



SPRING 2018



## Considering a Personal Injury Lawsuit? *Here's What You Can Expect*

There is a lot more to a lawsuit than a day in court—in fact, hopefully you are able to reach a fair agreement without stepping foot in a courtroom. Here's an overview of how a typical case might proceed:

**Consultation**—Be prepared to discuss your accident, injury, and treatment in detail. In return, an attorney will be able to tell you if your claim is viable and discuss how to best proceed. They will also discuss their fees and payment structure.

**Review**—Once you've retained a lawyer, he or she will begin to gather information about your claim. You will be interviewed in great detail about your accident, injury, treatment, and prognosis. Your attorney will have questions about your life and background. They will also be gathering medical bills and records, police records, and statements from witnesses. They will use all of this information to consider the next step.

**Demand**—If your case is really strong, an

attorney may not even file a suit, but instead submit a letter of demand to the defense's attorney or insurance company. During the negotiations, your attorney will advise you as to whether a settlement offer is fair and reasonable.

**File suit**—If you and your attorney aren't comfortable with the settlement offered, a lawsuit is filed. At this point, your attorney is familiar with your case and has the opportunity to learn about the case that the defense has built. Likewise, defense lawyers will begin their own process of discovery. They will ask to see documents regarding your case and interview people important to the case, most notably you.

**Settlement**—After both sides have built their cases and shared information, another round of settlement negotiations begins.

**Trial**—If all else fails, a trial will be scheduled for your case. Depending on the complexity of your case, the entire process can take more than two years.

## WORKERS' COMPENSATION *When insurers refuse to pay*

Our practice can help referral clients resolve workers' compensation disputes.

Workers' compensation regulations are state-based insurance programs that effectively cover claims by employees injured on the job or who suffer work-related diseases or illnesses. Insurers regularly handle claims with understanding and efficiency.

On occasion, an insurer may deny claims benefits, so workers should consult an attorney experienced in workers' compensation law for counsel.

### Fall from a ladder

When a retail store employee fell from a ladder and severely injured her back, her physician recommended surgery. When she filed a workers' compensation claim, the insurer denied her petitions and an independent Industrial Commission's confirming orders for several years. The employee's attorney sued the insurer, demonstrating it had not acted in good faith. A jury held for the plaintiff, stipulating a significant award, and held the insurer liable for lifetime medical care and disability benefits for the underlying injury under the state's Workers Compensation Act.



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### PRACTICE AREAS

- *Personal injury*
- *Auto and truck accidents*
- *Workers' compensation*
- *Wrongful death*
- *Medical malpractice*
- *Nursing home negligence*
- *Motorcycle accidents*
- *Railroad and boat accidents*
- *Premises liability*

*We take your family's safety and security personally.*

# ASSAULT VIA SOCIAL MEDIA

Could your computer be considered a deadly weapon? A grand jury in Texas says that it can.

Since the rise of the internet and social media, people have used their computers to bully, stalk, libel, and harass others. But what if you knowingly did something online that resulted in physical injury or death?

It doesn't seem possible, but in 2016 a Maryland man named John Ravello sent a GIF of a strobe light to Kurt Eichenwald, a reporter who he knew had epilepsy and who he disliked for not supporting then President-elect Donald Trump. Ravello tweeted that he hoped the GIF

would send the journalist into a seizure and that he would die. He also changed Eichenwald's Wikipedia page to show a date of death on the day he sent the GIF.

When Eichenwald clicked on the GIF, he did indeed have a seizure. While it did not result in his death, he had difficulty functioning for days, lost feeling in his hands, and had trouble speaking for weeks. Unfortunately, since the incident,

Eichenwald has been sent more than 40 more strobe GIFs. Ravello was arrested for cyberstalking and assault with a deadly weapon. The 40 other cases are being investigated by the FBI.



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## REFERRALS

*Thanks to all of you who have recommended our firm to your relatives, friends, and neighbors. We appreciate your vote of confidence and pledge to care for these "VIPs" as well as we care for you.*

## Are Part-Time Workers Who Get Hurt on the Job Entitled to Workers' Compensation?

Many people rely on part-time jobs to supplement their family's income. But what happens if you are injured on the job?

The good news is that if you are an employee, regardless of full- or part-time status, you are eligible for workers' compensation. Workers' compensation programs are run by the state, and benefits are extended to most private and government employees. Exclusions vary by state, but might include small businesses with fewer than five employees, owners of companies, domestic workers, farm workers, and independent contractors. The benefit covers lost wages, medical costs, and other losses, and coverage begins the first day of work.

If you are hurt on the job, you can file a claim for workers' compensation benefits. It doesn't matter if you are injured performing a work-related task or if you slip and fall in the break room. If you are injured, you have 30 days to report your injury and make a claim. Claims can include lost wages, medical bills, hospital visits, rehabilitation, prescriptions, and travel expenses.

If you have been injured on the job, call a workers' compensation attorney to discuss your case.

