

# POTHITAKIS LAW FIRM, P.C.

## Attorney At Law

**FALL  
2009**

Brought to you by  
**Pothitakis Law Firm, P.C.**  
**Attorney At Law**

1603 Main Street  
Keokuk, IA 52632  
319-524-7500

320 North Third Street  
Suite 100  
P.O. Box 337  
Burlington, IA 52601  
319-754-6400

Toll-Free: 1-866-PLF-IOWA

FAX: 319-754-7211

e-mail: [niko@pothitakislaw.com](mailto:niko@pothitakislaw.com)

Web site: [www.pothitakislaw.com](http://www.pothitakislaw.com)

**OFFICE HOURS**

Monday-Friday

8:30 a.m.-5:00 p.m.

**PRACTICE IS PRIMARILY  
PERSONAL INJURY AND  
WORKERS' COMPENSATION**

- Free consultation
- Contingency fee available
- Board member,  
Workers' Compensation  
Section of the Iowa State  
Board Association  
(2000-2002)
- Board member,  
Iowa Association of  
Workers' Compensation  
Lawyers, Inc. (2005-2008)
- Board of Governors,  
Iowa Trial Lawyers  
Association (2006-2007)
- Member, American Trial  
Lawyers Association

## Thank you for your confidence and referrals

On October 1, 2009, the **Pothitakis Law Firm, P.C.**, celebrates its eighth year in business. On October 1, 2001, I started with just one assistant with the hopes of keeping both of us busy. I never suspected that now, several years later, my firm would have a staff of five who have to work extremely hard to keep up with the work that is put before them.

Over the years, many of our clients have referred injured individuals to our firm. We have worked diligently to make sure that each of our clients was treated with respect and dignity during the difficult times associated with an injury and lawsuit. Our success is attributed not only to the hard work of the Pothitakis Law Firm, P.C., but to the confidence that our clients and former clients have shown with our ability to handle personal injury and workers' compensation claims.

Over the next eight years, we hope to continue providing the highest-quality legal service and obtaining successful verdicts, decisions, and settlements for our clients. As always, we provide free initial consultations for personal injury and workers' compensation cases. To that end, if you or your family and friends have an issue that needs to be discussed, please feel free to contact us, as we want nothing more than to help individuals through the very difficult times associated with an injury.



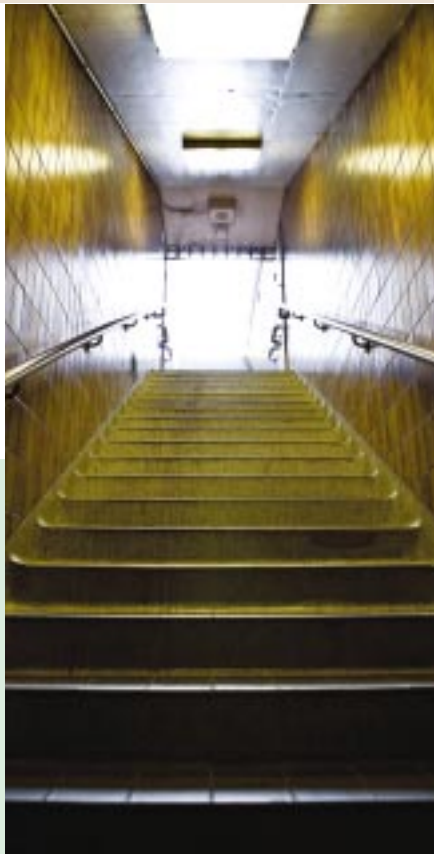
## Slip-and-fall injuries

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 pride in the quality of our legal work.*

# 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.



## Recalled product roundup

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

- ✓ **Nautilus Inc.** has recalled 78,000 Bowflex® Ultimate 2 Home Gyms with horizontal seat rails that, when not manually latched, can fall unexpectedly and injure users or bystanders.
- ✓ **Old Navy, LLC**, asked buyers to return 35,500 (in the United States) and 5,400 (in Canada) Stuffed Animal and Creature Toys that have two button eyes that can detach and choke young children.
- ✓ **Dorel Juvenile Group USA** recalled 100,000 Safety 1st SmartLight Stair Gates. Hinges holding stair gates in place can break and pose a fall hazard to children if the gate is placed near stairs.
- ✓ **Intermatic Inc.** asks consumers to return 200,000 Intermatic DT17 Heavy Duty Digital Timers that have faulty ground connections, which can give electrical shocks to users.
- ✓ **Nordica USA** recalled 4,500 pairs of XBi ALU Skis. Binding plates can crack or break, causing injuries to skiers.

## “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.

## Toxic-injury questions and answers

### Q: What’s a toxic injury?

**A:** An individual is said to suffer a toxic injury if his or her body functions have been disturbed by exposure to dangerous substances, devices, or energy forms.

### Q: Dangerous exposure? To what kinds of things?

**A:** There are many, including asbestos, chemicals, cosmetics, electromagnetic energy, hazardous waste, medical devices and products, pesticides, pharmaceuticals, radiation, and tobacco.

### Q: What are toxic-injury symptoms?

**A:** Warning signs are hard to narrow: mild cold or flu symptoms; unusual skin problems; alarming tight-chest sensations and difficulty breathing; dizziness; convulsions; coma; and even death.

### Q: Where do these toxins come from?

**A:** Just about everywhere. From air and water in the environment, building materials, cosmetics, cleaning products, food, fuels, landfills, manufactured materials, pharmaceuticals, textiles, and many, many others.

### Q: What should someone do if he or she suspects toxic injury?

**A:** Consult an attorney experienced in investigating causes and recovering compensation.



## CONSUMER FRAUD

Consumer fraud attorneys can help trusting customers who have been treated dishonestly or unfairly by individuals, companies, or corporations.

Customers who feel they may have suffered financial harm in the following areas may be entitled to obtain compensation:

- ATM scams
- Bank fraud
- Bills for unordered merchandise or services
- Business fraud
- Class-action suits
- Classified-ad fraud
- Con men
- Counterfeit checks
- Credit-card fraud
- Credit fraud
- Credit-repair fraud
- Dating scams
- Debt-collection fraud
- Dry-cleaner fraud
- Health-care fraud
- Health-insurance fraud
- Home-repair fraud
- Identity theft
- Insurance fraud
- Internet fraud
- Investment fraud
- Long-distance-carrier scams
- Medical fraud
- Online-auction fraud
- Overseas-wife scams
- Postal schemes
- Prize promotions
- Promotion scams
- Pyramid schemes
- Travel scams

## 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.