



BUCKFIRE & BUCKFIRE, P.C.

A t t o r n e y s A t L a w

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Season's Greetings!

May you and all those you love experience a wonderful holiday season. We hope that peace, happiness, and good health come to you and yours throughout the coming year.

We would also like to thank you for seeking out our legal services over the years and for referring your relatives, neighbors, and colleagues to us.

Buckfire & Buckfire, P.C.

Holiday toy safety

Have a happy and *safe* holiday season. Parents and grandparents should select toys for young children that cannot choke, cut, stab, burn, or injure through falls.

Ahead of time

- ★ Go online for toy reviews to cpsc.gov; uspirg.org/issues/toy-safety; and toysafety.org.
- ★ Read toy labels for age and safety guidance.

When shopping

- ★ Purchase toys to suit the age, abilities, skills, and interest level of the intended child. This is particularly important for riding toys.
- ★ Seek toys that are well-constructed with secure small parts.
- ★ Avoid toys with loose small parts, sharp edges, points, or that launch projectiles.
- ★ Choose battery-operated over transformer toys.

When opening gifts

- ★ Discard dangerous wrapping that can be swallowed or which can strangle.
- ★ Supervise play.
- ★ Don't let younger children play with older children's toys.



FDA mandates pain-drug warnings

The Food and Drug Administration (FDA) has increased consumer protection by requiring expanded warnings for many over-the-counter pain relievers and fever reducers.

Now drug makers must...

- ♦ place clear warnings on containers and outside packaging;
- ♦ prominently identify key active ingredients on containers and outside packaging;
- ♦ caution that nonsteroidal anti-inflammatory drugs (NSAIDs) may cause stomach bleeding, which will worsen with use of alcohol, by taking the drugs for longer than directed, or by taking several different NSAID brand medications simultaneously;
- ♦ warn that acetaminophen can cause serious liver damage;
- ♦ advise users who take blood-thinning medications or steroids to consult physicians about acetaminophen use, since it may increase stomach-bleeding risk.



Patients can become aware of risk by surfing to the FDA's pain-medication online guide: www.fda.gov/cder/drug/analgesics/default.htm.

Fair credit collection



The Federal Trade Commission enforces the Fair Debt Collection Act, which protects us all from unfair practices.

Did you know that debt collectors, in their zeal to obtain payment, may not...

- threaten you in any way?
- falsify information about you to anyone, including credit-card issuers?
- mail or hand deliver you an official-looking court or government document?
- make up a false company name to try to talk to you?
- threaten to seize your property?
- send you a debt-collection postcard?
- charge you interest fees on top of any amount you owe?
- apply your payment to vendors other than ones you identify and select?

A consumer-rights attorney can represent victims of unfair debt-collection practices. In egregious cases, victims may obtain compensation for statutory damages and emotional distress.

Jurors in the Internet era

Trial judges are adding new instructions to empanelled jurors.

Judges have always instructed sitting jurors to avoid newspapers or not talk to friends about a trial to avoid bias or partiality. Jurors should reach verdicts solely on a judge's instructions as well as facts and evidence presented by prosecutors and defense attorneys.

For today's "wired" jurors, judges are adding cautions about blogging, e-mailing, twittering, or posting trial comments on Facebook or personal Web pages.

Some jurors, equipped with wireless PDAs or cell phones, have done their own online research and shared information with jurors and others about trial plaintiffs, defendants, or witnesses.

Others, violating the bench's instructions, have issued up to 60 outgoing opinionated "tweets" about individuals or companies on trial. One juror's online communications led to litigation. Owners of a building-materials company appealed a \$12.6 million jury verdict, noting a juror posted messages on Twitter during deliberations and alleging the posts demonstrated improper bias.

The status of facts, data, and outside opinions that may be introduced at trial is undergoing thoughtful consideration. Evolving case law will help courts resolve how high technology can help or hinder trials. Until then, jurors should comply with the judge's instructions.



Between 9 and 18 percent of all identity-theft victims take four or more years to discover they have been victimized.

Prevent identity theft

Here are seven simple suggestions to deter theft of your identity by wrongdoers:

1 When paying credit-card accounts by check, write only the last four digits of your account number, not the entire number.

2 Shred all bank and credit statements.

3 Shred all credit-card offers.

4 Photocopy both sides of your driver's license and credit cards to have all account numbers, expiration dates, and phone numbers if your wallet or purse is stolen. File away for safe keeping.

5 Mail all bill payments at the post office.

6 Don't carry your Social Security card with you, and never write your number on a check.

7 Review your credit report from each of the three major credit-reporting agencies annually.

Pain

If you have suffered injury from an auto accident, a fall, or some other way, you may experience temporary or permanent pain.

To help you obtain fair compensation for harm done to you from others' negligence, it is important to describe your pain accurately to an examining physician, during depositions, or when testifying in court.

Expressing pain isn't easy, so doctors may ask a patient to rate pain on a 1–10 scale.

However, to help patients accurately describe their pain, the American Pain Foundation suggests using a “**L-O-C-A-T-E-S**” memory aid to talk about pain to a doctor.

Location of the pain and whether it travels to other parts of your body.

Other associated symptoms, such as nausea, numbness, or weakness.

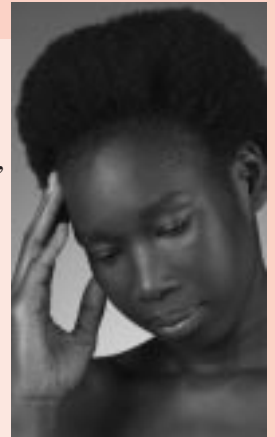
Character of the pain, such as throbbing, sharp, dull, burning, or other.

Aggravating or alleviating factors, such as what helps or hurts?

Timing of the pain: how long it lasts and whether it is continuous or intermittent.

Environment in which the pain occurs.

Severity of the pain, using a 1–10 scale.

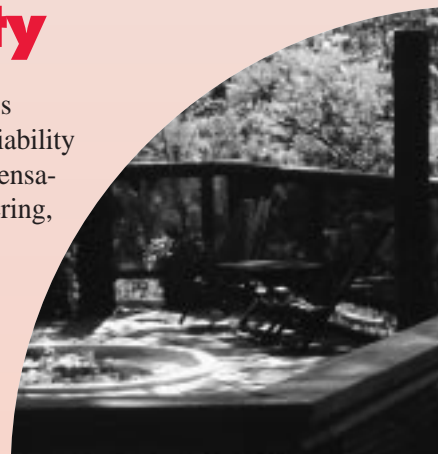


“**L-O-C-A-T-E-S**” helps most accident victims to more easily describe their pain.

Premises liability

When a person is injured because of another's negligence, an attorney familiar with premises liability accidents can counsel. Victims can obtain compensation for medical bills, lost wages, pain and suffering, and other damages.

An experienced personal injury lawyer can assess the incident, communicate with property owners, negotiate with insurers, locate witnesses and experts to testify for the plaintiff, and, if required, present the case at trial.



A faulty deck guardrail

A man and a woman were enjoying a party on a neighbor's deck. When they leaned against a wooden guardrail, it pulled away from the frame and the couple fell four stories to the ground. The woman suffered severe spine, pelvis, shoulder, and rib fractures, as well as a concussion and a right lung bruising. Her date fractured his left shin and shoulder blade and now suffers from posttraumatic stress disorder. The couple sued the building's owners, alleging they accepted shoddy deck construction in violation of the city building code. The parties settled prior to trial.

OR CURRENT RESIDENT

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simple!*



AUTO ACCIDENTS

Cell-phone camera

If you are in an auto accident, take photos with your cell phone's camera to capture details that might help you later. Photos can provide important evidence and affect the validity and value of any claim.

Here are images that accident victims have photographed to document incidents:

- ❖ Alcohol containers
- ❖ Auto damage
- ❖ Bumper stickers
- ❖ Dash or rear-view mirror clutter
- ❖ Downed or obscured road signage
- ❖ Food and containers
- ❖ Law-enforcement badges and cruiser ID numbers
- ❖ License tags
- ❖ Medical personnel
- ❖ Personal injuries
- ❖ Road debris
- ❖ Skid marks
- ❖ Tow trucks
- ❖ Traffic controls
- ❖ Vehicle positions
- ❖ Vision-blocking shrubs or signs
- ❖ Weather conditions
- ❖ Witnesses

