

DAVID J. GLATTHORN CIVIL TRIAL LAWYER

AGGRESSIVE, ETHICAL REPRESENTATION FOR OVER 30 YEARS

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Factors Affecting Motorcycle Accident Case Settlements

Accurately predicting the value of a motorcycle accident claim is difficult, but there are some core considerations that can shape a settlement offer.

Motorcyclists are sometimes behind the eight ball from the outset. Studies have shown that many people have an unfavorable view of motorcyclists, including jurors. Jury awards are generally lower for motorcyclists than passenger-car claimants, a fact that hasn't escaped the attention of insurance adjusters, who may reduce settlement offers.

Obviously the extent of damages and injuries influences the amount of a case settlement. Another key component is determining how likely it is that the defendant will be found liable. If liability is questionable, the defendant may roll the dice in court. If they win, the plaintiff gets nothing. Therefore, a settlement offer will be lower.

If the plaintiff's case is solid, a defendant might not risk going to trial, where, if the defendant loses, the plaintiff's award will be greater. This leverage will likely result in a higher settlement offer.

A plaintiff who was physically active prior to an accident—and whose "quality of life" has been curtailed by his/her permanent injuries—will generally have a higher case valuation than someone who was not as active. In addition, if a person's permanent disability does not affect their livelihood, their lost earnings award will be diminished.

If a defendant has few assets, the plaintiff will likely only receive the limits of the defendant's auto insurance policy—in a settlement or verdict. In some cases that will fall short of the total damages.

If you have been injured in a motorcycle accident, contact a motorcycle accident attorney to protect your rights. •



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Water Park Injuries and Liability

If you're looking for a refreshing, exhilarating, and fun family outing, a water park fits the bill. Keep in mind, however, that there are no federal regulations in place to monitor the safety of water parks. State or local agencies will be in charge; some states have no government ride inspection program at all.

Unfortunately, amidst the splashing and frolicking, injuries sometimes occur.

Not surprisingly, slip-and-fall injuries are common—wet concrete elevates the risk of a tumble. Waterborne pathogens can sometimes infect park guests, in particular young kids and seniors. Drownings are rare but they happen.

A water park can be held responsible for injuries if their actions or inaction led to unsafe conditions. Improper equipment maintenance; operator error, including inattentiveness or being under the influence of alcohol or drugs; and inadequate testing of rides/attractions fall under the umbrella of ownership responsibility. It is also the duty of ownership to post warning signs and ride instructions throughout the park.

Manufacturers of ride equipment may sometimes be liable for defects or poor recommendations on ride usage. Other parties involved in the design, assembly, construction, or installation of rides may be held responsible as well.

Patrons have a duty to understand the inherent risks involved in water-park activities, exercise good judgment, and act responsibly. Even though patrons may be asked to sign a waiver of liability prior to entering the park, these waivers are frequently not an ironclad defense against a park's liability.

If you are injured at a water park due to negligence, contact a personal injury attorney to protect your rights. •

June 2017 Important Dates

June 2 – National Doughnut Day

June 5 – World Environment Day **June 14** – Flag Day

June 18 – Father's Day **June 21** – First Day of Summer



Did You Hear?

Believed to have been the last-surviving person born in the 1800s, 117-year-old Italian woman, Emma Morano, passed away in April.

Morano, whose life spanned three centuries (think about that for a moment!), credited her longevity to her diet and getting lots of sleep. Among the items she ate every day were two eggs – one raw and one cooked – as well as biscuits, milk, pasta and minced meat.

She typically went to bed before 7 p.m. and would get up before 6 a.m. •

Scientists Excited About CRISPR

A gene-editing technology called CRISPR enables scientists to hone in on a specific part of a genome to cut, copy, or replace pieces of DNA, whether bacterial or human. The CRISPR technology may give geneticists the ability to accurately replace or alter a few faulty genes to cure a host of ailments, from lactose intolerance to cystic fibrosis.

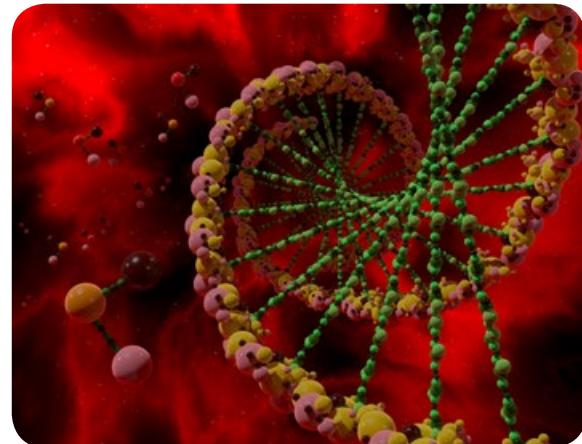
The CRISPR system has also been modified—dubbed SHERLOCK—to detect the products created by genes. By recognizing the substances that viruses and bacteria produce, SHERLOCK can detect even a hint of active infection. It can also distinguish between viruses, determine how much of a virus is there (its intensity), and detect mutations pointing to cancer through blood, urine, and saliva samples. For some cancers, these are being referred to as “liquid biopsies.”

SHERLOCK can provide results far more quickly than current tests. Current tests take several days to culture bacteria and viruses to confirm their presence. SHERLOCK tests require only 30–60 minutes, giving doctors a head start in treating a condition.

It is anticipated that SHERLOCK will be a major player in the battle with antibiotic resistance by giving advance notice when a patient’s infection is becoming or is already resistant to antibiotics. A doctor can immediately change the medication game plan.

The CRISPR/SHERLOCK system should be easily accessible and relatively inexpensive, making it ideal for low-resource countries. Ebola and Zika, among other diseases, could be more easily contained; those afflicted would be treated more quickly.

There are still significant hurdles that must be cleared before CRISPR/SHERLOCK is ready for general usage, but testing on humans has already begun. •



A Snapshot of Scorpions

Scorpions are a source of dread to humans, but that’s only part of their story. Scorpions are arachnids, closely related to spiders, mites, and ticks. Many people think of their dwelling place as being the desert, but scorpions are quite adaptable, also thriving in areas as far-flung as the Amazon rainforest, the Himalayas, and British Columbia.

Scorpions’ kryptonite is a lack of soil. They are burrowers; areas of permafrost and heavy grasses are not conducive to their survival. When food is scarce, scorpions have the ability to slow their metabolism to nearly one-third that of other arthropods. They can live on far less oxygen than way and as few as one insect per year. However, if a potential meal happens by, they can immediately spring into action, which is atypical for hibernators.

There are nearly 2,000 species of scorpions, but only 30–40 of them have venom potent enough to kill a human—a comforting thought...or not. When a scorpion goes into sting mode, it does not always decide to release its venom. If it finds you merely annoying rather than truly threatening, you may be spared.

Scorpions can be directly beneficial to humans, however. Some properties of their venom can be utilized to treat heart disease and certain types of cancer.

The average length of a scorpion is roughly 2.5 inches, with larger ones sometimes reaching a whopping 8 inches. The larger varieties can prey on animals as large as mice. Scorpions dissolve the tissues of their victims with digestive juices and suck out the nutrients in semi-liquid form.

On that note...pet scorpion, anyone? •

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Protect Yourself from Identity Theft

Victims of identity theft may need months, or years, to undo the damage. However, you can make it more difficult for identity thieves.

Keep sensitive documents at home or at work in a secure place, such as a locked desk drawer, or better yet, a safe. When you dispose of documents with personal information, run them through a paper shredder.

Take pieces of mail containing private information straight to the post office. Hand them off directly to a postal employee, or place them in a secure post office drop box.

Keep your wallet in hand or in a zipped or buttoned pocket when out in public. A purse should always be kept close at hand. Thieves need only a second to do their damage.

Regarding credit cards and forms of ID, take only what you need on a given day. Leave the others at home in a secure location. Never carry your Social Security number in your wallet or purse.

Don't give out personal information over the phone unless you initiate the call or are absolutely certain who is calling. Same thing with emails. Don't click on links; rather, go to the company website and contact them through customer service.

Make sure your computer has a good firewall program, invest in top-notch antivirus software, and encrypt sensitive files. Eliminate automatic log-ins, and use passwords that have little to do with your everyday life—*include numbers in them*. Cleanse a computer's hard drive of private, personal information before you get rid of it.

If you've been the victim of identity theft, an identity theft attorney can help you put your life back together.

