



INJURY LAW ALERT

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AVOIDING CAR ACCIDENTS

If you've been injured in an auto accident, it's important to obtain just compensation for your injuries. However, most people would certainly agree that it's always better to avoid being injured in the first place. This is especially true when you happen to be behind the wheel of a car. As we all know, car accidents can be the source of some of the most debilitating injuries that you can suffer.

Some of the things that we should do to avoid a collision are obvious: slow down and make an effort not to follow too closely. Keep your eyes open and focused on the road. Make sure you take into account the weather and the traffic conditions and keep your car in good condition. All too frequently, accidents are caused by bad brakes, balding or defective tires, worn out wiper blades or other maintenance problems. Also, control your emotions. **Don't get angry at other drivers**, this could lead to road rage and aggressive driving.

Not So Obvious

There are a number of other less obvious tips that can also help keep you safe. Many collisions occur when one driver is turning or when vehicles stop and start. This makes traveling through intersections the most dangerous facet of driving. In fact, most collisions occur at intersections.

Take your time when approaching an intersection. Check all oncoming traffic for that driver, or drivers who might be running a red light. Check each direction twice. You will be amazed at how many times you will see a car or motorcycle hidden in a blind spot because of that second look.

Intersections

When the light turns green **don't be the** first driver into the intersection. Be careful if one of the vehicles clearing the intersection before you is not towing one of those hard-to-see low trailers. Use hand signals, such as a wave, to communicate your intentions to other drivers. When in doubt, don't enter the intersection until you are sure that you can do so safely.

Parking Lots

Parking lots can also be dangerous. In a parking lot, treat the lines painted on the pavement the same way that you treat the lines painted on the road. That means obey **them**. **Don't cut across rows and keep your head on a swivel to look out for** drivers not following this rule. Only travel up and down the rows in the proper, marked direction and treat the end of a row like an intersection. Be especially careful when backing out of a parking spot. Make **sure to "clear the rear" before you back up** to avoid hitting pedestrians (especially small children, who frequently run ahead of their parents).

Blind Spots

Remember blind spots, yours *and* theirs. Many collisions happen when a driver attempts to change lanes or tries to merge without checking his or her blind spot. Always, always check your blind spot before changing lanes. Never drive in another driver's blind spot because the other driver might not be as careful. Take special care around trucks, which have a large blind spot. Many trucks have a sign on the back, "if you can't see my mirrors I can't see you." They're not joking, be sure you can see their mirrors. Even if you have the right of way, you'll always lose in a collision with an 18-wheeler.

Taking Care in Neighborhoods

Finally, always take special care when driving in residential neighborhoods. The speed limit may be 35 miles per hour, but try going slower, especially if you think 35 plus is potentially unsafe. Neighborhoods have children and pets. They may dart into traffic without looking, so you need to look out for them. This is especially true where cars parallel-park by the side of the road. A child can be hidden behind a car, and if you don't keep a sharp lookout a tragedy could occur.

Because much of driving safely depends on what the other driver is doing, there is no way anyone can guarantee that you will never be in a collision. However, by exercising proper care and using good sense, you can reduce your chances of getting hurt in an avoidable accident.

IF YOU'RE IN A CAR WRECK, HERE'S WHAT OUR FIRM CAN DO FOR YOU

- Evaluate any bodily injury claim to determine the amount of money which you are entitled.
- Help you with the property damage portion of your claim.
- Resolve complex issues and negotiate an overall settlement.
- Deal with your doctors and obtain your medical records, reports, and billing statements. We will notify medical care providers as to who to bill.
- Have an investigator interview witnesses, take statements, and photograph the accident scene and your vehicle.
- File a lawsuit, if necessary.

FAQS ABOUT ATM SKIMMERS

Q: What is an “ATM skimmer”?

A: An ATM skimmer is a device that criminals use to capture the data found on the magnetic strip of your ATM card. The two most common types are a reader (this reads the card when you swipe it) and a camera (which records your PIN when you enter it at the ATM). Thieves frequently use both simultaneously, thus obtaining your personal information and your PIN.

Q: How are ATM skimmers used?

A: Skimmers are designed to look like part of an ATM. Criminals attach them to ATMs to harvest data from ATM users. Skimmers can be high-tech: Many skimmers are designed to transmit the information they gather to the thieves via wireless technologies.

Q: Where are skimmers placed?

A: Skimmers are generally placed over the slot where you insert your ATM card. When you put your card in the machine, it runs across the skimmer as it enters the machine. Cameras are usually placed above the keypad (often behind the plastic sheet bearing the name of the bank that owns the ATM), although at times they're hidden outside the ATM. Sometimes, the thieves will even replace the ATM keypad with a keypad that records your PIN, eliminating the need for a camera.

Q: How can I tell if an ATM has been tampered with?

A: It can be difficult. For obvious reasons, criminals try very hard to hide what they are doing. Look at the ATM and see if anything appears to be out of place. Check for obvious signs that the ATM has been tampered with including, scratches or tape residue. Also, get to know the ATMs that you use on a regular basis. This can help you detect tampering.

Most ATMs have a light where you insert the card: Do you see one? If not, it might be because a skimmer has been placed over the slot. Look above the keypad. Is there a hole for a camera? If you suspect an ATM has been tampered with, **DO NOT USE THAT ATM!** Report the matter to the bank or the ATM owner.

FAULTY BRAKE = LARGE JUDGMENT

Maintenance on a vehicle can be expensive. U-Haul recently found out that lack of maintenance on a vehicle can get real expensive.

A suit was brought by a renter of a U-Haul truck. The renter was severely injured **when the parking brake did not hold and the truck rolled over him. The man's pelvis and spine were crushed.** His bladder was ruptured and he suffered many other injuries. Treating him required numerous surgeries, and now he is partially paralyzed and bedridden. The estimated cost of treating him for the rest of his life is about \$25 million.

The renter sued U-Haul for negligence. Evidence showed that U-Haul failed to properly maintain the brakes and transmissions of many of the trucks in its fleet. The renter presented evidence showing that almost a third of the trucks that U-Haul rents had brakes that failed to work properly. The truck which rolled over the renter was 18 years old and had been banned from being rented in Canada because of poor maintenance. Rather than fixing the problems, U-Haul chose to ship the truck to the United States for use as a rental vehicle.

U-Haul argued that it could not reasonably be expected to know that the parking **brake was faulty and that the accident was the renter's fault.** The jury failed to agree and awarded the renter over \$84 million in damages. This included \$63 million in punitive damages, although the law required that this amount be reduced to a judgment of \$46 million.

GETTING COMPENSATED FOR YOUR INJURY

Despite your best efforts to be careful, you have been involved in a collision. You have been injured and suffered property damage. What steps can and should you take to get the compensation you deserve?

Often, the first step is to speak with a lawyer and evaluate your claim. This involves considering the facts and circumstances surrounding your injury and determining who is probably at fault.

If you are the victim of someone else's negligence, you could be entitled to compensation. However, evaluating a claim involves many other considerations. Is the other party insured? Was he or she at work at the time you were injured? Was he or she drunk or otherwise impaired? How badly are you hurt? Do you have some insurance that will cover your lost wages or injuries? All of these considerations can affect the practicality of making a claim and the likely outcome.

In addition to evaluating the claim, you need to take steps to preserve the evidence. Sometimes this is fairly easy. Medical bills and repair bills are evidence of your losses, so you need to save them. Lost wages are also not that difficult to prove. Other evidence is harder to preserve. Remember to take steps to preserve the evidence as it can easily disappear.

For example, definitely take as many pictures of the scene as you can. Also take pictures of any damage or injuries to you, your car, or your property. Get the names of witnesses and obtain any and all police reports. All of the above can help you to prove your claim.

If necessary, get a lawyer to help you make your claim. Sometimes, this just involves **communicating with the other driver's insurance company, which** may lead to settlement of your claim. If settlement discussions prove to be unsuccessful, a lawsuit may be necessary. A lawyer will help you prepare your suit for court so you can prove your case.

While being injured is not very pleasant, unfortunately, it there are times when it happens. If you believe that someone else is responsible for your injuries, contact our firm. We will act quickly to preserve your rights.

THANKS FOR THE REFERRALS

Despite this modern age of marketing and advertising, the best source of our new business is word of mouth. We are grateful that many of our clients and friends feel confident in recommending the Worthington Law Group.

Unfortunately, many people who need a good lawyer don't know where to turn. If you or someone you know has been injured and needs legal help, call us.

SLIP-AND-FALL CASES

Are they destined to Increase in the Future?

According to a recent report, the number of slip-and-fall injuries that occur each year at businesses and commercial properties is expected to rise significantly in the near future. This is because the population of aging baby boomers will lead to an increase in the number of senior citizens. Seniors are statistically the most likely to fall, and when that happens, they tend to require more medical care and need more time to recover from their injuries.

Contrary to this report, some suggest that the number of slip-and-fall cases is likely **to grow not because of America's aging population**. They suggest that the cases will increase because commercial property owners and managers are taking money-saving shortcuts that result in more property defects and more falls.

Whatever the cause, the report has a number of suggestions for reducing the chances of people falling. Most of these suggestions are just good common sense. How can you reduce the number of slip-and-fall injuries at places of business?

- Use high-traction flooring materials and low-slip cleaning products;
- Limit the difference in height between mats and floors to one-half inch or less;
- Regularly inspect floors and floor coverings for wear, spills, and other dangers; and
- Train employees how to deal with spills.