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SUMMER  
2010



# POTHITAKIS LAW FIRM, P.C.

Attorney At Law



If you need our services, please contact us at...  
319-524-7500, 319-754-6400, or 866-PLF-IOWA  
[www.pothitakislaw.com](http://www.pothitakislaw.com)

## When do you need an attorney?

If you are seriously injured in an auto accident or in another way due to others' negligence, you may face several frightening, life-altering situations.

You might miss work. You may have to spend time in a hospital and rehabilitation. You might have to deal with difficult insurance company representatives.

If you wonder about the following problems, you should contact a personal injury attorney:

- ◆ How will I earn wages if I'm out of work?
- ◆ Can I pay all these doctor and hospital bills?
- ◆ Who will pay my rent or mortgage while I'm laid up?
- ◆ Are these insurance companies being fair to me?

You should never have to face this experience alone.

This is when you need an experienced attorney to help you quickly and professionally. This is when you need someone to be on your side and to stand up for your rights.

## SUCCESS FOR Pothitakis Law Firm client

Many of the clients of **Pothitakis Law Firm** face difficult decisions with regard to settling their cases or proceeding to hearing, whether it be personal injury actions or workers' compensation claims. Recently, one of our clients was faced with a decision with respect to the resolution of her case. The defendant made an offer of \$22,000 to resolve the claim. After significant discussions concerning potential outcomes at hearing, our injured client turned down that offer based upon recommendations from Mr. Pothitakis and proceeded to hearing.

The injured client testified at hearing concerning the effects the injury had on her ability to perform her job. Pothitakis Law Firm also hired a vocational consultant who met with the injured client, went through all of the medical records, and assessed the client's ability to obtain work in the local job market. In addition, the Pothitakis Law Firm sent the client to an independent physician to obtain a medical opinion concerning the claimant's injuries and the problems she would likely suffer now and in the future as a result of her injuries. The testimony of the claimant, the vocational expert, and the independent medical examination physician were all presented as part of the claimant's hearing in Des Moines, Iowa, in late 2009.

The Deputy Workers' Compensation Commissioner reviewed all of the evidence and after approximately three months issued his decision. That decision awarded the client a weekly benefit for the remainder of her life, as the Commissioner accepted the Pothitakis Law Firm's argument that the claimant was 100 percent unemployable. On a present-value basis, these future benefits are worth in excess of \$400,000.

At this time, Pothitakis Law Firm is waiting to see if the case will be appealed. Most clients have to make very difficult decisions concerning the settlement of their claims or proceeding to hearing. Pothitakis Law Firm prides itself on providing its clients with as much information as possible as well as advice on how to proceed. In this case, the client undertook the risk of going to hearing and was successful.

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#### 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

We take pride in the quality of our legal work.

# Children's toxic jewelry



Children's jewelry and charms imported from China and marketed by Claire's, Dollar N More, and Wal-Mart have been found to contain cadmium, a highly toxic heavy metal.

Experts believe that in addition to cadmium, lead is also a common component in children's jewelry. Both are unsafe.

As the Consumer Product Safety Commission and Congress investigate, parents, grandparents, and caregivers can take steps to protect their young children:

- ✿ Take away any cheap, shiny charms or jewelry that children may already have.
- ✿ Avoid purchasing new charms or jewelry for your children.
- ✿ Do not permit anyone else to give your children suspect charms or jewelry.
- ✿ Supervise your children's play so you can head off any possibility that shiny cadmium- or lead-tainted charms or jewelry come into their possession.

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

→ **Kikkerland Design, Inc.**, has voluntarily recalled 13,000 Easy-Fold and Easy-Store Step Stools that can break and cause fall injuries to users.

→ **Tiny Love, Inc.**, called back 600,000 Wind Chime Toys, which babies can pull apart, exposing sharp metal rods that can puncture or cut skin.

→ **Generation 2 Worldwide and "ChildESIGNS"** asks buyers to return a half million drop-side cribs. Crib mattress supports can detach, and drop-side plastic hardware can break, both potentially causing babies to suffocate.

→ **Conair Corporation** has recalled 162,000 Lysol Steam Cleaning Mops. Hot water mixed with Lysol can spurt out, rupture the housing unit, and burn or lacerate users.

→ **GTM Sportswear, Inc.**, is recalling more than 200,000 children's jackets with drawstrings. Hood drawstrings can pose a strangulation hazard to children.

For your SAFETY

## Insurance disputes

Our firm can help clients file claims against insurance companies both small and large. We believe that no one who pays policy premiums should ever have to battle their insurer to get fair treatment.

We can help you obtain payments owed you under your automobile, business, disability, homeowner's, life, long-term care, medical and health-care, and other policies.

Clients have contacted us when their insurers contest claims by repeatedly demanding information, impeding claim resolution, offering insufficient amounts or settlements, denying claims, or simply refusing to pay.

Here are four errors people make in insurance disputes:

- 1) **Waiting and missing filing deadlines.**
- 2) **Losing focus because of anger.**
- 3) **Quitting after short struggles.**
- 4) **Failing to obtain legal counsel.**

If you believe your insurer took unfair advantage of your claim, you should seek legal counsel to help you protect your rights and your policy.



## Maclaren stroller RECALL

Maclaren USA, Inc., was aware for more than five years that its strollers had serious design flaws. While being unfolded, a stroller could lop off a child's fingers.

Late in 2009, following an agreement with the U.S. Consumer Product Safety Commission, stores such as Target and Babies "R" Us recalled nearly a million Maclaren baby strollers after it was reported that about a dozen children had fingers amputated by an improperly designed folding hinge mechanism.

Maclaren's recall includes stroller models Easy Traveller, Quest Mod, Quest Sport, Techno XLR, Techno XT, Triumph, Twin Techno, Twin Triumph, and Volo.

The word "Maclaren" is printed on the side of all strollers. The company now offers a free hinge cover kit to prevent future accidents.

For additional information, contact Maclaren USA toll-free at (877) 688-2326 between 8 a.m. and 5 p.m. (ET), Monday through Friday, or visit the firm's Web site at [www.maclaren.us/recall](http://www.maclaren.us/recall).



## Amusement park SAFETY

As more families consider weekday outing "staycations," they may visit local amusement parks for fresh air, fun foods, and thrill rides.

But don't let your young children take chances. Although data are sketchy, the U.S. Consumer Product Safety Commission estimates that in 2000, young park visitors suffered more than 10,000 emergency-room-treated injuries from amusement-park rides.

Here's how your family can have fun and be safe, too:

- ◆ Check the park's general appearance, lighting, signage, and litter—all indicators of care.
- ◆ Look for adequate security and safety personnel.
- ◆ Know where first aid or EMT service can be obtained.
- ◆ Watch operators' attention to rides.
- ◆ Observe the operation of rides your child wants to go on.
- ◆ Comply with age, height, or weight restrictions.
- ◆ Ride with youngsters.
- ◆ Buckle safety harnesses and restraints.
- ◆ Tell children to keep hands inside and hold on.
- ◆ Avoid loose-fitting clothing, especially baggy sleeves.

## Latisse® lash lengthener caution

Celebrity Brooke Shields endorses Latisse® eyelash lengthener solution in television commercials.

The product's Web site reads, "Latisse solution is a prescription treatment for hypotrichosis used to grow eyelashes, making them longer, thicker, and darker. Eyelash hypotrichosis is another name for having inadequate or not enough eyelashes."

But Latisse's promotion also mentions side effects that the medication, originally named Lumigan®, a glaucoma drug, may cause. While stimulating lash length, the product can also cause eye redness, infection, irritation, itchiness, and darkening of the skin near the application zone.

Latisse may also change eye color, particularly in users who have even small amounts of brown pigment in their irises.

Purchasers should read the safety page of the Latisse Web site before using the product: <http://www.latisse.com/AboutSafety.aspx?state=20>.



## INJURED while on vacation?

Every year, thousands of vacationers suffer injuries from auto accidents, criminal assaults, property owner negligence, and security failures. Travelers suffer serious injuries while at airports, amusement parks, theme parks, and water parks, or while on boat rides, cruise ships, and tours.

If you're injured, take steps:

- Get immediate medical attention.
- Notify the auto rental company, hotel manager, law enforcement, park manager, or ship's captain to establish an incident record.
- Because laws in holiday locations may differ from home state or United States law, contact an experienced, local personal injury lawyer for counsel on local statutes or regulations, judges, and juries potentially affecting your claim.
- Contact our office, too. We will help the lawyer handling your vacation injury investigate the incident, identify negligent parties, handle medical and legal issues, and try your case if necessary.

If an accident ruins your vacation, protect your rights to as full a physical and financial recovery as possible.

Call us.

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The information included in this newsletter is not intended as a substitute for professional legal advice. For your specific situation, please consult the appropriate legal professional.

## ***Preventable childbirth injuries***

Every parent wants their child's birth to be beautiful. Parents also hope their new infants will enjoy natural and normal childhoods.

However, in some cases, negligent birth trauma shatters parents' dreams and children's lives. Cerebral palsy and birth injuries that infants needlessly suffer may be preventable through appropriate and timely medical intervention or nursing care.

It often costs millions of dollars to deal with the consequences of preventable birth injuries. Here are two cases:

■ \$77 million to the parents of a three-year-old boy whose cerebral palsy, constant seizures, and expenses for round-the-clock, lifelong home care resulted from unnecessary childbirth delays and failure to employ a fetal heart monitor.

■ \$30 million for medical malpractice to the parents of a boy whose brain was deprived of oxygen for 10 minutes prior to cesarean section delivery, which caused permanent, irreversible brain damage and required lifetime medical and care expenses.

*If your child suffers from a preventable birth injury, please obtain legal assistance.*

## **Dangerous medications**

Yasmin® and Yaz® are birth-control medications that are suspected of causing dangerous side effects in users.

Ocella®, a generic form of Yasmin, is distributed by Barr Laboratories, Inc.

These medications contain drospirenone, which has been linked to several serious medical conditions in women. It may cause kidney stones and gallbladder disease. Drospirenone may also increase the risk of heart-rhythm disturbances, causing blood clots, deep vein thrombosis, heart attacks, pulmonary embolisms, stroke, and death.

The Food and Drug Administration cautioned its manufacturer for failing to sufficiently warn women about the drugs' complications and side effects.

If you or a family member suspects that one of these medications may be making you ill, please talk to your physician. You can also contact our office for a consultation for more details about your rights.

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## ***For our handicapped or injured clients***

We understand that disabilities or injuries present mobility and other problems to some of our clients.

Our parking areas and offices are handicapped accessible for vans, wheelchairs, walkers, or other mobility devices. Our bathrooms have also been designed for handicapped clients and employees.

We can make arrangements for handicapped clients to travel to and from our offices. We will also arrange assistance for mobility, visual, hearing, and other limitations. Just ask for more information. We're here to help.

