

Jebaily Law Firm, P.A.

MY LAWYERSSM

Ronald J. Jebaily • George D. Jebaily • Rangeley B. Chewning
(843) 667-0400 • (800) 868-0400

OUR GOAL

An effective lawyer-client relationship

In everything we do, for each client, we strive to achieve the kind of relationship that will be mutually beneficial. What are its hallmarks?

Courtesy—We should both expect to always be treated with the consideration of good manners between partners.

Faith in judgment—From working together, we must come to mutually value a client's understanding of issues in the case and a lawyer's legal experience necessary to resolve them.

Involvement—To succeed, we must agree to cooperate to become full stakeholders in the legal processes and outcomes.

Respect—We both endeavor to do our best to appreciate each other's experience and skills, even when information or news that is shared is not what either wants to hear.

Support—The client and the attorney have a joint responsibility to make every effort to further the successful completion of the case.

Trust—Our goal is to establish and maintain a common confidence in each other's knowledge, ways of thinking, and sense of urgency about the matters at hand.

The Workers' Comp team

Ron Jebaily has been practicing law in the Florence area for over 30 years. His practice areas include workers' compensation, social security, long-term disability, nursing home negligence, and product liability. He is the current president of the South Carolina Claimant's Association and is an active participant in lobbying for workers' compensation law in South Carolina.

Carleen King joined the team in July of 2004 as Ron's paralegal and practice manager. Carleen does all of the scheduling for the workers' compensation team and is the one you will speak with when setting up an appointment to see Ron. She is also available to answer the many questions you may have concerning an initial workers' compensation claim.

Dawn Bescher is Ron's legal assistant and will be celebrating her seventh anniversary with the firm in July 2005. Dawn has over two years of workers' compensation experience and seven years of social security experience. She will be the one you speak with regarding social security and is available to answer many of your questions.

Deborah Bazen joined the team to help process medical records requests. She makes sure that all the medical records are up-to-date for each and every workers' compensation client.

Monique Cain is an assistant to both workers' compensation and social security. She is the newest member of the team and will be assisting both Dawn and Carleen.



L-R: Monique Cain, Deborah Bazen, Ron Jebaily, Carleen King, and Dawn Bescher

FALL 2005

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- Home and hospital appointments available
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Medical bills and bankruptcy

A study appearing in Harvard University's *Health Affairs* has linked bankruptcy and medical bills.

Researchers who conducted in-depth surveys of nearly 2,000 individuals who filed for personal bankruptcy in 2001 found that roughly one in two filed for bankruptcy because of medical bills resulting from illness or injury.

Nearly half of respondents reported that their medical expenses forced them to file for bankruptcy, even though 75 percent had health-care coverage. Filers averaged nearly \$12,000 in out-of-pocket medical costs for co-payments and deductibles after they became ill. Many also lost their jobs due to their illnesses.

Bankruptcy legislation

In 2001, nearly 1.5 million Americans filed for bankruptcy. In 2005, Congress passed legislation that makes it more difficult for individuals to declare bankruptcy. At the same time, however, our nation is facing escalating medical costs, increasing numbers of Americans who are paying more for health coverages at work, and more who are also losing health coverages.

DOG BITES

According to dogbitelaw.com, America is experiencing an epidemic. In a ten-year period, dog ownership grew by two percent, but bites increased by 33 percent. Insurers paid \$345 million in claims in 2003. Financial losses due to dog bites exceed \$1 billion annually.

Americans love their pets, and most dogs are safe. However, dogs still bite five million people annually, with 800,000 bites requiring medical attention. Far too many bite victims who need medical care are children, who are frequently bitten on the face.

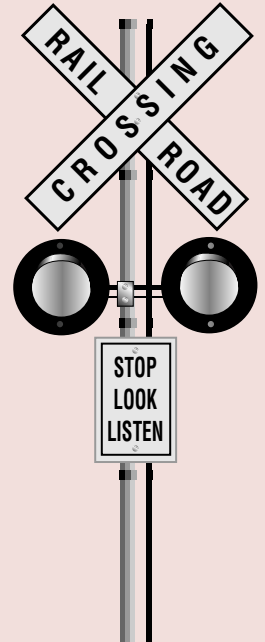
On average, 15–20 people die from dog bites every year.



Railroad-crossing collisions

Railroad crossings are dangerous. There are more than 256,000 railroad crossings in the nation, and about 155,000 intersect public roads. Annually, 425 Americans die and another 1,220 are injured in railroad-crossing collisions with trains.

Some accidents occur when careless drivers take unnecessary risks. However, railroads may cause accidents if locomotive design or repair intensifies damage, when engineers fail to use lights or sound horns, when crossing gates fail to close or are poorly maintained, or if uncut vegetation obstructs drivers' vision. Many crossings have no signals at all.



Car hit by train

A college student suffered fatal injuries when struck by a locomotive at a railroad crossing. His parents sued the railroad for wrongful death, but the railroad claimed the driver was negligent in not keeping a careful lookout. A jury found the student 40 percent at fault, reducing the family's award. However, jurors also found the railroad 60 percent at fault because an engineer failed to sound a horn, uncut grass blocked a view, and flashing lights did not work properly.

Dogs that bite

Some insurers are refusing to cover homes with certain pet breeds. Insurance data show that dogs most likely to bite are Akitas, Alaskan malamutes, chows, Doberman pinschers, German shepherds, Great Danes, huskies, pit bulls, St. Bernards, and rottweilers.

A \$20,000 dog bite

A woman who was visiting a friend's apartment was bitten on her calf by the landlord's dog, which broke its chain to attack her. The wound became infected and required skin-graft surgery, which left permanent scars. Medical expenses exceeded \$20,000. The woman sued and the parties settled after jury selection.

AUTO ACCIDENT

Q After being in an auto accident, a driver is sometimes contacted by the other driver's insurer. Here is what most auto insurance agents recommend:

Q: *Should a driver give a statement to the other person's insurance company?*

A: No. Unless their agent or attorney agrees, a driver should say nothing.

Q: *How could making a statement hurt?*

A: Most people are friendly and want to answer questions honestly and fully. That could hurt a driver's case if he or she makes

remarks that somehow increase their own liability or reduce the other driver's responsibility. Insurance company representatives are trained to elicit these kinds of statements.

Q: *So how should drivers respond if agents pressure them?*

A: Drivers should tell representatives that they have attorneys and that all further contact should be directed to insurance agents or attorneys.

Q: *Is there anything else drivers should do?*

A: Yes. As soon as they're done with this kind of call, drivers should write a short record covering the conversation, noting date, time, topics, and whatever else seems important. Stay in touch with insurance agents and attorneys.

CHILD DAY CARE

For dual-income career couples who have children, day care is fundamental. In choosing a care provider, parents cross a threshold into a new world of experiences and relationships with their child. Entrance into child day care also requires understanding the serious responsibilities that both parents and day-care providers share regarding the health and welfare of a child.

Here are some guides for parents in selecting and monitoring day-care operations.

- Ask to see the facility's license.
- Spot-check the facility for sanitation and safety.
- Inquire about management and staff qualifications and experience.
- Read all the background information you receive.
- In order to see how things work, visit the center several times before enrolling your child.
- Get and stay involved in your child's care.
- Ask your child frequently for comments on his or her experiences.
- Later, make unannounced visits to see your child.
- If you have any concerns, talk to the facility's director.

BE VIGILANT

No matter how carefully a family previews and monitors a day-care facility, problems can always arise. After a six-month-old suffered permanent brain damage, cerebral palsy, and blindness, his mother sued the day-care operator and owner, alleging assault and battery. A jury awarded damages after finding both the owner and operator responsible for the child, who was a victim of shaken baby syndrome.



FOR YOUR SAFETY Recalled product roundup

Here are some recently recalled products you may have in your home or at work:

- ✓ **American Suzuki Motor Corporation** has recalled 30,000 Suzuki 2004-2005 model year Vinson and 2005 KingQuad ATVs with faulty throttles that can injure riders.
- ✓ **Elegant Kids 2000, Inc.**, asks parents to return 34,500 Soother Baby Pacifiers, banned under federal law after failing federal safety tests. Nipples separate from bases and can choke infants or small children.
- ✓ **Whirlpool Corporation** has recalled 40,000 KitchenAid® ProLine® toasters with heating elements that can start fires.
- ✓ **MGA Entertainment, Inc.**, has called back 300,000 Bratz™ Stylin' Scooters™ with wheels that can break and harm young riders.
- ✓ **Elec-Tech International Co., Ltd.**, of China and Aplica Consumer Products, Inc., of Miramar, Florida, recalled 500,000 Black & Decker®-brand ProBlend® blenders with blades that can break and injure users.
- ✓ **Nature's Finest** voluntarily recalled about 727,000 Nature's Finest Gel Candles, which can create a high flame and start fires.



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Juries protect us all

America's civil justice system holds individuals and businesses accountable when their behavior breaches society's expectations of fair treatment. The following product liability case shows how our jury system can work to protect those who need it most.

After a nine-year-old boy died from carbon monoxide poisoning when a window air conditioner caught fire, his parents sued the manufacturer, alleging wrongful death.

Their attorneys' investigation revealed that the air-conditioner maker had used underrated and excessively flammable components to cut costs, which resulted in the units having a history of overheating problems. Attorneys also demonstrated that although the manufacturer was a qualified self-certifier for Underwriters Laboratories, no testing had ever been done to assure the air conditioners complied with guidelines.

A jury found that the manufacturer's conduct amounted to malice because it was aware of its product's extreme risk, but remained indifferent to consumers' safety. After jurors awarded significant actual damages, the plaintiff settled for confidential and punitive damages during jury deliberations.

Hit-and-run accidents

Hit-and-run (H&R) auto accidents can be particularly perplexing to victims.

The accident happens quickly. The car is damaged. Everyone is shaken up. The innocent driver and passengers may even suffer injuries. The offending driver disappears.

What should you do if you're in an H&R accident?

- ✓ Get medical attention, if needed.
- ✓ Immediately contact law enforcement, and fill out an accident report.
- ✓ Report the accident to your insurance company right away.
- ✓ Try to identify the car involved and the driver responsible.
- ✓ Seek an attorney's counsel.

An H&R incident

A driver who struck a worker loading a truck fled the accident scene. The victim suffered vascular injuries to his legs, requiring use of a walker and wheelchair. The injured worker and his wife sued the allegedly drunken H&R driver and employer for reckless driving, negligent hiring, and driving while intoxicated. The parties reached settlement prior to trial.

Referrals

We want you to think of us as your law firm.

If you have legal matters that need attention, please let us know. If we cannot handle the matter, we will refer you to a competent firm that can.

Please feel free to refer us to your family, friends, and neighbors for their legal needs. We welcome the opportunity to help.



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