

## Our Clients are the Winners!

### *\$1.75 MILLION SETTLEMENT*

### *FOR FORMER BLACK BELT CHAMPION*



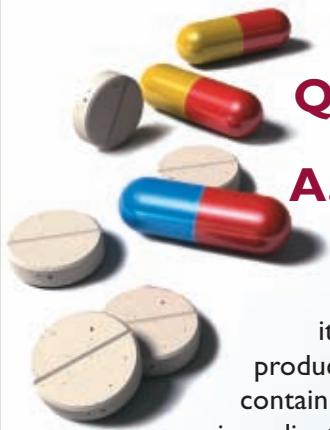
A Port St. Lucie resident and mother of three was seriously and permanently injured in an auto accident because another driver was talking on a cell phone instead of paying attention to the road and crashed into her vehicle. Before the accident our client was an active mother of three, who taught Karate and participated in outdoor activities with her children. Now, doctors say she will be unable to be gainfully employed ever again. The settlement won't let her resume her old life, but the proceeds will enable her to obtain much needed therapy, pay for future surgery costs, and improve her living conditions.

All employers should pay attention to this case. Employers may be held liable for an accident by someone if they supply the phone or if they encourage the driver to use it, whether or not the call is related to business. All businesses should prohibit cell phone use while driving. Employers should clearly instruct employees who are using company vehicles and/or company cell phones that they are prohibited from using the phone at any time while driving. If they are using their own vehicles and/or cell phones, they should be told not to use the cell phone for company business while driving.

### *\$475,000 AWARDED FOR REAR-END CAR CRASH*

A client, who was certified as both a corrections officer and a Florida police officer, injured her back when she was struck from the rear. The tractor trailer that hit her SUV was exceeding the speed limit, and the client had no way to get off the road and avoid the collision because of construction barriers and traffic. Her back injury required spinal fusion, and she also developed TMJ.

## Counterfeit Drugs



**Q. What exactly is a counterfeit medication?**

**A.** It's a drug – either brand or generic – that is deliberately and fraudulently mislabeled to suggest it is the authentic, approved product. Counterfeit drugs might contain incorrect or hazardous ingredients, or they might be missing the active ingredient altogether or have the wrong dose of that agent. Or, they might be in fake packaging.

**Q. What risks are involved with taking counterfeit medications?**

**A.** You might experience unexpected side effects, allergic reactions, or a worsening of your medical condition. If the active ingredient is missing or too low, you might not get any treatment benefit from taking it.

**Q. How common are counterfeit medications?**

**A.** The exact extent of this problem is unknown. It occurs less frequently in the U.S. than in other countries, but recently the FDA has seen two highly publicized examples of counterfeiting – Lipitor (a statin for lowering cholesterol) and Procrit (an anemia drug taken by cancer patients). The FDA believes you can be confident that medications you buy from U.S. pharmacies are safe and effective. The risk is when drugs are purchased on the Internet or from out of the country.

**Q. Should you be concerned if you purchase medications over the Internet?**

**A.** Yes. If you decide to buy medications over the Internet, look for websites that have the *Verified Internet Pharmacy Practice Sites (VIPPS)* seal which indicates a licensed pharmacy where FDA-approved medications can be purchased.

We are here 24 hours, 7 days a week to provide immediate assistance if someone is hurt.

Please call the office today or fill out an online consultation form at [www.flainjurylawyer.com](http://www.flainjurylawyer.com).

Stuart: 286-1000 • Fort Pierce: 464-8000 • Okeechobee: 467-7100 • Vero Beach: 770-0001 • Toll-Free: 800-299-8878



These FREE items are available by calling our office or visiting our website at:  
[www.flainjurylawyer.com](http://www.flainjurylawyer.com)

- Young Driver/Parent Driving Contract
- Nursing Home Neglect Brochure
- Protect Your Business From a Lawsuit Brochure
- What To Do In Case of An Accident Card

### Areas of Law:

- Auto, Boat, Truck, and Motorcycle Crashes
- Dog Bites
- Medical Malpractice
- Slip & Fall
- Nursing Home Neglect & Abuse
- Wrongful Death
- Injuries from Defective Products

## Is Your Hospital Bill Correct?

Hospital billing mistakes are on the rise. Nothing is standardized when it comes to medical billing – not in hospitals, doctors’ offices, surgery suites, or even pharmacies. Consumer Reports found that one in 20 consumers surveyed had experienced hospital billing mistakes – and many people never study their bill.

Some people don’t worry about the bill as long as their insurance company is paying it, but most policies have a lifetime cap. Billing errors chip away at that cap – and you may need those lost dollars if an extended hospital stay or a catastrophic illness occurs. The most common hospital billing mistakes include:

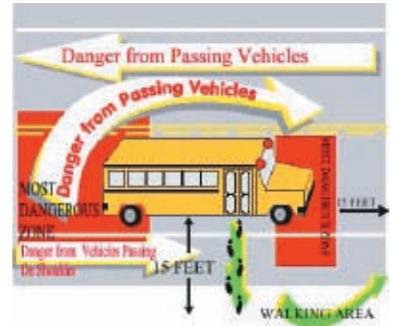
- Charging for the day of discharge, for a private room when you had a semi-private room, or for services your doctor did not order or were cancelled.
- Charging for medications you didn’t receive or refused, for brands instead of generics, for the same procedure/ service twice (double billing), or for a more serious condition than your doctor diagnosed (upcoding).
- Not itemizing tests or miscoding.
- Charging for personal items like toothbrushes, lotions, and combs, or charging for physician services when the doctor bills you separately.

## School Bus Safety

Florida Statute 316.172 in common terms



1) If you are going the same way as a school bus that is flashing red lights and has the stop arm extended, you must stop behind the bus and cannot move until the bus retracts the stop arm and turns off the flashing red lights.



2) If you are going the opposite way as a school bus that is flashing red lights and has the stop arm extended, you must stop in front of the bus and cannot move until the bus retracts the school arm and turns off the flashing red lights UNLESS:

- a) you are on a divided highway and the one-way roadways are separated by an unpaved space at least five feet in width, or
- b) you are on a divided highway and the one-way roadways are separated by a physical barrier.

Be aware of the laws, and be patient and vigilant when in a school zone or anywhere near a moving or stopped school bus.

### WARNING:

## Medtronic Pacemaker and Defibrillator Leads Recalled

On October 15, 2007, Medtronic announced it is pulling four of its pacemaker and implantable cardioverter defibrillator (ICD) leads after numerous reports of fractures. The fractures have caused unnecessary shocks to patients, premature battery depletion, and, in a few rare cases, death.

Four lead models were recalled: **Sprint Fidelis 6930, 6931, 6948, and 6949**. These leads have been in use since 2004, and it is estimated that they have been used in more than 200,000 devices in the U.S.

If you or a family member has experienced any unusual shocks from a Medtronic device or have been told that the device leads are defective in any manner and need to be replaced, please email us at: [info@flainjurylawyer.com](mailto:info@flainjurylawyer.com).



Please call our offices if you have a new young driver to get your **FREE** award-winning, S.O.S. contract.

## CALL US **FIRST!**

## 1-800-I-AM-HURT

### Se Habla Español

The hiring of a lawyer is an important decision that should not be based solely upon advertisements. Before you decide, ask us to send you free written information about our qualifications & experience.

215 S. Federal Highway, Suite 300 • Stuart, FL 34994



PERMIT #726  
STUART  
US POSTAGE PD  
STANDARD  
PRESORT