



FALL 2008

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

Brought to you by
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We're moving

Jason R. Schultz, P.C., is proud to announce that we will be moving our downtown Atlanta office this September to Peachtree City, Georgia. We will have office locations in Peachtree City, Atlanta, and Gainesville, Georgia, to serve all of our clients throughout Metro Atlanta and Georgia.

Our main phone numbers and fax line will stay the same, so you will still be able to reach us at **(404) 474-0804**. We will make it our personal goal to return your phone calls as promptly as humanly possible, and to provide you with excellent service before, during, and after your case.



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.



Impaired drivers

We believe there is no such thing as a drunk-driving accident. Impaired driving is never unintentional. It's a bad personal choice.

When individuals impaired by alcohol, drugs, or medications get behind the wheel, they opt to put their own lives, as well as everyone else's, in jeopardy.

In 2006, for instance, the National Highway Traffic Safety Administration reported that nearly 18,000 drivers and passengers perished in alcohol-related traffic crashes in our nation. That's nearly a death every half-hour. Alcohol-, drug-, or medication-related accident fatalities make up two of every five traffic fatalities.

Our state's impaired-driving laws are strict because thoughtless drivers' reckless disregard for others' safety ruins innocent victims' lives, harms families, and endangers communities.

If you or a loved one has been injured by an impaired driver, contact our firm. We will help you recover from your injuries and see that justice is served.



Legal news from your safety and security lawyer.

Rebate **RAGE!**

Rebate rip-offs have sparked consumer lawsuits and new legislation. Many who buy products promoted with “cash” rebates are enraged when the rebate is too hard to apply for, is unreasonably delayed, takes the form of a “reward” credit card, is a credit toward purchases limited to the issuing manufacturer, or never arrives at all.

A federal court in California has allowed cell phone buyers who received Visa® “reward cards” to file a class action. Purchasers allege violations of federal laws against unfair competition, false advertising, and unjust enrichment.

There are other consumer-rebate cases as well:

- When thousands complained to InPhonic, Inc., in 2006, Washington, D.C.’s attorney general sued for the company’s failure to honor rebates. The city and InPhonic reached a

What a buyer can do

Obtaining rebates can be challenging. To avoid rebate rage...

- Shop at reputable merchants.
- Obtain duplicate cash-register receipts.
- Apply for rebates immediately.
- Photocopy all submitted materials.
- Submit via certified mail.
- Maintain transaction and call notes.
- Be persistent.
- Cash rebate checks immediately.

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multimillion-dollar settlement.

- In 2007, California computer retailer Soyo, Inc., reached a settlement with the Federal Trade Commission over complaints about excessive delays in rebate processing.

Courts and courting

Jury duty can be very rewarding.

Queens County, New York, Supreme Court Justice Daniel Lewis, presiding over a criminal trial, said, “Some juries are serious, some are somber, but this jury seemed like it was full of beaming, happy people.”

No wonder. After noticing an attraction between two of their 30-something copanelists, fellow jurors convinced the two to go out on a date. They went to lunch together during a trial break.

A year later, the couple was engaged and planned to be married...by Justice Lewis.



Auto airbag FRAUD

Drivers who are in accidents, purchase used cars, or visit “weekend” mechanics may be at risk of a very dangerous scam: airbag fraud.

Airbags are valuable, so some dishonest mechanics have removed and sold original airbags. Fraudulent mechanics replace bags with cheap knockoffs, rebuilt equipment, or even stuff cavities with rags—then replace covers. This exposes drivers and passengers to extreme accident-injury risk.

Precautions

Get an inspection. Have a trusted mechanic verify that airbags are present and working properly.

Check dash lights. On recent models, dash lights blink at start-up, indicating that the airbag system is working.

Review invoices. After accident repairs, have mechanics certify that airbags have been replaced and are working.

Verify vehicle history. Obtain a commercial service report.

Never tamper. Opening airbag wells is dangerous.

Contact an attorney if you feel you are a victim of airbag fraud.



CONSUMER PROTECTION

New car purchases

Consumers have several important protections for new car purchases.

The Federal Trade Commission Web site offers guidance for purchasing a new car, trade-ins, financing, and service contracts. State governments provide buyers assistance with problems such as false advertising, predatory auto lending, and lemon laws.

Car buyers can also contact resources such as *Consumer Reports* magazine, rating guides, and associations such as the Direct Marketing Association and the Better Business Bureau for information about manufacturers, vehicles, and dealers.



A not-so-new car

After a buyer purchased a vehicle from a dealership that represented it as new, she discovered the car had been previously owned. When she began to experience trouble with it, she attempted to take the car back. The dealership threatened her, relocated the disabled car to a tow-away zone, and laughed in her face. Her attorney sued for fraud and violations of a state consumer protection act. A jury awarded the victim an award a dozen times the vehicle cost, plus punitive damages.

CLIENT-ATTORNEY PRIVILEGE

Q: Who holds the “privilege?”

A: The client. An attorney can release information only with authorization from the client.

Q: So, clients can trust their attorneys with confidential information?

A: Yes. An attorney may not reveal anything disclosed without client consent.

Q: Why?

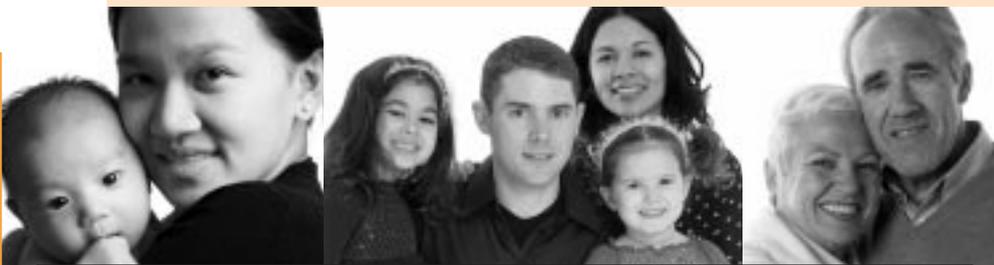
A: Regulations governing evidence and rules of professional conduct require that attorneys maintain all specifics of a client-attorney relationship as strictly confidential.

Q: Should clients tell their attorneys everything?

A: Yes. It’s important to fully disclose all the relevant details of a case to a lawyer—positive and negative—so that counsel can represent the client confidently and appropriately.

Q: Why is that?

A: A client’s failure to be fully candid may adversely affect a case if the attorney is surprised or blindsided by critical information coming from anyone but the client at any time in the case. If there are problems with conflicts of interest or ethics issues, the attorney will advise a client immediately.



FOR YOUR SAFETY

Recalled product roundup

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

✓ **Campbell Hausfeld** has voluntarily recalled 233,000 Campbell Hausfeld and Husky Air Compressors with motor protective covers that can ignite and burn users.

✓ **Kids II, Inc.**, has called back 15,000 Baby Einstein Baby Neptune™ Soothing Seascape Crib Toys with straps that can detach, posing choking hazards to young children.

✓ **Dollar Tree Stores, Inc.**, asks buyers to return 253,000 Crafters Square Electric Hot Melt Mini Glue Guns, which can short-circuit, catch fire, and shock or burn consumers.

✓ **Sears, Roebuck and Co. and Kmart Corp.** recalled 17,000 “My First Kenmore” Play Stoves. Metal brackets may cause a tip-over when the oven door is opened and injure young children.

✓ **Mantra, Inc.**, voluntarily recalled 38,250 Pressure Cookers. When closed improperly, lids can separate, release hot contents, and burn users.



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Announcing our new blog!

For those not familiar, blog is short for "Web log," an interactive Web site where visitors post short thoughts and commentaries, ask questions, make observations, and chat.

Most blog entries appear in reverse chronological order at these online sites where the "buzz" in our community can be found.

Please feel free to visit our blog at www.georgiapersonalinjurylawblog.com for small articles, interesting thoughts, and news about the world, the law, and lots of other interesting things.

We greatly appreciate our visitors posting meaningful interactive comments. It's easy to find us, and we would love to hear from you.



Cases of interest our office is handling

■ **A truck driver was seriously injured and died** two hours after being crushed between his trailer and another driver's tractor when they were waiting to drop their respective trailers at a receiver's yard. The at-fault truck driver apparently fell asleep, and his foot slipped off the clutch while our client's father was checking the seal on the back of the trailer.

■ **A local grocery chain failed to inspect its premises for foreign substances.** Our client slipped and fell on her knee, fracturing her knee cap, which required two surgeries and months of painful rehabilitation.

■ **A nurse negligently failed to set and/or monitor** an IV bag full of the sedative Diprivan, emptying the entire contents into the arm of a 68-year-old husband and father, who died within 20 minutes.

■ **An eight-year-old girl suffered a comminuted nasal fracture** and multiple facial lacerations, requiring stitches and a future rhinoplasty surgery, when a car failed to yield at an intersection.

■ **A woman was killed in a two-car wreck** while delivering newspapers on a two-lane highway. The other driver was passing on a double yellow line as she was making a left turn. Our client's mother had her "flashers" on, but the left signal was not working at the time and the driver coming from the rear thought she was turning right.

