated from Ecuador in the early 70s, had beaten stomach cancer six years ago and was enjoying her new lease on life by cooking and spending time with her four grandkids, said the daughter, Monica.



Anna Cedeno

Cedeno went to the Costco store in Westbury on April 2 to buy calcium supplements and a \$5 rotisserie chicken, her daughter said. At 8 p.m., the grandmother left the store and began walking across Old Country Road toward a bus stop. But before she got there, she was struck in the westbound lane by a BMW driven by 57-year-old physical therapist Sherrie Glasser-Mayrsohn, a police report said. Cedeno was taken to a nearby hospital, where she died two hours later. “She wasn’t just my mom, she was my best friend,” Monica said sadly.

Glasser-Mayrsohn was not issued a citation by cops, who noted on the report that Cedeno was “not crossing in a crosswalk” or at a traffic light. Glasser-Mayrsohn did not return a call seeking comment. After the accident, Monica hired a lawyer, Daniel Flanzig, to sue Glasser-Mayrsohn for negligence, claiming the driver could have avoided the accident by paying more attention to the road. But before Flanzig could even file the suit, he received a letter from Glasser-Mayrsohn’s insurer, PURE.

“Our investigation shows that your client was responsible for the accident,” the letter said. “We now look forward to your client’s estate for payment of the damages to our policyholder’s vehicle.” (a copy of the letter is below)

The letter specified the damages to the Beemer at \$6,245.09. Flanzic said he was “*absolutely stunned.*” “*It just shows a lack of sympathy for the death of this woman’s mother,*” the lawyer said. He noted that insurers of drivers do not routinely seek to collect damages from fatal and non-fatal accident victims — even if the victim was responsible for the accident. On Friday, a Post reporter asked PURE’s president about the letter. Hours later, the insurer dropped its collection effort, issuing a statement that said in part:

“Our sympathies go out to the family and loved ones of Ms. Cedeno . . . s a company policy, as well as due to the extremely sensitive nature of this tragedy, we are reluctant to go into great detail about the circumstances of an open claim. We can confirm it would not be our policy to pursue recovery of damages in a case like this.”“We acknowledge that a letter was written and sent by an otherwise excellent claims professional. . . that created the impression that reimbursement would be pursued even if there was no applicable insurance. This runs counter to our position, and [the claims professional] should not have written the letter.”

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| Date of Loss: | April 2, 2012 |
| Loss Location: | Westbury, NY |
| Our Claim Number: | NY-002-852 |
| Our Policyholder: | |
| Amount of Claim: | \$6245.09 |
| Your Client: | |

Dear Ms. Flanzic:

Our investigation shows that your client was responsible for the accident described above.

We now look to your client’s estate for payment of the damages to our policyholder’s vehicle.

If your client is insured, please complete the insurance information required below and return this letter to us. Please forward a copy of this letter to your client’s homeowners insurer and ask them to contact us.