

The Road To Justice Starts Here

Exclusively Representing Women in Divorce, Custody and Support Matters and the Injured through No Fault of Their Own.

what's inside

page 2

Pain and suffering from a legal standpoint

Auto accident victims—never go it alone

page 3

The murky origin of April Fools' Day

The less obvious signs of dehydration

page 4

Don't drink and drive...or operate a drone

bicycling season

IN FULL SWING

With the arrival of spring, many parts of the country see a surge in bicyclists hitting the roadways. That also means a rise in bicycle collisions with cars and trucks. Bicyclists generally come out on the short end of those encounters.

Bicyclists have the same rights—and responsibilities—on the road as motorists. If motorists are negligent or reckless and cause injury to a bicyclist, a bicyclist can be compensated for medical bills, lost income, property damage, and pain and suffering. Bicyclists might forfeit or receive reduced compensation if they are at least partially responsible for the accident (contributory or comparative negligence).

To avoid potential bicycle-car collisions and reduce injuries:

- Wear brightly colored clothing, and make sure your bike has lights and reflectors to improve nighttime visibility.
- Always wear a helmet.
- Follow all the rules of the road. Stop at stop signs and traffic lights; never ride on the wrong side of the street; signal your intentions; yield the right of way; and never ride intoxicated.

- Be mindful that nearly two-thirds of bicyclist injuries and fatalities occur at intersections. “T” intersections are the most hazardous, followed by roundabouts.
- When bicycling past parked cars, be on the lookout for drivers opening their doors to exit their vehicles (“dooring”).

If you are involved in a bicycle-car collision and injuries appear to be nonexistent or minor, seek medical attention anyway, as adrenaline can mask injuries. Some injuries don't become evident for days or even weeks, and seemingly minor injuries sometimes lead to serious disabilities.

A bicyclist injured by a negligent driver should contact our office to protect their rights. ■



pain and suffering

FROM A LEGAL STANDPOINT

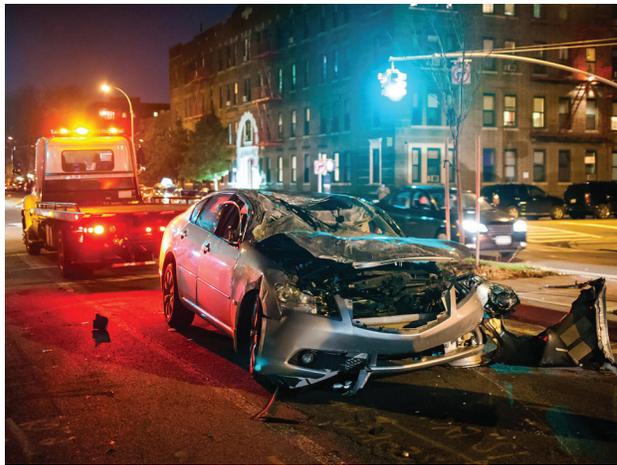
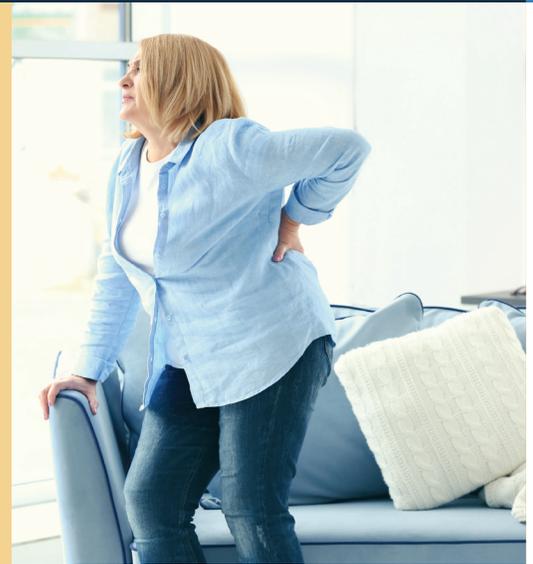
“Pain and suffering” is a key component in many personal injury cases. There are two types: physical pain and suffering, and mental pain and suffering. Physical pain and suffering covers not only the ill physical effects that a claimant has suffered to date, but also what they are likely to endure in the future as a result of the defendant’s negligence. Mental pain and suffering is an offshoot of the claimant’s physical injuries and the trauma of an accident. It can include anxiety, anger, depression, humiliation, sleep disorders, fear, and loss of enjoyment of life, among other negative effects. It encompasses what the victim has suffered to date as well as what they will likely endure in the future.

Calculating compensation for pain and suffering is an imprecise task; there are generally no set guidelines. In most states, judges simply instruct the jury to utilize good common sense and to draw upon their individual backgrounds and experiences to arrive at a fair and reasonable figure.

In some cases, another component to a pain and suffering calculation is the use of a “multiplier.” It involves a victim’s total medical bills and lost earnings (past and future) and multiplies that figure anywhere from 1.5 to 5 times or more, depending on the type and severity of the injury.

The value of a pain and suffering case can also be influenced by a plaintiff’s credibility on the witness stand, likeability, consistency in testimony, and physician support of the plaintiff’s claims.

If you have been injured as a result of someone else’s negligence, contact The Law Offices of Paul H. Nathan to safeguard your rights. ■



AUTO ACCIDENT VICTIMS— never go it alone

If you are the victim of a negligent driver and sustain significant injuries and/or damages, it’s always a good idea to hire an auto accident attorney—and almost always a mistake not to. Here’s why...

Auto accident attorneys have in-depth knowledge about relevant laws and procedural rules affecting your case. They will advise you of statutes of limitations, filing deadlines, special exceptions, and so forth. They will also handle the paperwork for you, which can be voluminous.

An experienced auto accident attorney will also gather the necessary evidence to support your claim, such as police reports, medical records and bills, witness statements, and employment and lost-wages information. They will calculate how much monetary compensation you deserve and will deal with the insurance company’s lowball offers, delay tactics, and possible twisting of the facts.

An attorney can also file a lawsuit on your behalf and anticipate possible defenses raised by the defendant. They will also be familiar with the strengths and weaknesses of opposing attorneys and the tendencies of judges.

An auto accident attorney is your personal advocate. They will make sure your story is heard and that you are properly compensated for your losses. If cost is a concern, most attorneys are paid on a contingency-fee basis, meaning they only get paid if there is a successful resolution of their client’s case.

If you are injured due to another driver’s negligence, never go it alone; it’s a losing proposition. Contact our office to protect your rights so you can focus on healing and getting your life back in order. ■

APRIL FOOL'S DAY

THE MURKY ORIGIN OF April Fools' Day

The origin of April Fools' Day, marked by pranks and tomfoolery, is somewhat of a mystery. But when there's a vacuum of facts, theories are never in short supply.

One explanation involves the switch in some European countries from the Julian calendar in 1582 to the Gregorian calendar. The start of the new year was March 25 on the Julian calendar, and there was a week of celebratory events, through April 1. The Gregorian calendar, on the other hand, moved New Year's Day to January 1. People who were slow to catch on to the calendar change (or just didn't get the news) and could still be tricked into celebrating New Year's on April 1 were dubbed April fools and became the butt of jokes and victims of pranks.

Another supposition for April Fools' Day's beginnings is rooted in Chaucer's *The Canterbury Tales*, written in 1392. One tale, "The Nun's Priest's Tale," emphasizes foolishness and is set on "March 32." There is controversy as to whether March 32 was merely a misprint or a playful alternative to April 1.

One meteorological explanation for April Fools' Day is that April 1 falls near the time of the vernal equinox. In the Northern Hemisphere, that means unpredictable weather, which can render people foolishly unprepared for Mother Nature.

Whatever the origin of April Fools' Day, it can be a lighthearted time to dupe a family member or friend, or the general public. Superstitious types shouldn't pull a prank after 12 noon on April 1, though, unless they want to become a magnet for bad luck. ■

the less obvious signs OF DEHYDRATION

Our bodies' cells need the proper amount of water to carry out their wide-ranging duties. When water is lacking—or foods containing water—a person is on the road to dehydration.

Common signs of mild to moderate dehydration include muscle cramps, dry mouth, headache, sluggishness, dark-yellow urine, and thirst. However, severe dehydration can lead to swelling of the brain, kidney failure, seizures, and even death if not tended to promptly.

Signs of dehydration that often get overlooked include:

- **Bad breath.** Saliva fights bacteria that cause bad breath. When you're dehydrated, saliva levels go down.
- **Food cravings.** The liver needs water to release glycogen into the bloodstream to be stored in cells as fuel. When water is lacking, the brain senses the lack of glycogen and triggers a hunger response, frequently for something sweet.
- **Confusion and/or erratic behavior.** In 2016, fitness guru Richard Simmons was hospitalized for erratic behavior brought on by dehydration.
- **Lack of sweat.** When the body's fluid levels are low, it tries to hold on to what it has. It sacrifices sweating, the body's way of regulating its temperature.
- **Skin doesn't bounce back.** Without proper moisture, skin loses its elasticity. Pinch the skin on the back of your hand and then let go; it should snap back into place immediately. If it doesn't, you might be dehydrated.

The Institute of Medicine recommends that men drink 12 cups of fluids per day; women, nine. Other experts recommend drinking only when you're thirsty. As important as proper hydration is, remember that bottled-water and sports-drink companies have their own agenda (profits!) and may exaggerate or downplay aspects of the hydration issue. ■

April 2018 — Important Dates

April 1 — Easter April 7 — Last day of Passover

April 11 — Holocaust Remembrance Day (Begins at sunset) April 17 — Tax Day (Federal)

April 25 — Administrative Professionals Day April 26 — Take Our Daughters and Sons to Work Day





540 Pacific Ave., San Francisco, CA 94133
72A Main St., Tiburon, CA 94920
Telephone: 415.341.1144
Facsimile: 415.341.1155
www.NathanLawOffices.com

bicycling season IN FULL SWING



SEE PAGE ONE

This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

DON'T DRINK AND DRIVE... or operate a drone

Drones (a.k.a. unmanned aerial vehicles) are becoming increasingly popular. They are flown recreationally; hobbyists use them for aerial photography; and they're being utilized commercially for shipping/delivery of items, site inspections, weather tracking, agricultural endeavors, and so forth. They've also garnered headlines for military use over the past decade or two.

Due to the prevalence of drone usage, misuse and annoyance issues have arisen. People have been harassed by drones and had their privacy invaded. There have been near-misses with airplanes, interference with first responders, disruptions of wildlife, and they've been used to smuggle drugs and other contraband into prisons.

In response to these concerns, the Federal Aviation Administration made it mandatory to register drones in December 2015. In addition, federal, state, and local legislators have been creating regulations for drone usage to address harassment, privacy, and security issues. And on May 1, 2018, New Jersey is set to become the first state to ban the operation of drones while under the influence of alcohol or drugs.



The new law defines "under the influence" as a blood-alcohol concentration of 0.08 percent or higher. It also forbids operation of a drone while using a narcotic, hallucinogen, or habit-producing drug. Violators will be subject to up to six months in prison and a maximum fine of \$1,000.

Enforcing the new law could present some challenges. Unlike the state's implied consent laws for driving while intoxicated, nothing in the drunk-droning law compels drone operators to submit to blood-alcohol or breath-alcohol testing.

Drone operators of the world, follow the law and stay sober. That's solid advice for any occasion. ■

Visit us at www.NathanLawOffices.com