



# 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

P.O. Box 2270  
Peachtree City, GA 30269  
404-474-0804  
Toll-free: 866-455-4709  
FAX: 770-692-3326  
email:  
Jason@JasonSchultzPC.com  
Web site:  
www.JasonSchultzPC.com

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## **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.**



## *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.

*Jason R. Schultz, 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](http://cpsc.gov); [uspirg.org/issues/toy-safety](http://uspirg.org/issues/toy-safety); and [toysafety.org](http://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](http://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.

**L**ocation of the pain and whether it travels to other parts of your body.

**O**ther associated symptoms, such as nausea, numbness, or weakness.

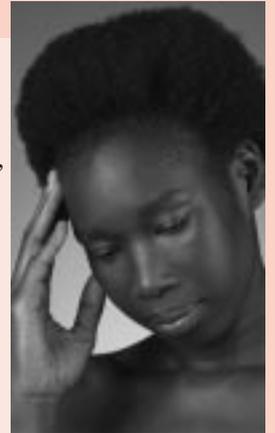
**C**haracter of the pain, such as throbbing, sharp, dull, burning, or other.

**A**ggravating or alleviating factors, such as what helps or hurts?

**T**iming of the pain: how long it lasts and whether it is continuous or intermittent.

**E**nvironment in which the pain occurs.

**S**everity of the pain, using a 1–10 scale.

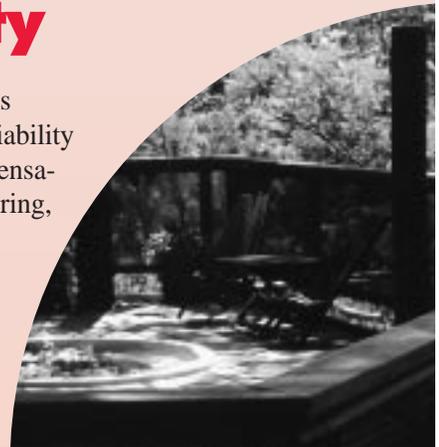


“**L-O-C-A-T-E-S**” helps most accident victims to more easily describe their pain.

## 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.

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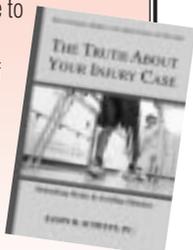
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**LEARN YOUR RIGHTS**

Have you, a coworker, or someone you love been injured due to another's negligence?

Order a **FREE** copy of "The Ultimate Guide to Accident Cases in Georgia—The Truth About Your Injury Case."

Simply visit us at [www.JasonSchultzPC.com](http://www.JasonSchultzPC.com) to order it today.



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The information included in this newsletter is not intended as a substitute for professional legal advice. For your specific situation, please consult the appropriate legal professional.

**WE GET Questions...**

**Q:** I didn't see a doctor for five months after the accident. Now the insurance company is saying there is a time limit to see a doctor and they won't pay me. Is this true? Is there a time limit to see a doctor?

**A:** There is no official time limit to see a doctor. What the insurance company is saying is that they do not believe your doctor visit, five months after the accident, was caused by the accident. They are saying that you won't be able to convince a jury of that. So, while there is no official time limit, they are betting that you won't be able to prove the connection. Each case is different, but in the vast majority of car-accident cases, waiting five months to see any doctor, and then trying to blame the car accident for that care, won't get you very far. The insurance company will probably win that battle.

**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



**Jason Schultz chosen one of Top 100 Trial Lawyers in Georgia**

The American Trial Lawyers Association has chosen our firm again this year to be included in the 2008-2009 Top 100 Trial Lawyers in Georgia. "I am honored to be recognized as one of the few personal injury law firms in Georgia to qualify for this designation," said **Jason Schultz**.