

SGP Skousen, Gulbrandsen & Patience, PLC

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PERSONAL INJURY PRACTICE

- Free consultation
- Home appointments available
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- No recovery, no fee. We do not get paid unless you do.
- Trial attorneys

Frivolous lawsuits For whom?

Politicians, television commentators, and magazine writers sometimes ask why trial lawyers file “junk” auto accident, medical malpractice, or product liability lawsuits.

Lawsuits are never “frivolous” to people who are seriously injured. Just ask victims of an auto accident how inconsequential their injuries and suffering seem and if their lawyer’s services were frivolous.

Were the extensive medical and rehabilitation bills that someone incurred after slipping and falling on a piece of squashed fruit on the floor of a supermarket produce aisle trivial?

Talk to the mother of a child disabled during childbirth because of a hospital’s negligence about how insignificant her baby’s lifelong care costs and her own emotional pain are.

Injury lawsuits and our strong civil justice system help deserving individuals obtain justice and hold wrongdoers accountable. Civil justice attorneys work to make sure everyone has a fair chance through the legal system—even when it means taking on the most powerful corporations.



Slip-and-fall injuries

When someone slips, falls, and suffers injury because of another’s negligence, an attorney familiar with premises liability accidents can help. Victims can obtain compensation for medical bills, lost wages, pain and suffering, and other damages.

An experienced personal injury lawyer can assess the incident, communicate with property owners, negotiate with insurers, locate witnesses and experts to testify for the plaintiff, and, if required, present the case at trial.

Dangerous stairs

A concierge worsened her existing back condition when she fell down a hotel stairway that lacked a handrail. Her lawyer showed a jury that the employee, an outdoor-sports enthusiast, was not only unable to enjoy jogging or water skiing, but also required daily morphine injections to control pain. A jury’s verdict included a significant monetary judgment, plus a pain-and-suffering award.

We take your family’s safety and security personally.

SECRET COURT AGREEMENTS

Negligent corporations that produce dangerous and hazardous products use court-secrecy agreements to avoid accountability and hide potential public-safety issues.

Victims of dangerous products are often forced to sign court-secrecy agreements to settle product liability cases. These agreements have hidden the ongoing dangers of prescription drugs, hazardous toys, deadly tires, and collapsing baby cribs.

Dangerous tires

Upon learning of the tread-separation dangers of Firestone tires, Johnny Bradley changed his truck's tires to the Cooper brand. While being driven cross-country to a new military assignment, Bradley's vehicle left the road and rolled over four times when a Cooper tire tread separated. Bradley's wife, Timica, who was driving, was killed instantly, but the family's baby survived. While recovering from injuries, Bradley was unable to attend Timica's funeral. In the course of litigating Bradley's case, his attorney uncovered documented evidence of Cooper tire-design defects. These documents, which could have saved Timica's life, were kept confidential through protective orders in more than 200 previous lawsuits against Cooper. Before the end of the federal trial, Cooper Tires settled with Bradley but demanded that almost all litigation documents be kept confidential under a broad protective order.

How injuries can affect us deeply

In representing people who have suffered physical injuries or psychological harm, a key practice goal is to employ our civil justice system to "make them whole again." That may seem hard to understand, until you think about how your own life might change if you were to be injured.

Would you be the same parent, for instance, if you were disabled in an auto accident? Probably not, because your condition might limit your

ability to drive your children to school, or wash their clothes, or even hug them.

Would you be the same physical person after a slip-and-fall? Perhaps not, if your spinal injury prevented you from working out at the gym or even walking around the block.

How about your ambitions and dreams? How might loss of independence, for example, increase your financial worries, or darken your normally optimistic outlook that things always work out for the best?

Our legal system provides justice to those injured by the misconduct of others and deters future misconduct by holding wrongdoers accountable. Our civil justice system makes a difference by making us feel "whole again."



Emergency rooms



Most patients receive prompt and effective medical diagnoses and care in our nation's emergency rooms; however, there are concerns. The American College of Emergency Physicians reports that treatment delays may occur because of...

- triage, treating the most serious cases in priority order;
- keeping a patient in an emergency area until a hospital bed becomes available;
- a shortage of on-call physicians;
- local large-scale epidemics or disasters.

Motorcycle trauma

A motorcyclist who was in a serious accident was airlifted to a medical center, where he began vomiting heavily. He died in the emergency room after physicians delayed ordering nurses to drain several liters of fluid from his stomach. His family's attorney demonstrated that the patient died because physicians failed to resolve a fatal stomach-fluid buildup in a timely manner. A jury granted the plaintiff's family a significant award for their loss.

"What's my case worth?"

As you can probably guess, no two personal injury cases are alike. Attorneys can't respond to "What's my case worth?" until they do a lot of case homework. Here are some factors we weigh:

1. Nature of injuries
2. Injury treatment needs
3. Treatment cost and amount already paid
4. Future medical treatment costs
5. Types of treatment, from surgery to rehabilitation
6. Where the suit will go to court
7. If you were partially at fault
8. Your prognosis
9. Preexisting medical conditions
10. Wage, benefit, and vacation losses
11. Future wage-earning limitations
12. Third-party insurance coverages
13. Emotional- and mental-stress value
14. Loss of spousal consortium
15. Property-damage deductibles
16. Similar verdicts in local courts
17. Defendant's insurer
18. Judge assigned to case
19. Defendant's counsel



Answers to these questions help build mutual trust between a client and attorney. With mutual trust and credibility, we can strive to earn injury victims fair outcomes.

Have you been a victim of an auto accident?

The shock of getting into an accident, being injured, or losing a family member in a crash can be traumatic.

Equally nerve-rattling is that a victim may face life-changing injuries, discomfort and pain, police questioning, complex auto insurance forms, and unfeeling adjusters who pressure to settle quickly.

Next come medical treatment and rehabilitation, medical bills, lost wages, and vehicle and property damage.

A victim may even suffer partial disability, permanent impairment, or loss of ability to enjoy a normal life with his or her spouse and family.

What to do if you are in an accident

Use the "Golden Hour" after the accident to gather information to protect your rights:

- Get immediate medical aid for injuries.
- Call an attorney for advice right away.
- Admit no wrongdoing. Sign nothing.
- Also...
 - ♦ Write down names and addresses of witnesses.
 - ♦ Call for police. Ask officers to write an accident report. Request names, badges, and phone numbers.
 - ♦ Try not to move cars until police arrive, unless vehicles impede traffic.
 - ♦ Ask for other drivers' and witnesses' names, addresses, and insurance information.
 - ♦ Write all cars' tag numbers.
 - ♦ Inform your insurance carrier.
 - ♦ Use your cell-phone camera to photograph injuries, damage, skid marks, and other relevant images.



You are not alone

An experienced auto accident lawyer can protect and safeguard your rights to obtain recovery and recompense for serious harm due to other drivers' negligence.

Martindale-Hubbell
Bar Register of Preeminent Lawyers

Skousen, Gulbrandsen & Patience, PLC, has earned a Preeminent AV rating in the *Martindale-Hubbell® Law Directory* for our legal capabilities and devotion to professional ethics. Since Martindale-Hubbell bases assessments on surveys of members of the bar and of judges, we take pride in our colleagues' recognizing and respecting the quality of our legal work.

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Whiplash

Whiplash is the everyday name for a serious injury caused when the head makes jolting backward, forward, or sideways snapping movements in a vehicular accident. Experts estimate that three in five bodily injury claims involve whiplash.

Anyone involved in an auto accident who experiences whiplash should obtain medical attention to document the injury right away. Then seek counsel of an experienced whiplash attorney. Insurance agents and companies automatically question the legitimacy of whiplash injuries.

Many accident victims suffer temporary neck and back pain that goes away. However, a medical-attention record can help an attorney file a claim for injuries should symptoms of longer-term neck, back, and spinal problems return after a week or a month.

Whiplash symptoms may include blurred vision, chewing or swallowing difficulty, disturbed sense of smell, dizziness, fatigue, headache, insomnia, jaw or face pain, muscle weakness, nausea, psychological problems, or ringing in the ears.



AUTO ACCIDENTS

Time is of the essence

Anyone who is involved in an automobile accident should obtain medical care right away.

It is also wise to seek an experienced attorney's advice quickly as well. Here are two good reasons:

1 Serious injuries can take time to develop. Signing a medical release immediately after a potential injury may prevent a victim from obtaining compensation for a medical condition that shows up weeks or months later. An attorney can refer a victim to capable physicians or specialists for diagnosis and care, which cannot always be obtained in an emergency room.

2 When several people—drivers, passengers, and even pedestrians—are involved in a serious auto accident, injury compensation can reach

insurance policy payment limits quickly. In some cases, victims who believed that medical, rehabilitation, and other bills would qualify failed to receive payment because insurance dollars simply ran out.



Hospitalized children

We need to take special care to ensure that children who are hospitalized for treatment stay healthy. Here are several reasons why:

■ An American Academy of Pediatrics study showed that 11 of every 100 hospitalized children suffer adverse reactions from erroneously administered medications. Voluntary hospital reporting methods indicate only 4 of every 100 hospitalized children suffer drug reactions.

■ The study found 2,300 adverse-reaction events among 960 randomly obtained charts from 12 children's hospitals.

■ Many of these adverse drug reactions lead to frightening, but temporary, pediatric patient conditions such as nausea, rashes or hives, and itching.

■ The study claimed that 22 percent of all pediatric adverse drug incidents could have been prevented through better systems and controls.