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NICKELSPORN & LUNDIN, P.C.

PERSONAL INJURY & AUTO ACCIDENT ATTORNEYS

The Road To Justice Starts Here

Accidents | Nursing Home Neglect | Insurance

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If you are hit from behind by another driver, whether at high speed or low speed, injury potential abounds.

What's tricky about some rear-end collisions is that a person may not immediately feel pain or show any symptoms of bodily damage. It might be days, sometimes longer, before the effects are felt.

Whiplash injuries are prevalent in rear-end collisions. The body jerks forward upon impact, and the head and neck violently snap backward and then "whip" forward, damaging muscles, ligaments, connective tissues, and nerves.

Concussions also occur frequently. A concussion is more than a blow to the head that makes a person see stars; it's a brain injury that has the potential to impair one's quality of life well into the future and may have lifelong consequences.



In addition to shoulder injuries, lacerations, broken bones, and disk damage, victims may also

experience tinnitus (ringing or buzzing in the ears), dizziness, and sleep disturbances.

Various factors can intensify the effects of a rear-end collision – a driver/passenger wasn't wear-

ing a seatbelt, their head was turned or tilted at the time of impact, their vehicle was a small car, and the seat did not have a proper (or any) head restraint.

If you've been the victim of a rear-end collision, promptly schedule a medical evaluation with your doctor. Insurance companies often scoff at low-speed rear-end collisions and the harm they cause, and question the motives of anyone who's not admitted to the hospital. Contact an experienced auto accident attorney to protect your rights. ■



don't shortchange

YOUR CHILD ON SLEEP

The importance of proper rest is often given short shrift in our society. As a nation, we don't get enough sleep. This bad habit is now being passed to the next generation... much to their detriment.

A recent article published in the journal *Pediatrics* describes a study in which healthy children ages 7–11 were either deprived of one hour of sleep over a span of five nights, or had one hour added to their normal sleep. The study was conducted in the everyday home setting of each child.

The results indicated that those kids who were deprived of one hour of sleep were prone to exhibit more irritability and frustration, and were more emotional and impulsive. Not surprisingly, those children who slept an extra hour showed a decline in these conditions.

In addition, a child who's even slightly sleep deprived may find it difficult to focus, which can affect learning, and may miss out on opportunities to be creative. Lack of sleep can interfere with social relationships as well.

Sometimes, it's the small stuff that makes a world of difference. Saving the rest of a movie for the next day or playing one less video game—and hitting the hay instead—can affect how a child reacts to their world and the relationships they form with others.

Diet and exercise often steal the spotlight when it comes to factors that most affect a child's (and adult's) physical and mental well-being. Sleep, it appears, is deserving of equal consideration. ■

workplace injuries

YOU MAY HAVE OPTIONS BEYOND WORKERS' COMP

Someone injured on the job may be under the impression that workers' comp is their only avenue for compensation. In general this is true, but there are a number of exceptions.

For example, if you were injured by a defective product, a products liability lawsuit against the manufacturer may be a possibility.

If a toxic substance caused you harm, the manufacturer might be subject to a toxic tort lawsuit. There are generally two kinds of toxic injuries – acute, which are apparent immediately; and latent, which may take years to appear. A worker may be able to file suit against the manufacturer of the toxic substance and/or any manufacturers of safety equipment that proved to be ineffective.

You might be able to bring a personal injury lawsuit against your employer if you were injured due to their intentional or egregious conduct. If your employer doesn't carry workers' comp insurance, you may be able to file a civil court action against them or collect money from a state fund.

If a third party is responsible for causing your injuries, filing a personal injury lawsuit against them is an option.

If an injury is disabling and prevents you from working, you may also be eligible for Social Security Disability Insurance (SSDI and SSI).

Workers' compensation in the form of temporary disability or permanent disability payments is usually quite low and doesn't provide anything for pain and suffering. There are no punitive damages to punish the employer for dangerous conditions or poor safety measures.

If you are injured on the job, consult with an experienced attorney to safeguard your rights. ■

where there's smoke...

A recent report released by the U.S. Consumer Product Safety Commission and the U.S. Fire Administration revealed some sobering statistics on residential fires – there were over 350,000 unintentional residential fires spanning 2008-2010, leading to over 2,300 deaths, more than 12,500 injuries, and in excess of \$7 billion in property damage.

The number one cause of home fires was cooking and cooking equipment, accounting for roughly 40 percent of fires and over 27 percent of fire related injuries.

Home heating and cooling equipment was a top cause of fire deaths, with 210 on average per year. Of those fatalities, portable space heaters were directly associated with nearly half. Heating and cooling equipment should be professionally inspected each year, including fireplaces, woodstoves, and chimneys.

Perhaps the most important factor in reducing fire-related deaths and injuries is the installation of smoke

detectors - at least one on every floor, outside sleeping areas, and inside each bedroom. Check the batteries monthly and change them annually; make sure those powered by house wiring have a battery backup.

According to the National Fire Protection Association, the home-fire death rate was 49 percent lower for households that had working smoke detectors than those that didn't.

Smoking, lighted candles, overloaded electrical outlets, faulty wiring, flammable liquids, children playing with fire, and Christmas lights are among other factors that play a role in fire injuries and deaths.

Make sure to have a fire extinguisher on hand, and learn how to use it. Plan out a fire escape route for your family, and conduct drills from time to time.

Residential fires are a serious issue, but a few basic measures can make all the difference. ■

December 2012 Important Dates

December 7 – Pearl Harbor Day
December 9 – Hanukkah begins (at sundown the night before)
December 22 – Winter begins
December 25 – Christmas Day
December 26 – Kwanzaa begins
December 31 – New Year's Eve

consumer alert

BUYING GIFT CARDS THIS HOLIDAY SEASON?

If so, keep these 6 important tips from the Federal Trade Commission (FTC) in mind:

1. Buy from sources you know and trust. Avoid buying gift cards from online auction sites, because the cards may be counterfeit or may have been obtained fraudulently.
2. Read the fine print before you buy. Is there a fee to buy the card? If you buy a card by phone or online, are there shipping and handling fees?
3. See whether any fees will be deducted from the card after you purchase it.
4. Inspect the card before you buy it. Make sure that it hasn't been tampered with and that the PIN number isn't showing.
5. Give the recipient your original receipt so they can verify the card's purchase in case it is lost or stolen.
6. Consider the financial condition of the retailer or restaurant; a bankruptcy may make it difficult to redeem a gift card.



For additional tips about giving or redeeming gift cards, please go to www.ftc.gov. ■

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REAR-END COLLISIONS
CAN CAUSE
great harm



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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.

Holiday Wishes

At this special time of year, our firm would like to take a few moments to wish you and your family the very best this holiday season.

We'd also like to thank you; we truly appreciate all that you have done – our clients, friends and colleagues – to make our work so gratifying and fulfilling. We hope that we have lived up to the trust that each of you placed in us.

May you and yours enjoy good health, peace and happiness in the New Year.

