



# The Law Office of **JASON R. SCHULTZ, P.C.**

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Brought to you by  
**Jason R. Schultz, P.C.**  
Attorney At Law

34 Peachtree Street NW  
Suite 2570  
Atlanta, GA 30303  
404-584-6668  
FAX: 404-577-0564  
email:  
jrslaw1@bellsouth.net  
Web site:  
www.jasonschultzpc.com

## **PERSONAL INJURY PRACTICE**

- Free consultation
- Home or hospital appointments available
- No recovery. No fee. We do not get paid unless you do.
- Trial attorney
- Licensed in Georgia and Florida

## **Referrals**

We want you to think of us as your law firm.

If you have legal matters that need attention, please let us know. If we cannot handle the matter, we will refer you to a competent firm that can.

Please feel free to refer us to your family, friends, and neighbors for their legal needs. We welcome the opportunity to help.

CALL US. YOU'RE  
GOING TO  
FEEL A WHOLE  
LOT BETTER  
ABOUT THINGS.



## **Motorcycle safety**

Warm and sunny weather is heaven for motorcyclists who love to cruise the open road. But even if riders obtain certified instruction, drive defensively, wear protective clothing, and obey all the rules of the motorcycling road, they can still experience trouble.

Although many motorcycle accidents involve collisions with other vehicles or stationary objects, a percentage occur when riders encounter road hazards such as puddles, oil slicks, potholes, debris, or patchy pavement. Design or maintenance may be responsible, and public agencies in charge of roads may be held liable for unsafe conditions.

## **Railroad crossings**

When a family member died after his motorcycle bucked at a spot where the roadway crossed railroad tracks, his family sued the state's transportation department for failing to keep the railroad crossing reasonably safe for ordinary travel. The family obtained justice for an unnecessary death when their attorney proved the rider died from injuries after hitting a poorly repaired pothole.

## **Vacation cruises**

Cruises are popular vacation choices for eight million Americans who annually seek exotic travel, good food, and indulgent pampering. However, when passengers are victims of theft or assault, they may find America's civil justice system their last resort for remedy.

The FBI investigates the cases of American victims of onboard theft only if the loss is \$10,000 or higher. Crime investigation is compromised by antiquated maritime laws, unclear international jurisdictions, uncooperative cruise-line management, halfhearted investigators, and inadequate reporting requirements.

Although incident tracking is sketchy, cruise passengers have reported more than 100 cases of sexual assault and rape in the past three years.



## **Sexual assault**

A female cruise passenger was drugged and raped by a bartender. Although FBI investigators had her tattered clothing, a rape evidence kit, and the assailant's name, agents refused to prosecute, claiming lack of evidence. After the passenger's attorney sued, the cruise line quietly settled with her.

*Legal news from your safety and security lawyer.*

# Racial discrimination

America's civil justice system is often the last recourse for those seeking to protect their civil rights and stop discrimination.

Throughout the 1990s, San Francisco's Interstate Brands Corporation (IBC) bakery, makers of Wonder® Bread and Hostess® snack pastries, discriminated against its African-American employees. Management refused to promote African-Americans to supervisory positions, gave poorly maintained vehicles to African-American drivers, and set aside restrooms and lunchrooms meant only for whites. IBC also denied or refused to investigate racial bias and harassment claims.

When two dozen African-American employees filed a lawsuit in 2000, IBC filed 21 motions to dismiss their case as frivolous. A judge and jury awarded a \$121 million verdict, the largest in the history of racial-discrimination cases, sending a message to corporate America that racism in the workplace would not be tolerated.

## Workplace discrimination

Over 26,700 workplace racial-discrimination complaints were filed with the Equal Employment Opportunity Commission in 2005. Twenty-six percent of African-Americans report being subjected to workplace discrimination.

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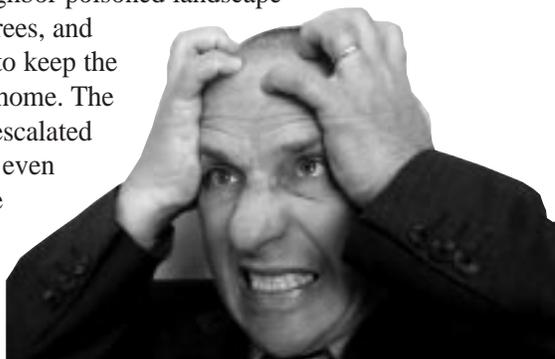
## Warring neighbors

Most minor disagreements about noise or trespass between neighbors can be handled with a face-to-face negotiation, a handshake, and a smile. Sometimes, though, a community's mediation center can help if neighbors seriously dispute trespass or property damage. However, when clashes become rancorous, our civil justice system can provide remedy.

### A very angry neighbor

A California resident filed suit against a neighbor whose crusade was to intimidate the plaintiff into fleeing from the neighborhood. The resident's

attorney showed that the angry neighbor poisoned landscape planting, chain-sawed shrubs and trees, and sabotaged door and window locks to keep the plaintiff from getting into his own home. The angry neighbor's behavior further escalated to painting graffiti on a garage and even attempting arson. At trial, the judge awarded damages to the plaintiff, but the parties agreed to a higher settlement during the punitive-damages portion of the trial.



## Client service Guiding values

Our pledge to each client is always to do our best every time you call on us for legal assistance.

Here are several guiding values that our firm holds dear:

### Client interest—

Whether we are representing someone injured in an auto accident or managing complicated commercial matters, we always focus on the best interests of our clients.

### Flexibility—

Our years of counsel and trial experience tell us when it may be best for a client to litigate or to settle.

### Forward thinking—

Anticipating what may happen next in each phase of a case and constantly foreseeing the final step—a trial—help us stay ahead of the curve.

### Hard work—

Diligence, to us, means committing all of our experience, creativity, and energy to each client's case

### Hope—

Clients often ask for our assistance after they have tried several other approaches that failed to deliver results.

### Passion—

We will struggle on behalf of the little guy facing powerful adversaries.

**We hope that the quality of our service always pleases you.**

**Caution!**

## Online resume scams

Identity thieves are at it again. This time, they're defrauding online job seekers.

Wrongdoers troll services such as GettingHired.com, Jobs.AOL.com, Monster.com, and others, looking for information such as names, addresses, phones, and more to build false identities. They even post fake job ads in the hope of getting applicants to return Social Security, credit card, and even banking account numbers.

### Protect yourself

- Use the "hide information" option on job-site postings, if possible.
- Never provide your SSN.
- Even information such as eye or hair color or marital status can be used to establish a false driver's-license identity.

### Anticipate outcomes

- Your current employer may locate your posted resume.
- Employment recruiters may contact you.
- You may get spammed with computer viruses.



## FOR YOUR SAFETY

### Recalled product roundup

Here are some recently recalled products you may have in your home or at work:

- ✓ **Scubapro®, USA**, has requested scuba divers to return 48,500 Scubapro® MK 20 First Stage Regulators. Overtightening the yoke or din retainer during annual servicing may result in regulator stress cracks and failure, posing a drowning hazard.
- ✓ **Wal-Mart Stores, Inc.**, has asked buyers to return 165,000 Home Trends Wood Footstools, which can collapse and harm consumers.
- ✓ **DeWalt Industrial Tool Company** has voluntarily recalled 97,000 framing saws and 37,000 circular saws. The lower blade guard may fail to close, leaving the blade exposed and presenting a laceration hazard.
- ✓ **Atico International USA, Inc.**, recalled 54,000 Espresso Express™ Espresso Makers with faulty heating elements that can separate from bases and burn users.
- ✓ **Black & Decker, Inc.**, is recalling 272,000 Black & Decker BV4000 Type 1 Blower/Vacs with a loose cord connection that can overheat and cause burns or a fire.
- ✓ **Weil-McLain** recalled 16,000 Weil-McLain Ultra Series Gas Boilers with incorrect installation instructions. Connecting boilers to LP gas without installing a propane conversion kit may result in carbon monoxide poisoning.

## Contingency legal fees

### Study refutes critics' claims

Opponents of America's civil justice system often claim that when trial attorneys represent clients on the basis of contingent fees—handling claims in exchange for a percentage of the recoveries clients receive—excessive and frivolous lawsuits result.

Critics commonly argue that contingency-fee caps will resolve their alleged problem. However, a study by two economics professors, Alexander Tabarrok and Eric Helland, has found quite the opposite. The professors analyzed completed cases in 16 states—8 states with caps and 8 states without caps—and reported that contingent fees...

- provide lawyers with strong stimulus to preview cases carefully and eliminate frivolous petitions.
- motivate attorneys to work hard to win fair cases for plaintiffs.
- enhance court access for low-income plaintiffs who can't afford lawsuits and who do not pay legal fees if they lose.
- help spread the cost of risk since contingency-fee legal counsel is a business endeavor that trial attorneys take on voluntarily.



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Atlanta, GA 30303

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## RETURN SERVICE REQUESTED

This year, **Jason R. Schultz** was named a **Super Lawyer** in the state of Georgia. This honor was given to him by his peers and through the independent research of *Law & Politics*. Mr. Schultz was chosen from a list of over 23,000 attorneys in the state. His excellent work ethic and overall passion for his job led to this esteemed honor.

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The information included in this newsletter is not intended as a substitute for consultation with an attorney. Specific conditions always require consultation with appropriate legal professionals.

## Alzheimer's and patient care

Families who have a member suffering from Alzheimer's disease often find their beloved may require long-term-care attention at an assisted-living residence.

### Alzheimer's symptoms

- Confusion
- Faulty judgment
- Language difficulties
- Misplacing objects
- Memory loss
- Mood swings
- Personality changes
- Everyday task performance problems
- Thinking challenges
- Wandering

Responsible family members usually select residences that provide strong clinical skills, sensitive and competent caregivers, nutritious food, adequate exercise, and interesting activities for their loved ones.

### Residence negligence

If an assisted-living facility is negligent in meeting expectations, families have recourse in our civil justice system. When a parent suffering Alzheimer's died at a care facility, her family and estate sued the residence, alleging failure to provide proper nursing care, to prevent the patient from injuring herself, and to follow a staff physician's orders to transfer the patient to a psychiatric facility. A jury's verdict resulted in a significant award.



## Property-owner negligence

When innocent persons suffer any kind of serious injuries because of property owners' negligence, an attorney familiar with premises liability can help victims obtain compensation for medical bills, lost wages, pain and suffering, and other damages.

An experienced personal injury lawyer can evaluate an incident, communicate with property owners, negotiate with insurers, locate experts to testify on a plaintiff's behalf, if necessary, and present the case at trial.

### An elevator attack

A city apartment-building tenant entering an elevator was shot by a mugger four times. He sustained one wound to his head. When he sued, his attorney claimed the building's owner was aware that locks on doors were constantly broken. Although the owner claimed broken locks were irrelevant since the assailant followed the plaintiff into the building, parties settled on the trial's third day.