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WINTER 2017/18

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please contact us at...

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Happy Holidays!

Pothitakis Law Firm hopes you and your family have a wonderful Christmas and exciting new year. Our firm wants to thank all of our clients for the faith they have shown in us over the years and the friends and family that they continue to send our way when help is needed.



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NATIONALLY RECOGNIZED WORKERS' COMPENSATION AND PERSONAL INJURY ATTORNEY

- 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—2014, 2015, and 2016 Listing
- Super Lawyers—2013, 2014, 2015
- 2013, 2014, 2015 National Trial Lawyers—Top 100 Trial Lawyers
- Member, American and Iowa Associations for Justice

2018 BEST LAWYERS IN AMERICA

For the sixth year in a row, Nicholas Pothitakis was named to *The Best Lawyers in America*® in the practice area of Workers' Compensation Law—Claimants (2018 Edition).

Since it was first published in 1983, *Best Lawyers*® has become universally regarded as the definitive guide to legal excellence. *Best Lawyers* lists are compiled based on an exhaustive peer-review evaluation. Over 83,000 industry-leading attorneys are eligible to vote (from around the world), and almost 10 million evaluations of the legal abilities of other lawyers based on their specific practice areas around the world are included. For the 2018 Edition of *The Best Lawyers in America*, 7.4 million votes were analyzed, which resulted in more than 58,000 leading lawyers being included in the new edition. Lawyers are not required or allowed to pay a fee to be listed; therefore, inclusion in *Best Lawyers* is considered a singular honor. *Corporate Counsel* magazine has called *Best Lawyers* "the most respected referral list of attorneys in practice."



Mr. Pothitakis is excited about his inclusion in *The Best Lawyers in America*. Pothitakis stated, "The Pothitakis Law Firm has focused the past 16 years on representing people injured in work-related accidents. Our focus has allowed our entire team to become experts in making sure injured workers receive the benefits they are due from an insurance company."

We take pride in the quality of our legal work.

If information isn't obtained lawfully, it cannot be used as evidence.



Do You Need a Private Eye?

The thought of using a private investigator (PI) seems more Hollywood than reality. The truth is, attorneys often call upon the services of professionals who can dedicate their time to tracking down information vital to a case.

Here is what private investigators do:

INVESTIGATE PEOPLE—PIs are hired to find missing loved ones or biological relatives who were adopted (e.g., to find heirs). They can also be used to find out if a spouse is engaged in an illegal activity or, in custody cases, if a parent is caring for their child in an unsafe environment. A business may have reason to investigate an employee or partner if theft or fraud is suspected. A licensed PI knows the law and how to operate within the law to collect the information needed. Remember, if information isn't obtained lawfully, it cannot be used as evidence.

SURVEILLANCE—Information may be gathered through surveillance. When a subject is recorded, it is vital that the recordings be obtained legally and that the PI be seasoned enough to not be obvious. There are privacy and surveillance laws, which a licensed PI will know and follow.

INTERVIEW WITNESSES—Attorneys often use the help of skilled PIs to find, if necessary, and interview witnesses.

TESTIFY—When needed, a PI's skills extend into the courtroom.



Truck Accidents on the Rise

According to the Federal Motor Carrier Safety Administration, the number of crashes involving large trucks or buses, after several years of decline, rose 62 percent between 2009 and 2015. The number of large trucks involved in fatal crashes increased 8 percent between 2014 and 2015. The organization cites several reasons for the rise, including increased speed limits, distraction, impairment, and decreased regulations on drivers and cargo.

Other factors include:

- Brake problems
- Traffic flow interruption (congestion, previous crash)
- Prescription drug use
- Traveling too fast for conditions
- Unfamiliarity with roadway

If you or a loved one is injured in an accident involving a large truck, contact an attorney for a confidential consultation.



Don't Outpace Your Headlights

Halogen headlights are used on most vehicles. They are cost-effective for both manufacturers and consumers. However, be aware that they may only illuminate 300 feet on the low-beam setting. Why is this a big deal? According to the American Automobile Association (AAA), headlights should illuminate 500 feet for a driver to safely react to obstacles on the road when traveling 55 miles per hour.

Before you go seeking a headlight conversion kit, even new high-intensity discharge (HID) and light-emitting diode (LED) headlights fall short of providing adequate light, though both offer better visibility. Using your high-beam setting at night when traveling at high speeds is recommended; just remember to switch to low if there is oncoming traffic.

Maximize your headlights' effectiveness by using a headlight cover cleaning kit (found at automotive stores). AAA says this simple act can double headlight intensity and reduce glare by 60 percent.

Insurance Companies: Not Always on Your Side

Don't get fooled by clever ad campaigns and catchy jingles; insurance companies survive by paying out as little on a claim as they can. In fact, there are known techniques used by the industry to do this or to avoid paying claims altogether.

One of the most common techniques is to deny a claim, even if it is valid. If you are denied coverage, read your policy carefully. Don't be afraid to question your representative, and if the explanation of a claim denial doesn't seem fair, contact an attorney.

Insurance policy language and the claims process are confusing, and insurance companies will use this against those seeking compensation. When claims poured in after Hurricane Katrina, insurance companies used an obscure, confusing clause to deny claims. Many states require insurance companies to use simple, clear language in their policies, but even that language is still confusing to those outside the industry.

Another way that insurance companies get out of paying claims is to simply delay proceedings until after a time limit to file suit for a claim passes. Stall tactics include losing and misplacing documents, requiring a claimant to refile paperwork, and not returning phone calls. Long-term life insurance companies have been known to delay payments until a patient dies.

If you believe an insurance company is acting in bad faith by denying you or your loved ones coverage, contact an attorney.



Watch Your Step!

As cold weather returns, be mindful of ice on parking lots and walkways. Slips and falls can cause concussions and severe

damage to your hands, wrists, elbows, hips, and knees, depending on how you fall.

You may wonder if you can recover damages for medical costs if you were injured after slipping on ice. If you can prove that someone else's negligence caused you to fall and hurt yourself, then you can seek to recover damages. You must be able to prove that the person or organization in charge of maintaining the property didn't take reasonable care to clear the ice. For example, if a property owner makes no attempt to clear an icy sidewalk, they could be held responsible for your injuries; however, if you slip and fall while walking in freezing rain, assuming the rain just started, the property owner wouldn't have had a reasonable amount of time to clear the ice.

If you are able, be sure to take photographs of the spot where you slipped, and get the names and contact information of witnesses.

Holiday Decorating Safety Tips



With inspiration from Pinterest, Instagram, and magazines, decorating for the holidays has become an elaborate affair for some.

Here are some tips from the National Safety Council to keep yourself and your family safe while you decorate your home:

- * Decorate the tree with your kids (and pets!) in mind; move ornaments that are breakable or have metal hooks toward the top.
- * Always use a proper stepladder; don't stand on chairs or other furniture when hanging ornaments and décor.
- * Angel hair, made from spun glass, can irritate your eyes and skin; artificial snow can irritate your lungs if inhaled.
- * Stringing up the lights is a holiday tradition; make sure there are no exposed or frayed wires, loose connections, or broken sockets.
- * Live plants are festive, but keep those that may be poisonous (including some poinsettias) out of the reach of children and pets.
- * Make sure walkways are clear so no one trips on wrapping paper, decorations, or toys.

Source: National Safety Council

Congratulations to Pothitakis Law Firm Being Named to the National Trial Lawyers Top 100 Lawyers

The National Trial Lawyers Top 100 Trial Lawyers is a professional organization composed of the premier trial lawyers from across the country who exemplify superior qualifications as civil plaintiff trial lawyers. Selection is based upon a thorough multiphase objective and uniformly applied process that includes peer nominations combined with third-party research.

Membership is extended only to the select few of the most qualified attorneys from each state or region who demonstrate superior qualifications of leadership, reputation, influence, stature, and public profile measured by objective and uniformly applied standards.

Nicholas Pothitakis was recently included as a member of this prestigious list for the fourth year in a row.



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.

DAYCARE ABUSE

Choosing a daycare is a tough decision. Parents weigh a facility's overall reputation, staff, price, and location. It is scary to think that a staff member at a daycare would abuse children, but it happens. In 2016, video of a Pennsylvania daycare worker pushing a child down stairs became a national story. Unfortunately, not all incidents are caught on camera, and many children are too young to communicate abuse.

Child abuse includes physical, verbal, and sexual abuse as well as neglect. Experts say that signs of daycare abuse include bruises and welts; change in a child's behavior (acting fearful, withdrawn, aggressive); coming home excessively wet, hungry, or dehydrated; knowledge or interest in sexual topics; and bruising or soreness around the genitals.

If you suspect your child is being abused, report the facility to your state's child safety office and to the owner/director of the daycare. Contact an attorney to help recover for losses, including medical/psychological treatment and costs associated with missed work due to finding new child care.

