


Philip DeBerard

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

\$700,000 Settlement for Truck Accident Victim

A man was driving northbound in the inside lane of I-95, when a tractor trailer – which wasn't even legally allowed to be in that lane, crashed into the back of his car. The man suffered extensive injuries, requiring physical therapy, medication, injections into his spine, and multiple spine surgeries.


This crash had a devastating effect on the man's life. He had been an active motorcyclist, jet skier, boater and golfer, and he could no longer enjoy these activities. He also had to give up his work in the construction industry and was forced to live on Social Security Disability benefits.

"We know that a fully loaded semi cannot stop in a distance equivalent to that of a car, and that's why trucks need to be required to stay in their lanes," attorney Philip DeBerard said. "However, enforcement is always an issue. We all have to share the road safely and courteously." 

\$350,000 Award for Woman Hit by Tractor Trailer

A woman was traveling on the inside lane of a Florida road, slowing for traffic and nearly stopped, when a tractor trailer slammed into the rear of her car at great speed. The truck driver approached the woman and said if she didn't give him money, he would call law enforcement. However, the woman, knowing that was wrong, called the police to come to the scene and investigate the facts.

The truck driver argued that the woman's vehicle cut into his lane, but that was proven to be wrong by the photographic evidence of the damage to her car, which was totaled. The woman's husband came and picked up their three children, all of whom were either properly in car seats or seat belts in the car. The woman was taken to the hospital with a back injury which eventually resulted in multiple surgeries, including a spinal fusion.


In between the crash and the first surgery, the woman discovered she was pregnant but miscarried, and she was convinced the miscarriage was a result of either the crash or the medication she was taking for her back injury. The woman's activities have been severely curtailed, which is especially difficult for a mother of young children. She also is no longer able to assist her husband in his flooring business. 

\$360,000 for Elderly Crash Victim

A vibrant and active 87-year-old driver had her car hit by another driver who ran a red light without even slowing down. The other driver was rightfully charged with failure to stop at a red light and driving without a valid license.

The driver and her 89-year-old sister, who was a passenger in the car, were taken to the hospital. The sister suffered several fractures requiring a lengthy hospital stay followed by inpatient physical therapy at a nursing home. Due to her inability to walk or move around, the sister developed an upper respiratory infection and had to return to the hospital for two months.

Although she is now at home, the sister's recovery has been slow, and she is worried about her future loss of independence and ability to care for herself.

The 87-year-old driver, who sustained a fractured foot, also received \$35,000 for her injuries. 



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Please provide your name and
mailing address.

Take Head Injuries Seriously


A blow to the head can seem minor at first. It might not cause any immediate pain, bruising, or bleeding. However, hours later it can turn serious, even fatal.

It is very common for someone who has had a fall or been in a car accident to appear perfectly fine immediately after the impact but then suddenly and rapidly deteriorate. After the “accident” – which doesn’t have to be serious at all – a person can seem perfectly normal, but there may be a silent skull fracture or a broken blood vessel bleeding in the brain or between the skull and the brain.

As blood leaks from a ruptured artery and puts pressure on the brain, the classic symptoms of a traumatic brain injury begin to appear: nausea, severe headache, glossy eyes, or sudden sleepiness. Symptoms can take anywhere from 5 minutes to 3 hours – or even several days – to begin.

For anyone involved in a car accident, sports injury, or just a slip in the driveway, recognizing the signs of brain injury early is critical. Preventing permanent brain damage depends on getting to a hospital within the first few hours because damage caused by brain swelling often is irreversible.

Trauma teams are taught that when people have been in a car crash and someone involved in the accident dies, they should assume that everyone else has serious injuries – even if they look good and say they feel fine.

Certain medications can increase a person’s risk for hemorrhages. For example, even a small bump on the head can be dangerous for patients taking blood thinners like Plavix (clopidogrel) or Coumadin (warfarin). 

Lower Drinking Age to 18? Yes or No

Lowering the drinking age from 21 to 18 definitely would make alcohol more accessible to youth in college or high school, and it would cost lives, on and off the road, more than 50 high quality studies have concluded. The Defense Department favors keeping the drinking age at 21 to protect servicemen and women on the road.

If the age were lowered, about 900 more on-road deaths would be expected annually. Alcohol-related drownings, falls, burns, homicides, suicides, and other off-road fatalities also would increase.

If you support the “21 law” and want to make sure that anti-21 forces don’t succeed, please e-mail or call your congressman and ask him/her to co-sponsor the Support 21 Act of 2009. This legislation reaffirms the nation’s commitment to the 21 minimum drinking age through an expansion of underage drinking prevention efforts.

Save Money on Car Insurance

Car insurance is a necessary expense, but how much you pay for it varies widely. Here are a few tips that can help you save a great deal of money on your car insurance. But be careful. Save money, but don’t cut corners.

1. Choose your car carefully before you buy. Some models are more likely to be stolen; others are expensive to repair. Insurance companies factor this in, so check with your insurance company to see if the model you are considering will raise (or lower) your insurance bill.

2. Check for discounts. Some insurance companies offer special discounts to people with a safe driving record, for safety features on your car (such as anti-lock brakes or airbags), or if you belong to an auto club or alumni association. Ask.

3. Increase your deductible. Your premium will be lower if you raise the amount of money you have to pay before your insurance covers a claim. That means if you have an accident, you will pay more out of pocket, but if you’re a safe driver with few claims, you’ll save.

4. Shop around. Comparison shopping for auto insurance can save you hundreds of dollars a year. Websites like eQuoteCarInsurance.com can help you compare the prices at different insurance companies.

5. Don’t be penny wise and pound foolish. Be sure you tell your insurance agent that you want to purchase uninsured and underinsured motorist benefits. These coverages protect you against a negligent defendant who illegally does not have liability coverage or who has minimum or inadequate coverage to fully compensate you for your injuries.



Do You Use Your Safety Equipment?

Of the people killed in accidents in Florida in 2007:

- ▲ 61% had seat belts in their vehicle but were not wearing them.
- ▲ 41% of motorcyclists and their passengers were not wearing a helmet.
- ▲ 79% of bicyclists were not wearing a helmet.
- ▲ 62% of the children under age 17 were not using safety equipment.

Please use seat belts and helmets. They save lives.

Special Events

AND COMMUNITY RECOGNITION



January and February 2009 Eagle Award winners: L-R:
Natasha Kirykowicz,
Cameron Polselli,
Jeanne Sifers,
Allyson Kindel

2008-09 Morningside Academy

You Are One of a Kind Eagle Award Winners:

Daniel Borgia, Karlie Cunningham, Shea Dermody, Karrinna Frater, Aileen Garcia, Christina Griffith, Justin Montalto, Victoria Pavcik, Manny Reyes, Austin Slater, Madalyn Specht, Colm Williams

SUPPORT AND SPONSORSHIP

We are proud to support our community organizations:

- **Big Brothers Big Sisters** – Career Skills Mentoring Program
- **Boys and Girls Club** – Indiantown Festival
- **Jensen Beach High School** – Basketball Team
- **Jensen Beach High School** – Girls Volleyball Team
- **Boys and Girls Club** – Judge for Youth Scholarship Awards
- **Martin County North Little League** – Sponsor
- **Martin County Boys and Girls Club** – Indiantown Ranch Roast
- **Morningside Academy** – Auction
- **Morningside Academy** – You Are One of a Kind Eagle Awards
- **Okeechobee Cattle Baron's Ball** – Event Sponsor
- **Okeechobee Junior Dixie Boys** – Florida State Champs
- **Okeechobee Main Street After Hours** – Sponsor
- **Martin County High School** – Panelist for *What is Public Relations?*
- **Yearling Middle School** – Band Trip to Disney World



Martin County North Little League team

Five Law Firm Professionals Registered by Florida Bar

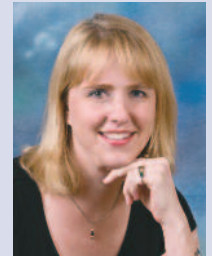
After completing the Florida Bar Association's Registered Paralegal program educational, training, and work experience requirements, five members of the Accident Law Office of Philip DeBerard have become Florida Registered Paralegals:



Beth Anderson, FRP,
Firm Administrator



Bonnie Kinchen, CP, CFP, FRP



Christy Mcallister, FRP



Rosanna Schachtele, FRP



Hallie Trainor, FRP



Did You Know?



▶ You can find profiles for all licensed doctors of medicine, osteopathy, chiropractic, podiatric, and advanced registered nurse practitioners on the internet. A profile is self-reported information about the practitioner that may help you choose a doctor or find out more about one you are already seeing.

Go to: www.doh.state.fl.us/mqa/profiling/index.html

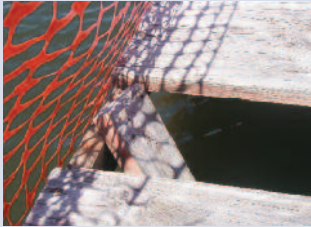
▶ The rear-facing position for baby car seats is the most protective. It is important not to move your child into a full-size safety seat too soon. Wait until your baby weighs at least 20 pounds and is at least one-year-old. If your child is very large, but well under one year, it is still very important to use a rear-facing seat.

▶ The Uninsured Motorist clause in your auto insurance may pay if you are involved in a hit and run accident while bicycling. Check your policy.

▶ Legal Status of Bicycles

In Florida the bicycle is legally defined as a vehicle. Bicyclists have the same rights to the roadway and must obey the same traffic laws as the driver of a car. These laws include stopping for stop signs and red lights, riding with the flow of traffic, using lights at night and yielding the right-of-way when entering a roadway.

Homeowners Associations Beware!



An unmaintained dock can cost both the property owner and the homeowners association. In a local case, the Accident Law Offices of Philip DeBerard collected **\$300,000** – half from the property owner and half from the homeowners association – when a man was injured on the dock.

In this case, boards on the dock collapsed, and a guest of a tenant got his leg stuck and then fell into the water, suffering a broken leg and ankle.

The property owner (the landlord) and the homeowners association had a duty to provide safe premises or warn of dangers. They failed to do so. On the night of the incident, the whole area was dark and very poorly lit. There were no warning signs and no ladder to get back up from the water. In fact, a neighbor had warned the homeowners association that the dock was unsafe and someone was likely to get hurt.

The guest was out of work for months. The injury impaired his enjoyment of volleyball, bicycling, and even fishing since he never regained his balance. He also continues to have problems climbing stairs.



When Do Most Florida Crashes Occur?

- Memorial Day has the highest fatality rate per hour, with 26% involving alcohol.
- Fridays from 5-6 pm has the highest number of all types of crashes.
- Saturday from 7-8 pm has the highest number of fatal crashes.
- Sunday from 1-2 am (Saturday night partiers?) is the second highest time for fatal crashes.
- Drivers aged 15-19 have the highest rate of crash involvement and are involved in the most fatal crashes.
- Drivers from 20-24-years-old who have been drinking have a high rate of crashes and fatal crashes.

We would like to send you important legal updates via e-mail occasionally. Please e-mail us at info@flainjurylawyer.com with your updated e-mail address.

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ACCIDENT LAW OFFICES OF

Philip DeBerard

STUART: 286-1000

FORT PIERCE: 464-8000

OKEECHOBEE: 467-7100

VERO BEACH: 770-0001

JUPITER: 748-8887

TOLL-FREE: 800-299-8878

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