

STRIVE FOR EXCELLENCE

NEWSLETTER



This newsletter is for informational purposes only and no legal advice is intended.

Informing The Injured One Person At A Time

A Peek Inside

As of the writing of my monthly article Halloween is on its way and everyone is still super excited to be getting dressed up for Halloween. The costumes are certainly different however the fun that the kids have has not changed.

What's scary is Rachel is now driving on a regular basis and just took her PSAT test. Anna is loving her activities and classes (most of them) being a Freshman in Ewing High School which is much of a relief to Amy and I. Specifically, she got a new band uniform. As both Amy and I played instruments throughout college and I still play, we are closet band geeks so we were not only excited for her that they got new uniforms and will be taking band trip to Boston but also how cute she is in the uniform; although she doesn't agree.



*Home
Coming &
Anna's
New
Band
Uniform*



Benjamin has finished fall baseball and his winter swimming sessions are due to start soon. The big news in the Gaylord household is that we have adopted another pet. Snickers. This cute rabbit arrived as a result of a barrage of "Look how cute Dad" and we will take care of it Dad etc. I have to admit that the bunny rabbit is pretty cute but as you can see by the picture Hazel is not sure what to make of the new addition.



October brings with it the opportunity for everyone to go to homecoming at Syracuse and mom and the girls had a blast. I also had an exciting weekend and competed for the 2015 Great Legal Marketer of the Year. Although I didn't win the experience provided a great chance to review all of our marketing efforts and provided areas where we can and will improve.

If you enjoy the newsletter and know of someone who would like to join please email me directly at sgaylord@gaylordpopp.com and if you have any suggestions about what you'd like to read in future editions don't hesitate to contact me. Thank you.

Sam

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Hello! We are pleased to send you this monthly issue of *Strive For Excellence*. It is our way of saying that you are important to us and we truly value your business. Please feel free to pass this newsletter on to friends and neighbors. Enjoy!

Joke Of The Day

No Place Like Home

A man walked into a roadside diner and asked for a menu. A few minutes later he told his waitress:

"I'd like a T-bone steak, medium rare, but instead of that bring me a ribeye steak so well done its crispy and black. And French fries, but instead of that get me a baked potato. And a house salad with ranch dressing, but instead you can serve me French dressing. Iced tea would be nice, but you can pour me a cup of coffee."

The waitress stared at him. "What are you talking about?"

"I'm a truck driver," he explained,

"and I've been on the road for six months."

So I wanted a meal that reminds me of home."

Do I Have A Personal Injury Claim?

Although it may not seem fair or right, just because someone is hurt or injured there is not always someone at fault, at least not in the eyes of the law. It is important to be able to prove different factors when someone thinks they have a personal injury claim, which is what a good attorney will consider before determining if they will take on the case.

Negligence

In personal injury cases, negligence by the other party or parties is one of the key factors. There are four different components of negligence, and they include:

- **Duty of care** – the obligation of everyone, to some degree, to avoid causing harm to another individual or creating a situation where they could be harmed. This is sometimes subjective and not always cut and dried.
- **Breach of duty** – if there is a duty of care established and the other person failed to make reasonable efforts to keep the other person safe, they breached that duty.
- **Causation** – this involves looking at all the factors involved in the injury. These may be other actions, including your own, that may have contributed to the injury.
- **Damages** – the actual injuries that occurred that were directly related to the injury. These can be physical as well as emotional or monetary.

Strict Liability

In some cases, a person, company, or a product may cause an injury even if there was no negligence or fault. In these situations, strict liability could be applied to the case.

For example, if someone buys a product that is somehow defective and uses it according to the manufacturer's directions and is injured through the use

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What To Do If You Are Injured At Work

By: Tanya Phillips, Attorney with Gaylord Popp

In New Jersey, workers' compensation benefits are no fault. This means that workers are entitled to benefits regardless of fault for the incident. The first thing you should do if you are injured while in the course and scope of your employment is report the accident and your injuries immediately to your supervisor. They should provide you with the appropriate workers' compensation insurance information.



In New Jersey you are entitled to three workers' compensation benefits:

1. Medical benefits
2. Temporary disability benefits
3. Permanent partial disability benefits

Medical Benefits

Your employer and/or their workers' compensation carrier are permitted by law to choose the doctor that will treat you. They are responsible for the costs of all reasonable and necessary curative medical treatment for the injuries you sustained in the work place accident. Once the authorized doctor reports that you will not get any better from additional treatment, they will indicate that you have reached maximum medical improvement.

After the doctor indicates that you have reached maximum medical improvement your employer/workers' compensation carrier is not responsible for providing any additional treatment. Treatment after you reach maximum medical improvement is usually palliative which means that it makes you feel better but will not heal or help to heal your condition. Any palliative treatment you receive after the authorized doctor releases you is usually your responsibility and will not be paid by the workers' compensation carrier.

Temporary Disability Benefits (Wage Replacement)

If the authorized doctor keeps you out of work for more than seven days, you are entitled to temporary disability benefits. These benefits are 70% of your average gross weekly wage and there is a maximum amount per week that you can receive in temp. This year the maximum temp rate is \$855. Your gross weekly wage is calculated by obtaining your average weekly wage for the six months before the accident including overtime. If the authorized doctor indicates that you can perform restricted or light duty and your employer does not have light duty work, then you are entitled to receive temporary disability benefits until the authorized doctor indicates that you have reached maximum medical improvement.

Permanent Partial Disability Benefits

After medical treatment concludes, the employee is entitled to a permanent partial disability award. The statute requires that in order to recover these benefits an employee must prove by objective medical evidence that (1) they have restriction of the injured body part; AND (2) a lessening of his/her ability to work OR a substantial impairment of their non-work activities.

CONT'D ON PG 3

Injured At Work Cont'd.....

Permanent partial disability in New Jersey is paid according to the disability chart that includes values for all body parts. Normally after our clients finish their authorized treatment they are examined by a medical expert who apportions disability percentages for their injuries. Once both sides have their expert reports, the claim is ready for settlement discussions. If you receive a workers' compensation award you not need to report it as income or pay taxes on it.

Workers' compensation is an exclusive remedy which means that an injured employee cannot bring a civil action against their employer as a result of the accident. They can only file a workers' compensation claim. However, if an individual or business other than a co-employee or the employer is at fault for the accident, the injured worker may be able to file a civil action against them for damages. This is referred to as a third party claim.

This is a broad overview of our workers' compensation system and each claim is handled on a case by case basis. If you should have any questions about workers' compensation, please do not hesitate to contact us. We welcome your questions.

Big Thank You!

I want to thank everyone for referring us to your friends, colleagues and family. We really appreciate your support and trust in us!

A big shout out and thank you too to those that participated in our Testimonial Day – it was a great success!

A donation will be made to the Wounded Warriors project, so they thank you too!



Thanksgiving Stuffing

INGREDIENTS:

- 1 1/2 pounds ground sage pork sausage
- 4 onions, chopped
- 2 stalks celery, chopped
- 6 cups crumbled cornbread
- 6 cups cubed soft white bread
- 1 cup chicken broth
- 2 eggs, lightly beaten
- 2 teaspoons poultry seasoning
- 1 teaspoon steak sauce
- 1 tablespoon salt



DIRECTIONS:

1. Place the sausage in a skillet over medium heat. Cook, breaking sausage apart with a fork, until evenly brown. Set aside, reserving pan drippings.
2. Mix onions and celery into skillet, and cook in the pan drippings until browned. Drain remaining drippings.
3. In a large bowl, toss together the sausage, onions and celery, cornbread, white bread, broth, and eggs. Mix in poultry seasoning, steak sauce, and salt. Stuff turkey just before roasting.

Source: www.allrecipes.com

Do I Have A Claim? Cont'd...

of that product, strict liability would apply. This would be true even if the manufacturer and the seller did nothing negligent, but the injury still occurred when the purchaser followed the instructions provided.

Intentional Acts

With intentional acts, the injured person was hurt purposefully by the other party. This wasn't a case of negligence; rather it was a deliberate act. There are specific issues where intentional acts are used in personal injury in situations such as assault, false imprisonment, intentional emotional distress, battery, defamation and fraud.

Talking to a personal injury lawyer is the only way to determine if you have the legal grounds to proceed with a lawsuit. Your attorney will evaluate your case and provide you with a reasonable expectation given the facts.

A PODCAST SHOW WITH HOST KEN THAYER



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A MONTHLY NEWSLETTER TO INFORM AND ENTERTAIN OUR CUSTOMERS

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Join our Ghoul's 'just wanna have fun' Furbaby Photo Contest!

Send us photos of your furbabies ready for Hallowe'en for your chance to win 1 of 10 Spooktacular pet gift baskets!

Enter on our Facebook page or use the link below! Full details on the page.

<http://bit.ly/1KOJY0J>

Winners chosen by a Spooky panel of lawyers!



Happy November folks as we enter the busy season with Thanksgiving and other holiday seasons on the horizon. Make sure you have some downtime along the way and Happy Thanksgiving to all!

Sam Gaylord



IN THIS ISSUE YOU WILL FIND:

- What To Do If You Are Injured At Work
- A Peek Inside
- Do I Have A Personal Injury Claim?
- Recipe Of The Month
- ...and more!

Samuel Gaylord specializes in the areas of Workers' Compensation, Social Security Disability and Disability Pension Appeals. Mr. Gaylord is certified by the New Jersey Supreme Court as a workers compensation law attorney and is admitted to practice in New Jersey, Pennsylvania and Washington D.C and before the United States Supreme Court.

Meal Tips For Busy Families

Meal times can sometimes be a problem for busy families who are constantly on the go, but there are ways to make sure your family is getting something to eat without resorting to unhealthy fast food. Planning is vital to the process, and this can be done on weekends or quieter evenings.



It is a good idea to plan out your menu for at least a few days ahead, or even for the whole of the next week, and make sure that you have all of the necessary ingredients available. Make use of a shopping list and prepare your family meals in advance by thawing out, or even cooking some parts of the meal, and chopping vegetables.

Another good tip is to double up on recipes before cooking, meaning that you end up with twice the amount of food and can freeze the excess for another meal on another day. Leftovers can be jazzed up by adding sauces, seasonings, or spices to alter the flavor. **P.S. In case you miss Hazel – she says 'woof'.*