

NICKELSPORN & LUNDIN, P.C. personal injury & auto accident attorneys

The Road To Justice Starts Here

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Autumn...beautiful but tricky on the roads You've probably heard about the dangers of texting while driving, but there's another activity that doesn't appear to jibe with texting: walking.

When people are texting, they're not looking where they're walking; their eyes are transfixed on their cell phones. (Add in listening to music at the same time, and they may be completely oblivious to their surroundings.) Unfortunately, a number of pedestrians have been struck and injured by cars while texting. Others have fallen off curbs, walked into moving buses, or inadvertently taken a dip in a fountain.

There are no laws prohibiting texting while walking...yet. However, lawmakers in Arkansas and New York have proposed legislation to ban using cell phones, iPods, and other gadgets while crossing the street.

Multitasking doesn't mean doing two things at once. In actuality, the brain is switching from one task to another very rapidly. The brain has a limited capacity to take in information; every switch means it's sacrificing something for each given task, including information to keep you, and others, safe.

A legal application called "contributory negligence" may also enter the picture—a pedestrian may be par-



tially responsible for a percentage of their own injuries in a pedestrian-vehicle accident if they did anything that jeopardized their own safety (e.g., texting). In a few states, if *any* percentage was attributed to the pedestrian, they have zero chance of winning a lawsuit. In other states, if a person is deemed to be contributorily negligent to the tune of 20 percent, they can recover 80 percent of the total amount awarded.

Technology is amazing, but when it overrides common sense and respect for others, the toll can be devastating.

nothing warm and cozy

ABOUT THESE BATH SALTS



These days, the term "bath salts" generally isn't referring to an ingredient for a warm, luxurious bath. Rather, it's a concoction of synthetic drugs that contains either mephedrone, methylenedioxypyrovalerone (MDPV),

or methylone as its star ingredient, with an ever-changing lineup of accomplice chemicals.

Recreational use of bath salts is a fairly recent development; however, the individual components mentioned above have been around for decades. This drug is a powerful stimulant; it's also highly addictive and psychoactive, meaning the neurochemical function of the brain is affected, amplifying effects on mood, thought, perception, and behavior. This crystalline drug can be smoked, snorted, or injected directly into the bloodstream.

Bath salts can cause an effect called "excited delirium," which results in paranoia, panic, violence, and unpredictability. The recent case of a man who savagely attacked a homeless person, gnawing on his face in broad daylight along a Miami highway, made national headlines and may have involved bath salts.

The use of bath salts is on a disturbing upward trend. Calls to poison control centers rose from 304 in 2010 to 6,138 in 2011. Legislation for a nationwide ban on this easily obtainable and dangerous drug has been proposed. Although the U.S. Drug Enforcement Agency has placed a 12-month ban on the main ingredients of bath salts (mephedrone, MDPV, and methylone), many states haven't administered penalties. Amazingly, bath salts can be legally purchased online under names such as Purple Wave, Zoom, or Cloud Nine, among others.

walk safely

With school back in session, it's important that you and your kids stay safe when walking or crossing the street. A group of Montgomery Blair High School students developed a public awareness campaign, **SWAG**, which stands for: **See** them see you; **W**ait for the walk signal; **A**lways use crosswalks; and **G**o reflective. Additional safety and traffic rules include:



- Always cross in the crosswalk.
- At intersections, follow all traffic control signals. Cross on the "walk" signal. Don't start crossing the street on a "wait" signal.
- If you've partly crossed the street when the "wait" signal begins, proceed immediately to the closest sidewalk or safety island.
- Don't suddenly leave the curb and walk into the path of a vehicle that is so close that it's impossible for the driver to stop in time. Look left, right and then left again, *before* starting to cross the street.
- Don't cross an intersection diagonally.
- Yield the right-of-way to any emergency vehicle that is using its lights and siren.
- Walk on the sidewalk when walking along a roadway.
- If there's no sidewalk, walk on the left shoulder or as near to the edge of the road as you can, facing any traffic that might approach from the opposite direction.
- Wear light color clothing and remain visible after dark and in bad weather.
- Watch out for vehicles that are backing up.

don't skimp on sleep

There are those who are up all hours of the night, working hard on whatever they're working on, only to get up early and do it all over again on just a couple hours of sleep. On the other hand, there are those who consistently pile up 12+ hours of shuteye (i.e. some



sharpness. Sleep deficiency cuts these processes short and makes us more susceptible to getting sick, feeling depressed, adding extra pounds, and having our focus and concentration impaired.

teens and college-age students on summer break).

There *is* a middle ground, though, when it comes to sleep. Ideally, and on average, our brains need 7–8 hours of sleep per night to be firing on all cylinders during our waking hours. If we consistently get less than that, trouble looms.

Normally, a full night's sleep consists of five stages which are repeated in various sequences throughout the night. Each stage has a specific and crucial function. During sleep, our brains catalog the previous day's experiences, fine-tune our memories, and release hormones that regulate mood, energy, and mental Lack of sleep can also do a number on social interactions, reflexes, and memory. We sometimes think of long-distance truck drivers, airline pilots, and operators of heavy machinery as those most affected by lack of sleep. The consequences may be steeper in these jobs, but everyone needs their sleep, no matter what they're doing. Ask Rick Perry, former Republican candidate for president. His advisers claim that he came up woefully short on proper rest and paid for it dearly with campaign-crushing gaffes.

Sleep is a necessity, not a luxury. Whatever your goals in life, 7–8 hours of sleep per night will help you achieve them more quickly and efficiently.

. 70 National October 31 - Halloween October 16 -October 8 - Columbus Day Observed October 28 - Mother-in-Law Day (yep, since 2002!) Day October 1 - Child Health Boss Day

DID YOU KNOW?

According to *Countdown to School Success*, published in partnership with the U.S. Department of Education, there are several steps you can take now to help your child succeed in school:

- 1. Reach out to your kids' teachers. Make a point of introducing yourself and learning about class activities and expectations for the year. Attend parent-teacher conferences.
- 2. Get in the groove. Establish consistent times for sleep, waking, getting ready and homework. Create a comfortable, quiet workspace. Set bedtimes that allow elementary-age kids to sleep 10-12 hours and teens 8 1/2 to 9 1/2 hours.
- **3.** Time things right. Stay on top of everyone's school, activity and work schedules. There are many free on-line calendars or smartphone apps.
- **4. Pack smart.** Make sure your child's backpack never weights more than 10-20% of your child's body weight. Children

should use both straps and the pack should rest close to the body, a couple inches above your child's waist.

- 5. Commit to volunteering. Join the PTSA and ask about volunteer activities. Get involved in a job that is a good fit for your schedule and abilities. Become a class parent.
- 6. Fuel up. A healthy breakfast provides your children with more energy for learning. Avoid high sugar and processed carbohydrates. Instead, try whole grains and protein-loaded options like scrambled eggs and cheese and yogurt and fruit smoothies.
- 7. Seek extra help. If your child is struggling with a subject, ask about school-provided tutoring programs and resources to help reinforce his or her learning outside of class.

To read the entire month-by-month guide, go to www.ed.gov/parents/countdown-success.

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don't skimp on sleep



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autumn... BEAUTIFUL BUT TRICKY ON THE ROADS

Autumn may be picturesque, scenic, crisp, and a host of other positive adjectives, but there are dangers unique to this season.

The sight and sound of leaves rustling across the landscape are emblematic of autumn, but when leaves are wet, they can turn roadways into slippery menaces. Slow down and take it easy around turns. Allowing extra following distance between your car and the vehicle in front of you is wise. Leaves can also obscure potholes waiting to give your car a jolt.

Never drive through piles of leaves along the side of the road. Children love burrowing into these piles, playing and hiding. Steer clear to avert tragedy.

Don't park your car over a mound of leaves. A hot exhaust system combined with leaves may result in a combustible situation.

Keep in mind that falling temperatures can lead to a layer of slick

frost forming on roads and streets, especially on bridges and overpasses.

Dwindling daylight equates to more nighttime driving... with more people out and about since it's still early. Drive defensively.



One last thing – deer are on the move in autumn, which is an active breeding time for them, not to mention that hunters stir them up a bit. If you see a deer crossing the road, others may soon follow, as they often travel in groups. Most deer-car collisions occur between dusk and midnight from October through December. If a deer bounds across the road in front of you, do not swerve to avoid it, as this can cause you to hit a fixed object or an oncoming vehicle, which can cause more harm than striking the deer.

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