

Philip DeBerard


OUR MISSION: Devoted to excellence, justice and maximum compensation for victims of serious injuries, neglect and wrongful death.

\$1.25 Million Awarded to Accident Victim

A trucking company that failed to properly train one of its drivers found that oversight to be very expensive. The novice truck driver crashed into a Hobe Sound woman's vehicle, seriously injuring her. The Accident Law Offices of Philip DeBerard settled the case at mediation for \$1.25 million.


The truck driver was on his first day at work in 2003 when the accident occurred. He had been driving under the speed limit and in an unfamiliar city. Not knowing the roads in the area, he turned on his right turn signal and attempted to make a left hand turn in front of the woman's van. His truck violently struck the young mother's vehicle twice, forcing her, a passenger, and her young baby to veer into a drainage ditch. The van was totaled.

The woman, who had both foot and leg injuries in the accident, had to undergo shoulder surgery for a torn rotator cuff and then two surgeries to fuse vertebrae in her neck. The woman's medical expenses were more than \$300,000 and are expected to increase. She is no longer the vibrant person who volunteered at all school events for her children. Her ability to function is limited due to the accident.

"Not enough is being done to stop companies from putting inexperienced drivers out on the road," commented Philip DeBerard, the woman's attorney. "Truck drivers need to be required to go to school or drive with trainers until they learn how to drive defensively. The mediation was fair and reasonable and properly assigned liability on behalf of the serious injuries sustained by our client. We are glad that our client and her family can get on the road to closure on this." 

\$1,073,500 Verdict for Okeechobee Resident

After a six-day trial, a jury awarded a 24-year-old woman more than a million dollars because of multiple injuries she sustained in a 2004 automobile accident, including a shattered wrist and disfiguring facial scars. Her injuries continue to

cause her extensive pain, discomfort, and emotional distress, and she faces multiple future surgeries. The driver who caused the accident pulled out of a private drive without making sure that traffic was clear in both directions, striking our client's vehicle and causing it to roll over and land upside down in a canal. The jury award was one of the highest the judge has seen in a contested case. 



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\$425,000 Settlement – 15 Times Policy Limit

The Accident Law Offices of Philip DeBerard recently settled a case on behalf of an Okeechobee woman for injuries she sustained in a rear-end collision. The woman suffered severe knee injuries and a subdural hemorrhage brain injury, requiring immediate surgery. Unfortunately, the client now has permanent short-term memory problems. Since the insurance company failed to settle in a timely manner, a lawsuit was filed forcing the company to settle. 

AUTO SAFETY UPDATE

BUYING A SAFER CAR

The Institute for Highway Safety recommends these cars for safety:

- Large Cars:** Audi A6, Cadillac CTS, Ford Taurus, Mercury Sable, Volvo S80
- Midsize Cars:** Audi A3, Audi A4, Honda Accord 4-door models, Saab 9-3, Subaru Legacy
- Midsize Convertibles:** Saab 9-3, Volvo C70
- Small Car:** Subaru Impreza
- Minivans:** Honda Odyssey, Hyundai Entourage, Kia Sedona
- Midsize SUVs:** Acura MDX, Acura RDX, BMW X3, BMW X5, and other makes
- Small SUVs:** Honda CR-V, Honda Element, Subaru Forester
- Large Pickup:** Toyota Tundra

Consumer Reports Worst Cars of 2008:

- | | |
|-------------------------|---------------------------|
| Jeep Wrangler Unlimited | Dodge Nitro SLT |
| Hummer H3 five-cylinder | Toyota FJ Cruiser & Yaris |
| Jeep Liberty Sport | Mercury Grand Marquis |

Reduce Cell Phone Use When Driving. The NHTSA estimates that distracted driving contributes to 25% of all police-reported traffic accidents. The most common distraction is cell phone use, which increases the likelihood of an accident by approximately 300%. Call or e-mail us at: info@flainjurylawyer.com, and we will send you our free "Safety First" cell phone pad. Please provide your name and mailing address.

NEW LAW TO PROTECT KIDS

Under the **Transportation Safety Act of 2007**, by 2010 new vehicles would be required to have several systems designed to prevent accidents:

- Brake interlock systems to prevent a vehicle from shifting out of park unless the brake is depressed.
- Power window automatic reverse, which prevents a child from getting caught in an automatically closing power window.
- Back-over warnings, which prevent something from being struck by a vehicle backing up because of a blind zone.

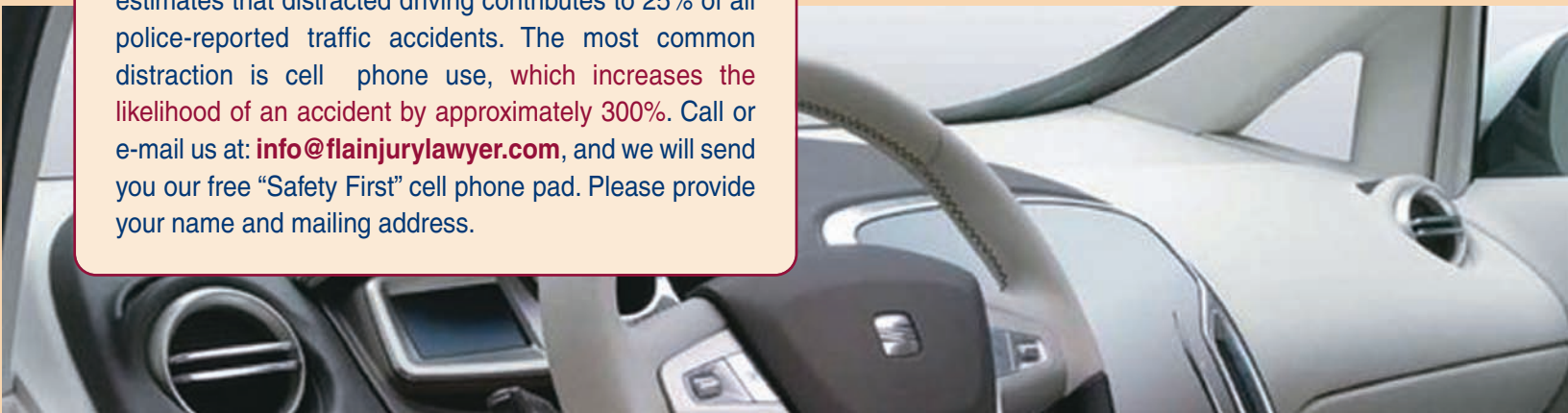
CHOOSING A CAR SEAT FOR KIDS

If you are looking for a car seat for your infant, toddler or 4- to 8-year-old child but overwhelmed by the choices, the National Highway Traffic Safety Administration (NHTSA) has a new 5-star rating system to help parents:

www.nhtsa.dot.gov

The Consumer Product Safety Commission has an ongoing list of hazardous products online. Check to see if your consumer choices may be on the hidden hazard list at:

www.cpsc.gov



Special Events

AND COMMUNITY RECOGNITION



Philip DeBerard with Candy Wright and Robin Delgado who are celebrating more than 20 years with the firm

- The Accident Law Offices of Philip DeBerard proudly sponsored the **Okeechobee Main Street** mixer in April and celebrated with many members of Main Street.



At the Okeechobee Main Street Mixer: Rosanna Schachtele, Robin Delgado, Bonnie Kinchen, Philip DeBerard

- **Robin Delgado**, president-elect of the **Jensen Beach Kiwanis**, helped members cook hot dogs and hamburgers at the Garden Club of Stuart Expo to help raise money for scholarships for students. The Kiwanis also “adopted” the Hutchinson Island voting precinct through the Supervisor of Elections and will volunteer at all elections in 2008.
- Congratulations to our staff: **Bonnie Kinchen** and **Rosanna Schachtele** have earned the title of Florida Registered Paralegal.
- We also actively sponsored:
 - **Okeechobee Dixie Boys World Series**
 - **Yearling Middle School Band**



Project Graduation benefited from the law firm staff, who organized the successful **Diploma Dash 5K Run** to help raise money for three all night parties for Martin County High School seniors on graduation night.

- The law firm earned two prestigious Florida Public Relations Association (FPRA) **IMAGE AWARDS**, one of which was a special Judges' Award, in the Public Relations Program/Special Event category for its Project Graduation Diploma Dash 5K Run.
- The law firm was a Tee Sponsor at Project Graduation Foundation Golf Tournament.



Anthony Goodman Joins Our Law Firm

Anthony K. Goodman has joined the Accident Law Offices of Philip DeBerard and will be assisting with medical malpractice, personal injury, and wrongful death cases.

Goodman is a graduate of the University of Florida and earned his Juris Doctorate degree from Nova Southeastern University. Since graduating from law school in 1994, he has practiced in West Palm Beach, focusing exclusively on medical malpractice and personal injury litigation.

“We are thrilled to have ‘Tony’ join the firm,” said DeBerard. “Tony’s depth of experience in serious injury and wrongful death cases will greatly enhance our existing expertise in those areas.”



What is Wrongful Death?

A wrongful death is a death that is caused by another person's negligence, wrongful action, or inaction. There are a variety of circumstances that may result in wrongful death cases, such as:

- car, truck, motorcycle or boating crashes
- medical malpractice
- defective products
- unsafe premises
- workplace accidents

If you have lost someone due to a wrongful death situation, we urge you to contact our firm for a free consultation.

Did You Know?

A medical malpractice action must be brought within **two years** of the date of the incident or from the date when the incident was or should have been discovered.

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