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P POTHITAKIS LAW FIRM P.C.

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PRACTICE IS PRIMARILY PERSONAL INJURY AND WORKERS' COMPENSATION

- free consultation
- contingency fee available
- Vice President, Iowa Association of Workers' Compensation Lawyers, Inc. (2013-2014)
- President, Iowa Association of Workers' Compensation Lawyers, Inc. (Oct. 2014-Oct. 2015)
- Best Lawyers In America—2013 and 2014 Listing
- Super Lawyers—2013-2014
- 2013-2014 National Trial Lawyers—Top 100 Trial Lawyers
- Member, American and Iowa Associations for Justice



Front row, L to R: Stacey Wachter, Sarah Palmer, Kayla Krow, Ann Kirk, and our weekend office pet, JoJo.
Back row, L to R: Cindi Muff, Niko Pothitakis, Carrie Pothitakis, Lana Strahn, and Janet Schafer.

NICHOLAS G. POTHITAKIS COMPLETES TERM AS PRESIDENT OF IAWC

On October 23, **Nicholas G. Pothitakis** relinquished his title as president of the Iowa Association of Workers' Compensation Lawyers (IAWC). The annual meeting was held and a new president was elected after Mr. Pothitakis's one-year term was completed. The IAWC is a group of Iowa attorneys who actively practice in the area of Iowa workers' compensation law on behalf of injured workers, employers, and insurance



carriers. The objectives of the group are to "promote the administration of justice, provide continuing legal education in the areas of workers' compensation law, and enhance the effectiveness of workers' compensation laws and their administration."

Mr. Pothitakis was proud to serve as president of the group for the past year. He plans to continue

his association with the group as a past president.

We take pride in the quality of our legal work.

I NEED MONEY NOW— *can I rush my claim?*

There really isn't a worse time to have to wade through up to two years of bureaucratic red tape than when you are disabled, can't work, and need to pay your bills and support your family. More than likely, you will need to wait, but there are five cases in which the Social Security Administration (SSA) might expedite your claim.

Compassionate allowances

If you suffer a condition on the list of compassionate allowances, the SSA will approve your case. One must be diagnosed with the condition and meet the listings for impairment for the condition.

Dire need

If a claimant doesn't have sufficient means to get food, shelter, and medication, the SSA may choose to expedite a claim. To be considered in dire need, a claimant must let the SSA know that they cannot afford to buy food or medicine, are facing eviction or foreclosure, or have had their utilities shut off due to the inability to pay. Claimants should be prepared to show paperwork supporting the claims.

Sledding safety and liability

Almost everyone who grew up in a cold climate has fond memories of sledding...a favorite hill, a beloved sled, a memorable wipeout. It's the wipeouts that are a problem. Each year, sledding is responsible for about 20,000 emergency-room visits, according to the Center for Injury Research and Policy in Columbus, Ohio.

In response to the injuries, deaths, and personal injury claims, many municipalities are banning sledding on public property. Home and business owners who live on properties with hills should be aware that they may have a responsibility to try to keep trespassing children off the hill, or they could be partially responsible for injuries that occur, especially if snow would cover rocks, holes, tree stumps, or other hidden dangers. A hill covered in snow could be considered an attractive nuisance, similar to a pool or trampoline. In this case, no-trespassing signs around the hill would be recommended.

Sledding safety

Don't put the sled away, but do exercise caution, and never sled anywhere where it is prohibited. **Here are a few tips for safer sledding from Cincinnati Children's Hospital Medical Center:**

- 1 Sit face-forward.
- 2 Go down the hill one at a time.
- 3 Keep arms and legs within the sled.
- 4 If you fall off the sled, move out of the way.
- 5 Walk up the side of the hill, leaving a sled path for others.
- 6 Roll off a sled that won't stop.
- 7 Never ride a sled being pulled by a moving vehicle.

Military personnel

Past and present members of the military can get their claims expedited as long as the condition began during active duty and the onset date was on or after October 1, 2001.

Safety

If a claimant is a threat to the public or to themselves, the SSA can expedite a claim.

Terminal illness

If a claimant has an illness that is expected to result in death, the SSA will flag the claim to be expedited. Conditions such as ALS and AIDS, or enrollment in end-of-life programs like hospice, would alert the SSA. A claimant on life support, oxygen, a wait list for a vital organ or bone marrow, or with certain cancers would also qualify.



Riding with rigs

If you find yourself riding alongside tractor-trailers, be aware that large commercial vehicles—despite having professional drivers—are hard to stop and more difficult to operate in poor weather. Due to the size and weight of commercial trucks, accidents can be severe. According to the U.S. Department of Transportation, in 2012, 3,921 people were killed and 104,000 people were injured in crashes involving large trucks. Of the fatalities, 73 percent were occupants of other vehicles.

If you are involved in an accident with a commercial truck and file a personal injury claim, you can expect the process to involve a lot of paperwork. There are several reasons that the claims process is so much more complicated when a car and commercial truck are involved in an accident.

When commercial vehicles are in accidents, there are many parties involved, which may or may not be partially responsible for an accident, beyond the driver. These include the trucking company, its insurance company, the vehicle insurance company, the vehicle manufacturer, and the truck driver's personal insurance company. If road conditions were a factor in an accident, local government could also be named in a claim. When commercial trucks cross state lines, federal laws come into play, which further complicate claims.

Finding an attorney is vital to manage your claim and secure fair compensation.



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CONSUMER WATCH: DATA BREACH

Companies collect a lot of information from consumers, from names and addresses to Social Security numbers, birthdays, and employment information. When criminals steal information from databases, consumers are at high risk for identity theft. Unfortunately, data breaches are becoming more problematic, as more transactions are online and information is stored electronically. Even in-store transactions are vulnerable to hackers. Organizations such as Target, Home Depot, and Anthem Health have all experienced data breaches that have left customers vulnerable.

As you prepare for the holiday shopping season, here are a few tips from the Consumer Financial Protection Bureau to help keep your data safe and to protect your identity:

- ➔ **Monitor accounts for unauthorized charges.** Review accounts online weekly. At the least, examine the monthly statement for suspicious charges.
- ➔ **Alert the bank or card provider immediately if fraud is suspected.** Call your bank or credit provider if you see a suspicious purchase on your debit or charge.
- ➔ **Follow up with the bank or card provider and keep records.** Consumers should write down the dates on which they make follow-up calls and keep them in a file with any written or electronic correspondence.
- ➔ **Be aware of phishing.** This is when a scammer contacts a consumer by email or phone and asks them to verify account information. Banks and credit companies never ask for account information through email. If you receive this type of email, contact your bank or card provider and report it. Don't follow a link in an email to a website; navigate to the site yourself. If you receive a call from a company you associate with asking to verify personal or account information, hang up and call the published customer service number.





Snow and ice removal

There is nothing quite as cozy as the season's first snowfall, but by the fourth or fifth snow, the novelty has worn off. No matter if it's the first or the last storm of the year, be sure to properly clear your sidewalks, walkways (those that border the property and those on the property), and driveway. Homeowners owe the duty of reasonable care to anyone who might need to walk past or onto their property, and many municipalities use 24 hours as a reasonable time frame for snow and ice removal.

Laws regarding responsibility differ by state and municipality. For example, in some states, homeowners are liable for snow and ice removal on the public sidewalks that border their property; in others they can't be held liable for accidents that occur on public sidewalks, but can be fined for not removing snow in a timely manner. An exception would be when someone attempts to remove ice and snow, doesn't do a good job, and creates a new hazard (shoveling a narrow trail down the sidewalk, for example).

Winter slip-and-fall accidents often happen at a friend's, relative's, or neighbor's house. Please know that homeowner's insurance covers these claims. If you've been injured, call our office for a confidential consultation.

The results from the cases of the Pothitakis Law Firm P.C. are diverse, and the results vary considerably. The case results are not a guarantee of future results, as they are specific to facts and legal circumstances of each client's case, and for this reason should not form the basis for future expectations on a different case. These cases may not be typical, and there are many factors that determine the result of a case. The determination of the need for legal services and the choice of a lawyer are extremely important decisions and should not be based solely upon advertisements or self-proclaimed expertise. All potential claimants are urged to make their own independent investigation or evaluation of any lawyer being considered.

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Thanks to all of you who have recommended our firm to your relatives, friends, and neighbors. We appreciate your vote of confidence and pledge to care for these "VIPs" as well as we care for you.

Child frame carriers have new safety standards

To prevent deaths and injuries to infants and young children, the U.S. Consumer Product Safety Commission (CPSC) approved a new federal mandatory standard to improve the safety of frame child carriers. A frame child carrier is made of sewn-fabric construction on a tubular frame, worn on the back of the caregiver, and often used for hiking or walking long distances.

The CPSC received nearly 50 incident reports related to frame child carriers that occurred from January 2003 through September 2014. Thirty-four of those incidents resulted in injuries.

Source: CPSC

The new safety standard addresses reported hazards associated with frame child carriers, including:

- Sharp points
- Lead in paint
- Flammability requirements
- Labeling
- Scissoring, shearing, pinching
- Locking and latching (for carriers that fold for storage)
- Unintentional folding (for carriers with kickstands that can stand freely)
- Small parts
- Openings
- Exposed coil springs

