

If you need our services, please contact us at **319-754-6400, 319-524-7500, or 866-PLF-IOWA**



## Victory After a Long Battle: Holding the Line for Injured Workers

We're proud to report a hard-earned win on behalf of our client, R.R., in a recent arbitration decision before the Iowa Workers' Compensation Commissioner. This case was a long and challenging battle against a powerful employer and insurance carrier who denied responsibility for R.R.'s injury from the very beginning. They claimed it was not a significant injury and outright denied her claim for medical care and benefits.

That's when R.R. turned to Pothitakis Law Firm, P.C. for help.

R.R., a hardworking employee of more than 30 years, suffered a serious back injury while lifting trays during a standard 12-hour shift. Despite the clear connection between her job duties and the injury, the employer insisted that her fractured vertebrae were caused by underlying osteoporosis—not her work. They relied on hired medical experts to support their defense.

But we didn't back down.

Our team worked closely with R.R. to gather compelling evidence: her sworn testimony, detailed medical records, and even photographic proof showing the actual weight of the equipment she lifted when injured. We also arranged for an independent medical evaluation from a respected physician, who confirmed what we knew—that the work incident was a significant contributing factor to her injury, even in the presence of a preexisting condition. This is a strategy we often use to prove work-related causation in contested cases. After nearly three years of litigation, the judge ruled in our favor. He found that R.R.'s injury arose out of her employment and awarded her full healing period benefits and 90 weeks of permanent partial disability compensation. The employer was also ordered to reimburse R.R. for her medical expenses and litigation costs.

This result is more than a victory in one case—it's a powerful reminder of what can be achieved when you refuse to give up. At Pothitakis Law Firm, P.C., we fight for injured workers—no matter how long it takes.

## Workplace Injury Benefits

Maximizing  
Your Financial  
Assistance &  
Support

Navigating the landscape of benefits available after a workplace injury can be challenging. Workers' compensation, Social Security Disability Insurance (SSDI), and unemployment insurance are three crucial programs that provide support during difficult times.

Understanding how these benefits interact can help injured workers maximize their financial assistance and ensure they receive the support they need.

### Workers' Compensation

Workers' compensation is a state-mandated program designed to provide financial and medical benefits to employees who suffer job-related injuries or illnesses.

Benefits typically include coverage for medical expenses, a portion of lost wages, and rehabilitation services. Workers' compensation aims to facilitate the injured worker's recovery and eventual return to work.

### Social Security Disability Insurance (SSDI)

SSDI is a federal program that provides monthly benefits to

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### Nationally recognized workers' compensation and personal injury attorney

- U.S. News & World Report  
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- President, Iowa Association  
of Workers' Compensation  
Lawyers, Inc. 2016
- Best Lawyers In America—  
2017 to 2023 Listing
- Super Lawyers—2017 to  
2021
- National Trial Lawyers—  
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2019, 2020, 2023



**We take your  
family's safety and  
security personally.**

# Are You Being Scammed?

## Three Words to Watch Out For

From suspicious emails to shady texts, scams seem everywhere these days. While threatening texts claiming to be from the IRS might trigger your “Spidey senses”, not all scams are that easy to identify.

Experts have identified three little words that could indicate if a text or email is a scam.

### The Phrase to Watch Out For

If you ever receive a message claiming to be from a U.S.-based company like Bank of America or Amazon watch out for the phrase **‘would you kindly’**.

If those three words appear in the message it’s most likely a scam.

Why?

The word ‘kindly’ is not used in the common U.S. vernacular.

That means it’s likely being sent from someone overseas, not within the U.S..

### Other Red Flags

You should consider any unsolicited communication as fishy. Other telltale signs of trouble include:

- ▶ Spelling and grammatical errors
- ▶ Requests for unusual forms of payment, like gift cards or Bitcoin
- ▶ Seemingly innocent openers like, “Hi, how are you?” or “Did I miss you today?”
- ▶ Threats or fines

If you think you’ve received a spam text or email, never click on any links or download attachments. Don’t respond; block the sender and delete the message. You can report a spam email or text to the Federal Trade Commission at **ReportFraud.ftc.gov**.

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individuals who are unable to work due to a severe, long-term disability. To qualify, a person must have a sufficient work history and meet the Social Security Administration’s (SSA) definition of disability, which requires proving that the disability is expected to last at least one year or result in death.

### Unemployment Insurance

Unemployment insurance provides temporary financial assistance to workers who have lost their jobs through no fault of their own and are actively seeking employment. These benefits are administered by state governments and are intended to support individuals while they search for new employment.

### Interaction Between Workers’ Compensation and SSDI

In many cases, individuals who are receiving workers’ compensation benefits may also qualify for SSDI, especially if their injury or illness is severe and long-lasting. However, there are important considerations to keep in mind:

- ▶ **Offset Provision** When an individual receives both workers’ compensation and SSDI, the total amount of benefits may be subject to an offset. The SSA reduces SSDI benefits so that the combined amount of workers’ compensation and SSDI does not exceed 80% of the individual’s average current earnings before the disability. This ensures that beneficiaries do not receive more in benefits than they earned while working.
- ▶ **Application Process** Applying for SSDI can be lengthy, often taking several months or even years. During this time, workers’ compensation benefits can provide crucial financial support. If approved for SSDI, the benefits may be retroactive to the date of the disability onset, potentially resulting in a lump-sum payment.
- ▶ **Impact on Workers’ Compensation Settlement** Accepting a lump-sum settlement from a workers’ compensation claim can affect SSDI benefits. The SSA may prorate the lump-sum amount to calculate the offset, which could reduce SSDI payments for a period of time. It is important to consult with an attorney to structure the settlement to minimize the impact on SSDI benefits.

### Interaction Between Workers’ Compensation and Unemployment Insurance

Receiving both workers’ compensation and unemployment insurance simultaneously is generally not permitted. The reason is that the eligibility criteria for each program conflict:

- ▶ **Ability to Work** Workers’ compensation benefits are provided to individuals who cannot work due to a job-related injury or illness. In contrast, unemployment insurance is for those capable of working but temporarily unemployed. Thus, claiming both benefits at the same time would be contradictory.
- ▶ **State Regulations** Each state has its own rules regarding the interaction between workers’ compensation and unemployment insurance. Some states may allow for partial unemployment benefits if the worker can perform light-duty work but cannot find suitable employment. However, this is not common practice.

### Maximize Your Benefits: Navigating Workers’ Compensation, SSDI, and Unemployment Insurance

Understanding how workers’ compensation interacts with other benefits like SSDI and unemployment insurance is essential for injured workers. Careful planning and legal guidance can help individuals maximize their financial support during recovery, ensuring a smoother transition back to health and work.

If you have questions or need assistance with your benefits, reach out to Pothitakis Law Firm today at (319) 820-4279 to learn more.





# Important Information on Parking Lot Injuries

You've finally reached your destination after overcoming bumper-to-bumper traffic and severe thunderstorms. However, your injury risk isn't over when you pull into the parking lot and park your car. You're not safe until you're inside the building.

Unfortunately, parking lot injuries are on the rise. From slip and falls to fender benders and pedestrian accidents, the hazards can be surprisingly serious. Uneven pavement, poor lighting, icy surfaces and distracted drivers all contribute to the risk of injury. When an accident happens, knowing your rights and how to file a claim can make a big difference in your physical and financial recovery.

## Who Is Liable for a Parking Lot Injury?

In most cases, the property owner is liable for personal injuries in parking lots, such as slip and falls. They have a legal obligation to maintain safe indoor and outdoor environments. You could file a personal injury claim if you slipped on ice because the parking lot wasn't plowed or tripped over a cracked pavement.

In auto accidents, you may file a claim against either the property owner or the negligent driver. Property owners could also be found responsible for parking lot crime injuries.

## How to File a Parking Lot Personal Injury Lawsuit

If you're injured in a parking lot, take action right away. Document the scene with photos, gather witness contact information and seek medical attention.

Time is also a factor. Each state has a statute of limitations that restricts how long you have to file a personal injury claim. Acting quickly can help preserve your rights.

You should also speak with a personal injury attorney. They can help you navigate the legal process and build a strong case.

If you have suffered from a parking lot injury contact our office today. We will help you with your claim and fight for the compensation you need and deserve.

# Filing a Wrongful Death Claim

## What You Need to Know

Losing a loved one is never easy, especially when someone else's negligence or wrongdoing caused their death. In such cases filing a wrongful death claim can be a way to seek justice, hold the responsible party accountable and secure financial support for surviving family members.

### What Is a Wrongful Death Claim?

A wrongful death claim is a civil lawsuit filed when a person dies due to another party's misconduct or negligence. This could include car accidents, medical malpractice, defective products, workplace accidents or intentional acts like assault. While no amount of money can replace a lost life, compensation can help cover funeral expenses, lost income, medical bills and emotional suffering.

### How to File a Wrongful Death Claim

To win a wrongful death claim in most states you must prove four essential elements:

- ▶ **Duty of Care:** This shows that the liable party owed a duty to act responsibly.
- ▶ **Breach of Duty:** Proof that this duty was violated by reckless or negligent behavior.
- ▶ **Causation:** You must connect the breach of duty directly to your loved one's death.
- ▶ **Damages:** You must prove that the death caused financial loss.

Evidence such as medical records, accident reports, witness statements and expert testimony often play a crucial role in building a strong case. Financial documents, including tax returns and funeral expenses, can illustrate the economic impact of your loss.

### Expert Legal Guidance for Wrongful Death Claims

Wrongful death claims can be complex and emotionally challenging. Working with an experienced attorney is highly recommended. Our seasoned attorneys can help gather evidence, navigate legal procedures and advocate fair compensation on your behalf. Contact us today.

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# 5 Star Reviews—See what our clients are saying

## ★★★★★ I will, and always will recommend the POTHITAKIS LAW FIRM ...

*It gives me great pleasure to render input, and express my greatest appreciation for the way my case evolved, with extreme precision, and prestigious professionalism. I will, and always will recommend the POTHITAKIS LAW FIRM, TO the world, because of the effective efforts displayed, even though the defending parties were at odds!!! To the Pothitakis Law Firm, I truly can say MR. ESQUIRE NIKO Is "smoother than silk", with his undisputed capabilities!! Thank you all for a job well done. I wish he could embrace SMOOTHER THAN SILK, as his marketing strategy!! Thanks again for a job well done!!! Thank you so much!! – M.T.*

## ★★★★★ I cannot say thank you enough!

*Niko and all of his staff were, and are absolutely amazing! Niko and his team will give you peace of mind and produce results and see to it that you are treated professionally, with respect and compassion! It is difficult enough dealing with worker's compensation alone. Do not do it alone. Niko and his team are peerless and second to none in the field of worker's compensation law. If you think you have the best, but have someone other than Pothitakis Law Firm, P.C. Then you do not have the best! Get Niko! Thank you so much Niko for protecting myself and my family! I cannot say thank you enough! – M.W.*



WORKER'S COMP  
PERSONAL INJURY

## POTHITAKIS LAW FIRM P.C.

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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.*

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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## Injuries Caused by Defective Household Products

### Can You File a Claim?



Household products such as kitchen appliances, cleaning agents and electronics are a part of our daily lives. When something goes wrong, these everyday items can cause serious injuries.

It's estimated that millions of Americans are injured by defective products every year. In 2022, the National Safety Council reported that 12.7 million people were treated in emergency rooms for injuries caused by product defects.

If a product is defective the consequences can range from minor burns to severe injuries like lacerations, poisoning or fires.

Understanding your rights and the steps to take after an injury can help protect your health and legal options.

### Product Liability Laws

Defective product injuries typically fall under "product liability" law. This means the manufacturer, distributor or the retailer could be held responsible if a product causes harm due to a defect. There are generally three

types of product defects:

- ▶ **Design Defects:** Inherent flaws in the product's blueprint
- ▶ **Manufacturing Defects:** Errors during production
- ▶ **Marketing Defects:** These include inadequate warnings or instructions

This legal framework ensures that companies uphold stringent safety standards and provides recourse for injured parties.

### What to Do if a Defective Product Injures You

If a defective household product injures you the first thing you must do is seek medical attention. Do not throw the product away; store it in a safe place. It could be used as valuable evidence in your case.

You should also contact a product liability attorney to discuss your legal options. Call our office today for guidance.