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AGGRESSIVE, ETHICAL REPRESENTATION FOR OVER 30 YEARS

# Can Pre-Existing Injuries Ruin My Accident Case?

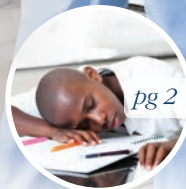
This is one of the questions we hear frequently at our firm, and with good reason: If you have a pre-existing injury and are considering filing a personal injury claim after an accident, there are some key factors that need to be considered.

For instance, you'll need to be able to prove that the injuries you suffered in the car accident were not related to your prior injury. This can be easier to do if your pre-existing injury occurred many years ago and has not required any treatment in some time. However, if it was a more recent injury, you and your attorney will need to develop a strategy to show that there was no connection between the injuries you suffered in the car accident and the pre-existing injury.

No matter what, you need to be up-front and 100 percent honest with your attorney about any pre-existing injuries you may have. That way, he or she is prepared to deal with the issue head on, won't be caught off guard, and can build the strongest case possible.

Here's the other thing—if you don't disclose that you had a pre-existing injury or if you lie about the injury itself or its severity, the insurance company will find out.

**Guaranteed.** Their representatives are very good at what they do, and they'd like nothing more than to catch you in a lie about a pre-existing injury. If that happens, your claim will be minimized or ruined altogether. ●



# A Clash of Sleep and School



According to the National Sleep Foundation, teenagers on average need 8-10 hours of sleep each night in order to fire on all cylinders the next day. Trouble is, 87 percent of them fall short. Many of them also experience what the medical community calls “phase delay”; they have more trouble falling asleep earlier in the night than in their pre-high school days, possibly due to hormonal changes, which means they want to sleep longer in the morning.

There’s one big problem: Many schools start classes at roughly 7:30 a.m. If you give a kid one hour to get ready, that’s a 6:30 a.m. wakeup. Go back 8-10 hours and you arrive at a bedtime of 8:30-10:30 p.m. For many teens, *that ain’t happenin’*.

Some school districts have opted to move starting times one hour later. The results have been encouraging: lower rates of absenteeism and tardiness, improved academic performance, increased levels of safety (e.g., driving to school), and a diminished incidence of health issues and poor decision making.

Pushing school start times forward by an hour sounds simple enough, but there are obstacles to overcome. Community life often revolves around school schedules. Changing school starting times can affect traffic flow, daycare hours, businesses that employ high-schoolers, and coordination with other schools that start earlier (e.g., sports and other extracurricular activities), among other considerations.

Good nutrition and exercise hog the limelight when it comes to the pillars of good health. When proper sleep finally receives its due justice, school districts and communities may be more willing to accommodate change. •



## March 2016 Important Dates

**March 8** International Women’s Day    **March 13** – Daylight Saving Time Begins

**March 17** – St. Patrick’s Day    **March 20** – Palm Sunday, Spring Begins    **March 23** – Purim (Start)

**March 24** – Holy Thursday    **March 25** – Good Friday    **March 27** – Easter



## Owner Liability for Injuries Caused by Dogs

Approximately 4.5 million people are bitten by dogs each year (per the CDC), over 800,000 of whom require medical attention. Dogs may be the source of other injuries as well—for instance, a dog may jump up on someone and knock them down, or cause a bike rider to fall off their bike.

Owners may be liable under one of the following categories:

**No “one-bite” rule.** There is a common misconception that every dog gets 1 “free” bite. If that ever was a law, it is not the law in the State of Florida. In fact, dog owners are generally strictly liable for the actions of their dogs under this dog bite statute unless the dog was provoked (however, small children, as a matter of law, can’t be held responsible) and if they have a “bad dog” sign posted. However, there is another broader statute.

**Strict liability.** Under this law, the owner is liable if their dog bites/harms someone even in the most unusual circumstances. There is a reported appellate case in Florida where a dog got loose, was running in the streets and a car veered to avoid hitting the dog. The driver of the vehicle got into a crash and was injured and was able to successfully recover against the dog owner and the dog owner’s insurance carrier under this strict liability statute.

The only time the knowledge of a dog’s tendencies becomes important is if a claim is made against the non-owner of the dog. This can happen is a landlord is aware of a renter’s animal with dangerous propensity but does nothing to insure the safety of people that may be in the zone of danger. •



# Creamy Cajun Chicken Pasta

Prep: 10 minutes Cook: 15 minutes Serves: 2

## Ingredients:

2 boneless skinless chicken breast halves, cut into thin strips  
4 ounces linguine, cooked al dente  
2 teaspoons Cajun seasoning (your recipe, Cajun Seasoning Mix or store-bought)  
2 tablespoons butter  
1 thinly sliced green onion  
1-2 cups heavy whipping cream  
2 tablespoons chopped sun-dried tomatoes  
1/4 teaspoon salt  
1/4 teaspoon dried basil  
1/8 teaspoon ground black pepper  
1/8 teaspoon garlic powder

## Garnish:

1/4 cup grated parmesan cheese



## Directions:

Place chicken and Cajun seasoning in a bowl and toss to coat. In a large skillet over medium heat, sauté chicken in butter or margarine until chicken is tender, about 5 to 7 minutes. Reduce heat; add green onion, heavy cream, tomatoes, basil, salt, garlic powder, black pepper and heat through. Pour over hot linguine and toss with Parmesan cheese. ●

Source: Food.com, by Lorac



## Autism's Connection to Exceptional Abilities

Autism is a complex disorder affecting brain development that causes difficulty in social interaction as well as verbal and nonverbal communication, and often produces repetitive behaviors. Interestingly, savant abilities spring from those who are autistic to a far greater degree than the general population—as high as 33 percent with autistic individuals, compared to less than 1 percent in nonautistic individuals. “Savant” refers to exceptional abilities not exhibited by most persons, such as musical, artistic, mathematical, or mechanical ability, coupled with extraordinary memory.

The autism-savantism connection is a mystery. In recent years, however, a fuller picture has begun to emerge. The current line of thinking goes something like this: Much of the brain dysfunction marked by autism occurs in the left hemisphere of the brain. Many of the savant skills originate in the right hemisphere. The brain redirects neural activity from the left hemisphere (the dysfunctional side) to the right hemisphere to compensate for the left hemisphere's dysfunction. Alternate neural pathways are developed to accomplish tasks, and in some instances enhanced perceptual abilities are produced. This reorganizational capacity of the brain produced by autism, plus elevated perceptual skills, plus knowledge or expertise may potentially equal savant abilities.

Savantism may also develop in those who have suffered traumatic brain injuries, or who have experienced stroke or neurodegenerative diseases. Brain imaging confirms the changes in blood flow and neuronal activity in the brain compared to the general population.

The brain is a wondrous, exceedingly complex organ. The autism-savantism connection is one avenue to unlocking a few more of its secrets. ●



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This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

## Unmarried Couples and Credit Discrimination

The Equal Credit Opportunity Act prohibits creditors from discriminating on the basis of marital status—or race, national origin, religion, sex, age, or because a portion or all of a person's income is derived from public assistance. Creditors may ask about most of this information in specific situations, but they may not use it when deciding whether to issue credit, or for determining the terms of credit. Legally, ability to pay and demonstrated responsibility in paying should be the only criteria that matters.

By law, creditors **cannot**:

- Inquire about marital status of applicants for individual unsecured credit unless the applicant lives in or is using property as collateral that exists in a community property state.
- Require the use of a married name; they must allow credit to be issued in a person's given name or a combined surname.
- Terminate your account or require reapplication if you change your name or marital status unless there is evidence that you're unwilling or unable to pay your bill.
- Ignore income from child support or alimony in determining creditworthiness, but may take into consideration how likely a person is to receive it.
- Ask questions about your intentions to have children in the future, or about your birth-control practices.



Creditors can require you to reveal alimony and child-support payments for which you are responsible. Received payments are exempt unless those payments are being counted toward establishing income for credit purposes. Creditors must also inform you as to why credit is being denied.

If you believe you've been discriminated against due to your marital status, contact a consumer law attorney to protect your rights. ●