

Makin' It Better Newsletter

Oregon Workers' Compensation | Personal Injury | Social Security Disability

don't settle your case

RIGHT AFTER THE ACCIDENT HAPPENS

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We visit with many people recently injured in a collision, often with an offer from the insurance company in hand. Most of these offers are low, and probably made in bad faith (legal term for unfair). I often tell the story of one of my very first potential clients. She was a hair stylist, working hard, and after a rear end collision, settled her case for \$500.00. Weeks later, when she returned to work, she realized she could not use her arms in the same way. It turned out she suffered a disc injury in her neck, and would need surgery. However, she had signed her rights away, forever. Here are the reasons that you never want to settle your accident case within days of an accident:

- Once you settle your case, your claim is over. There's no going back if, like our injured hair stylist, you need months of medical care and probably surgery. There is no way to value your case accurately.
- The defendant may have been drunk, and sometimes a drunk driver can be subject to a punitive damages claim.
- The insurance companies will NEVER tell you that you may need to repay your own health insurance company out of the settlement. Thus, if the medical bills mount after "settling" your case, you may end up with nothing.



This still happens. If you are not sure about whether to accept an offer, give us a call. It may be that you are okay in taking the offer, but it may be not. ■

a tasty thanksgiving dessert recipe

DOUBLE LAYER PUMPKIN CHEESECAKE

Makes 8 servings. Prep: 30 mins. Cook: 40 mins. Ready in:
4 hrs 10 mins

Ingredients:

- 2 (8 ounce) packages cream cheese, softened
- 1/2 cup white sugar
- 1/2 teaspoon vanilla extract
- 2 eggs
- 1 (9 inch) prepared graham cracker crust
- 1/2 cup pumpkin puree
- 1/2 teaspoon ground cinnamon
- 1 pinch ground cloves
- 1 pinch ground nutmeg
- 1/2 cup frozen whipped topping, thawed



Directions:

1. Preheat oven to 325 degrees F (165 degrees C).
2. In a large bowl, combine cream cheese, sugar, and vanilla. Beat until smooth. Blend in eggs one at a time. Remove 1 cup of batter and spread into bottom of crust; set aside.
3. Add pumpkin, cinnamon, cloves, and nutmeg to the remaining batter and stir gently until well blended. Carefully spread over the batter in the crust.
4. Bake in preheated oven for 35 to 40 minutes, or until center is almost set. Allow to cool, then refrigerate for 3 hours or overnight. Cover with whipped topping before serving.

Recipe by Stephanie Phillips, AllRecipes.com ■

a new office and holiday greetings



Last year, we re-vamped our website, www.joedibartolomeo.com, so that we could respond to the most commonly asked questions and concerns folks have about their injury and disability



claims. We offer blog posts, news articles, FAQ's, as well as free downloadable books. In the coming months, we will be rolling out additional downloadable reports that focus on specific and important issues our client's face every day.

The response has been strong, and we have heard from people from all over Oregon, so we decided it was time to branch out. In June, we opened a satellite office in Beaverton at 1915 NW Amberglen. So, if you are in the "Valley" and would like to meet to talk about an issue, give us a call to set up a time.

The holiday season suddenly is upon us, with Christmas decorations and merchandise on full display at the big box stores well before Halloween. Thanksgiving is often overlooked, for some considered a shopping day, perhaps not as "fun" as some other holidays. Maybe it is a part of getting older, but for some, Thanksgiving takes on deeper meaning, and deserves some contemplation.

We at the office are grateful to all of our clients who place their trust in our efforts, and allow us to provide help and guidance through what is often a difficult journey that includes some tough decisions. We are honored to know that we can help. Thank you. ■



SOMETHING FISHY ABOUT this dinosaur

Dinosaur skeletal remains recently discovered in Morocco suggest the existence of a carnivorous dinosaur over 95 million years ago that was adapted to both land and water, but likely felt cozier in aquatic settings—unprecedented among dinosaurs.

Spinosaurus aegyptiacus was a peculiar creature—picture a hybrid of a humongous duck and crocodile. *Spinosaurus* tipped the scales at 22 tons, and extended 50 feet in length. It also featured a long snout with high-set nostrils, and proudly displayed a tall crest that adorned its back, supported by spines as tall as the average human. And like all good predators, it sported teeth that were sharp and numerous, and some foot-long claws.

Clues to *Spinosaurus*'s affinity for water include its wide, paddle-shaped feet, solid bones that point to buoyancy control, and the high-set nostrils suited to breathing while partially submerged. *Spinosaurus* also had pits in the



bones of its jaw that housed pressure receptors, enabling it to detect the movement of its next underwater victim.

The recent discovery of *Spinosaurus* is more of a “rediscovery.” *Spinosaurus* bones were actually first discovered in 1912 by a German paleontologist in Egypt. The specimen was kept in a Munich museum until 1944, when it was destroyed by a British aerial assault.

Spinosaurus already boasts a cinematic background. In *Jurassic Park III*, it made its dramatic debut by snapping a *T. rex*'s neck. Neither dinosaur, however, lived in the Jurassic period (nor concurrently). But hey, it's Hollywood. Never let the facts get in the way of a good story. ■

November 2014 Important Dates

November 1 – All Saints' Day November 2 – Daylight Saving Time Ends
November 11 – Veterans Day November 27 – Thanksgiving

vehicles getting smarter BY THE YEAR

Major automakers, startup companies, and tech giants such as Google and Apple have made driverless cars that communicate with each other a reality in an amazingly short period of time. The transition to everyday usage on the roadways may still take a little while, but automation and “connected” technologies are already making an impact in the here and now.

For instance, a startup company in California's Silicon Valley, Peloton Technology, has devised an application utilizing wireless communications and computer-controlled braking and acceleration to keep multiple trucks in close formation on the highway, saving fuel and diminishing the number of collisions (human drivers are still required to steer). This type of technology also has the potential to reduce emissions and bring down vehicle operating costs as well as insurance rates.



Adaptive cruise control, lane-departure warnings and adjustments, and automatic park assist are a few features of some 2015-model cars. Another automaker plans to introduce a hands-free-driving car sometime in 2016. Price is still a big question mark. Even with semi-automated systems, several thousand dollars will be added to the cost of a vehicle.

While fewer injuries and fatalities, less pollution, and more efficiency are laudable positives for driverless, connected auto technology, there are some sticky issues that need to be dealt with. Who is responsible for damages when a driverless car gets in an accident? What if there's a computer glitch? Will cyber-safety features be developed that can stop hackers from causing mayhem? Many serious safety and legal issues will need to be worked out before driverless cars hit the road en masse. ■

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This publication is intended to educate the general public about personal injury, on the job injuries, Social Security, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

antibiotics prescribed WAY TOO OFTEN FOR KIDS

According to a recent study conducted by the University of Washington and Seattle Children's Hospital, antibiotics are prescribed about twice as often as they're actually needed for children and teens experiencing ear, throat, and sinus infections—roughly 11 million prescriptions per year are useless, or worse.



The problem has several facets. Some illnesses and infections are caused by bacteria; others by viruses. Antibiotics kill bacteria or prevent them from multiplying, but they do nothing to quell viral illnesses. At the same time, doctors have very few tools at their disposal to differentiate between the two. When faced with pressure from parents who desperately want relief for their distressed child, many doctors cave in and prescribe antibiotics.

The consequences of this mindset can be dangerous. For one thing, medications can have side effects. In addition, overuse of antibiotics enables bacteria to evolve toward antibiotic resistance. A 2013 "threat report" issued by the Centers for Disease Control and Prevention estimated that 23,000 Americans die each year due to antibiotic-resistant infections.

Many ear infections and sore throats go away on their own, so doctors are being urged to be more judicious in prescribing antibiotics. One alternative includes using over-the-counter acetaminophen and humidifiers to bring relief. Another option entails a "delayed" prescription. Parents are advised to give their children over-the-counter medications for a few days; if nothing changes, they fill the prescription.

No one wants to see children in discomfort, but improper actions taken now can have serious health ramifications down the road. ■

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