

# The Road To **Justice** Starts Here

Small enough to care, experienced enough to win.



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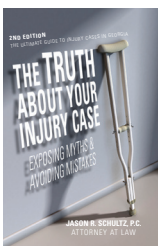
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Request my book  
**"The Ultimate Guide to Injury Cases in Georgia—The Truth About Your Injury Case."**  
by scanning the QR code.



## WRONGFUL DEATH CLAIMS VS.

# survival action claims

Generally, there are two types of legal recourse to the painful loss of a loved one due to negligence: filing a wrongful death claim or a survival action claim (or both). A wrongful death claim focuses entirely on the survivors — typically the surviving spouse and/or children, with some states also granting that right to a domestic partner or parents. It is meant to cover the losses of financial support, benefits, love, companionship, comfort, care, and moral support that surviving family members face.



Compensation recovered for wrongful death goes directly to family members. Punitive damages are typically not recoverable for wrongful death claims (with a few exceptions).

A survival action claim is focused on the deceased victim and is usually filed in situations where they are injured by another party's negligence but survive the initial event, only to die later due to their injuries. The longer the time between the initial incident and death, the stronger the claim. During this time, damages suffered by the victim may include having endured substantial pain, suffering, and emotional anguish, and possibly racking up significant medical expenses and lost wages.

Compensation for survival action claims is paid directly to the deceased victim's estate and is distributed upon the estate's settlement. A claim is typically initiated by a personal representative of the estate. Punitive damages are on the table if the victim had survived and been entitled to them.

In many instances, a survival action claim and wrongful death claim are pursued simultaneously to achieve fuller justice.

If you have lost a loved one due to negligence, contact our office to explore your options. ■

# LANDMARK \$6 MILLION VERDICT AGAINST META AND YOUTUBE: is your family affected?

A major legal shift occurred this month in the fight for adolescent mental health. In the nation's first "bellwether" trial regarding social media addiction, a Los Angeles jury found **Meta (Instagram/Facebook) and YouTube** liable for negligence and failure to warn, awarding **\$6 million** to a young plaintiff.

The jury specifically targeted the companies' use of addictive features—like infinite scroll and manipulative algorithms—designed to "hook" children. Most significantly, half of the award consisted of punitive damages, a stern rebuke of the companies' internal practices.



## What This Means for Our Clients

This trial was a "test case" for thousands of similar lawsuits pending nationwide. The verdict proves that social media companies can no longer hide behind broad immunity; they are being held responsible for the physical and psychological toll their products take on the developing brain. If you or a loved one began using social media (Instagram, Facebook, TikTok, Snapchat, or YouTube) as a minor and experienced the following: **Severe Mental Health Issues, Eating Disorders, Self-Harm or Suicidal Ideation, or Compulsive Use** there may be grounds for a legal claim. If your family has been impacted by these platforms, please reach out to our office for a confidential consultation. ■

# to convene or not convene



The U.S. Constitution was written in May 1787 and ratified in June 1788. An amendment process is outlined in Article 5 and comes in two varieties.

The more familiar route: An amendment is proposed by two-thirds of both houses of Congress, then ratified by three-quarters of state legislatures. This has occurred 27 times in U.S. history. The first 10 amendments were ratified in 1791 — the Bill of Rights. Congress had actually proposed 12 amendments; the states shot down two of them. The 27th Amendment was ratified in 1992: the timing of congressional pay raises. Ironically, this amendment was one of the two that failed ratification in 1791.

But there's a second amendment tool that's never been utilized since the Constitution's inception: a constitutional convention. In this scenario, two-thirds of states request Congress to call a convention for a particular subject of interest, which Congress "shall" abide by. Then, it takes three-quarters of state conventions to ratify it.

This constitutional protection is intended to limit federal government overreach and unresponsiveness. But why has it never been used? Well, the Constitution isn't clear on how it would work. Some are fearful that without precise rules, chaos — and theoretically scrapping the Constitution — could prevail. But limiting the scope of the agenda is possible, and state representatives running amok would still be subject to their constituents' potential backlash.

The threat of a constitutional convention has been used to force Congress's hand. One such example is the ratification of the 17th Amendment in 1913 — the direct election of senators — which the Senate hemmed and hawed on for 20 years.

Congressional term limits are favored by 87% of Americans. Would the constitutional convention threat compel Congress to impose them? Hmm ... the states might need to convene on that one. ■

# bias in MOTORCYCLE ACCIDENT CASES

Following accidents, motorcyclists frequently face uphill battles in personal injury cases due to deep-seated biases against them — from accident reports, insurance adjusters, and juries alike.

Many people assume motorcyclists are reckless, aggressive, or inexperienced. Some are swayed by motorcycles' decibel levels. Popular media often portray riders in a negative light: racing through traffic, weaving between cars, lane-splitting, etc. A few cyclists are guilty of this, but not the vast majority.



Some motorists immediately resort to the “I didn’t see them” defense. In fairness, the smaller size of a motorcycle does sometimes present visibility challenges; however, it’s frequently a go-to excuse by auto and truck drivers to deflect from their own negligence and accountability.

Helmet usage can have a disproportionate influence on a case. Even in states where helmets are optional, a motorcyclist not wearing one may be viewed as irresponsible and having contributed to their own injuries, even those apart from the head or neck. This bias often leads to an oversimplification of complex injury causation factors, with motorcyclists frequently being penalized unfairly.

Some adjusters and jury members believe that motorcyclists should have known what they were getting into by riding a motorcycle and therefore bear more of the consequences for incurring serious injuries. This bias diminishes the responsibility of negligent motorists and minimizes a rider’s pain and suffering.

If you or a family member is injured due to the negligence of another driver, contact our firm. Our skilled, experienced team will take care of all the details; present your case clearly and accurately; challenge the defendant’s framing of the case when necessary; influence jury selection at trial; and attain significantly higher compensation than those who go it alone. ■

## Jason’s photo gallery



*Home is people. Not a place.  
Reunited 'Down Under' with our favorite girl.*

### May 2026 – Mark Your Calendars

- May 2 — Kentucky Derby
- May 7 — National Day of Prayer
- May 10 — Mother’s Day
- May 13 — Receptionist Day
- May 25 — Memorial Day
- May 31 — Save Your Hearing Day



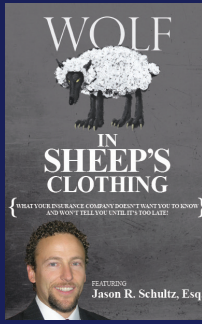
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Jason Schultz's newest published book *Wolf in Sheep's Clothing (What Your Insurance Company Doesn't Want You To Know And Won't Tell You Until It's Too Late!)*, walks you through just about every type of consumer insurance policy and teaches you how to buy and make claims under those policies. This book is the definitive consumer guide.

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## traumatic mix-up

The process of in vitro fertilization (IVF) is physically and emotionally draining. The last thing a couple or individual needs is to suffer the trauma of a fertility clinic implanting the wrong embryo, or mixing up eggs and sperm. It might be a rare occurrence, but it's one that should never happen.

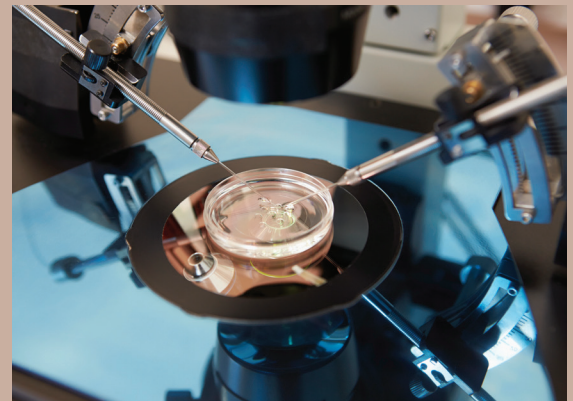
In December 2023, a Georgia woman (Krystena) gave birth following IVF. The happiest moment of her life also became immediately concerning. She and her sperm donor were white, but her baby was a "dark-skinned, African American baby." DNA testing confirmed the baby was not biologically related to her. She had been implanted with someone else's embryo.

Krystena nevertheless immediately bonded with the baby and loved him as her own, but was terrified at the thought of the baby someday being taken away from her. However, she notified the fertility clinic of the error in February 2024.

The clinic identified the biological parents, who also had a DNA test done, which confirmed the child was theirs. The couple sued for custody, and Krystena's worst day was realized a few months later — when she handed over the baby to his biological parents.

The IVF negligence rendered Krystena an unwitting surrogate for another couple and inflicted devastating emotional damage. In addition, she was not able to get answers on whether any of her embryos had been implanted in someone else. The IVF industry in the U.S. is highly unregulated, and where there are regulations, they often go unenforced. Krystena is seeking damages through court-facilitated mediation rather than a trial.

If you are harmed by a medical mistake, contact our firm for skilled and thoughtful guidance. ■



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