



David Glatthorn, Esq.

DAVID J. GLATTHORN CIVIL TRIAL LAWYER

AGGRESSIVE, ETHICAL REPRESENTATION FOR OVER 30 YEARS



Straight Scoop on Recorded Statements

If you've been involved in an auto accident in which the other driver was at fault, count on getting a call from his/her insurance company at some point. They'll likely be requesting a recorded statement. No matter what they try to tell you, **you are not required to give them one**. They may even claim that you can't get paid without it, which is a blatant falsehood.

The at-fault driver's insurance adjuster may be pleasant and charming, but their only goal is to reduce the amount of money their employer pays out. That means claim denials...including yours. A recorded statement gives them ammo to twist or stretch your words. An adjuster may phrase their questions in ways that deceive you into giving responses that hurt your case—without your ever realizing it. They will claim you're lying if your statement isn't a carbon copy of statements you've given to others (e.g., to a police officer or at a deposition hearing), even though that's natural when multiple statements are given weeks, sometimes months, apart.

You are, however, obligated to cooperate with your own insurance company, which might include giving a recorded statement to enable your insurance company to make a recovery for your claim. You could request that your insurance company agree in writing that they will not share your statement with the other side.

Bottom line: Never give a recorded statement to the at-fault driver's insurance company; it will only hurt your case. You *must* cooperate with your own insurance company.

IF YOU HAVE GIVEN A RECORDED STATEMENT, FLORIDA LAW REQUIRES THE INSURANCE COMPANY TO GIVE YOU A COPY!

If you've been injured in an auto accident as the result of another's negligence, contact an auto accident attorney to protect your rights. •





Common Causes of Wrongful Death

Wrongful deaths—those that are caused by the negligence or misconduct of another party—are more common than a lot of people think. For instance, it's estimated that medical malpractice alone may be responsible for nearly 100,000 deaths annually.

While some wrongful deaths occur instantaneously as a result of a fatal injury, other deaths can take a long time to happen—sometimes many months or even years—from serious injuries such as traumatic brain injuries, internal bleeding or spinal injuries.

Some of the most common causes of wrongful death include:

- Car accidents
- Medical malpractice, such as serious surgical errors or medication errors. Other examples of medical malpractice can include misdiagnosis, failure to diagnose or a delayed diagnosis.
- Defective products, especially in cases in which medical products are involved.
- Dangerous drugs or drug interactions.
- Workplace injuries, especially at construction or manufacturing sites.
- Slip and fall premises liability injuries.

No matter what the cause or how long the wrongful death took to occur, surviving family members (such as a spouse or children—including adopted children) or, in some states, life partners or even distant family members, have the right to sue for wrongful death and recover compensation for damages they have suffered.

Wrongful death actions can be complex and difficult to file, so you are strongly encouraged to seek experienced counsel if you have questions about a loved one's death or feel that you may have a potential claim. •

July 2016 Important Dates

July 4 – Independence Day **July 17** – National Ice Cream Day

July 23 – National Hot Dog Day **July 24** – Parents' Day **July 30** – National Cheesecake Day

Did You Know?

According to the Consumer Product Safety Commission (CPSC), there were an estimated 10,500 fireworks-related injuries and five deaths resulting from everyday people using fireworks during the most recent year for statistics.

In addition, the CPSC indicated that:

- Children younger than 15 years of age accounted for 35 percent of the estimated injuries. Nearly half of the estimated emergency department-treated, fireworks-related injuries were to individuals younger than 20 years of age.
- Children 5 to 9 years of age had the highest estimated rate of emergency department-treated fireworks-related injuries (5.2 injuries per 100,000 people).

Our firm wants every family in our area (and everywhere else for that matter!) to safely enjoy the sights and sounds of fireworks this summer season. For that reason, we urge you to please leave the fireworks to the professionals! •



Menace at the Beach (No, Not Sharks)



Eighty percent of beach rescues performed by lifeguards result from swimmers getting caught in rip currents. Rip currents are powerful, channeled currents of water that flow away from the shore, back out to sea. They account for over 100 deaths per year at U.S. beaches.

Rip currents typically form at low spots or breaks in sandbars, or near structures such as jetties and piers. When waves break strongly in some locations close to shore and weakly in others, the risk of dangerous rip currents is elevated. Their strength and speed is influenced by wave height and the frequency of wave formation.

Most rip currents travel at 1–2 feet per second; however, the strongest ones surge at speeds as high as 8 feet per second—faster than an Olympic swimmer can sprint. Rip currents frequently dissipate just

beyond the line of breaking waves, but some may extend hundreds of yards offshore. Most are narrow—less than 80 feet wide—but occasionally can be broader, to well over 100 yards.

If you find yourself ensnared by a rip current, remain as calm as possible. Do not fight against the current. Since most rip currents are narrow, swim parallel to the shoreline until you escape its grip, then head back to shore. If you can't, calmly tread water or float until it weakens. If you know you are still in trouble, face the shore, wave your arms, and yell for help.

Rip currents can occur at any beach with breaking waves, including the Great Lakes. Swim at lifeguard-protected beaches to improve your survival chances should rip-current trouble arise. •

Misconceptions About Gluten-Free Diets

Celiac disease is a hereditary autoimmune disorder that affects approximately one percent of the U.S. population. For those with the disease, ingesting gluten—a protein commonly found in grains such as wheat, barley, and rye—prompts the body to mount an immune response that attacks the small intestine.

Gluten-free diets are a must for anyone with celiac disease or a wheat allergy. However, going gluten-free has provided no proven health benefits for anyone who does not suffer with those conditions.

Many healthcare experts are concerned with the shift to gluten-free diets that parents are making under the misconception that gluten-free is healthier for their kids. Marketing campaigns bolstering this trend play a role, along with the power of celebrity endorsement.

However, reducing or eliminating gluten from the diet without proper nutritional guidance can result in nutritional deficiencies in folate and other B vitamins, iron, and fiber, which are especially critical for growing children. Gluten-free packaged foods are also likely to contain more fat and sugar than their gluten-containing counterparts.

Socially, kids with no gluten-related issues may feel like outcasts when among their friends who are eating foods with gluten. For parents, gluten-free foods are more expensive as well.

A gluten-free diet is just what the doctor ordered for those who struggle with celiac disease or a wheat allergy. A diet with reduced gluten can aid those with gluten sensitivity. For anyone else, however, there's no need to avoid gluten. Gluten is not a toxin; the body's overreaction to it is the real problem. •



DAVID J. GLATTHORN

CIVIL TRIAL LAWYER

506A Datura Street, West Palm Beach, FL 33401

(561) 659-1999

www.DavidGlatthorn.com



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Steer Clear of Payday Loans

A payday loan is a small cash loan made to an individual who is expected to pay it back with their next paycheck. The repayment period is generally two weeks or less, roughly matching the borrower's pay cycle. Loans are frequently taken out from check-cashing stores or storefront lenders. All a borrower has to do to get approved for a payday loan is show proof of employment and a bank statement. A credit check is not required.

Unfortunately, easy access to a payday loan carries an extremely high price tag—to the tune of 15–30 percent interest for a two-week period, which projects to an annual percentage rate of nearly 800 percent. Some people pay off the loan in time, find they have nothing left for living expenses, and take out another payday loan—a vicious cycle is born. Those who can't pay in time may be extended...for additional interest and fees.

Better alternatives to a payday loan include setting a firm budget (and following it) or taking on a second job. Some employers are willing to give an advance on an employee's paycheck in an emergency situation. Pawn shops can lend you money in exchange for an item of value. When you pay off the loan, you get your item back. If you can't pay, the pawn shop keeps your item. Even a credit card advance is an improvement on a payday loan in a pinch. A 25-percent APR beats 800 percent any day of the week.

Payday loans may seem like a quick fix to a temporary cash-flow problem, but they are fraught with financial peril. •

