

# PENN & SEABORN

## ATTORNEYS AT LAW

A TRADITION OF QUALITY SINCE 2002



### *When Tragedy Strikes...Strike Back!*



Myron Penn



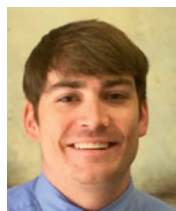
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No representation is made that the quality of legal services to be performed is greater than the legal services performed by other lawyers.

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### Log Truck Accidents

Thanks to our abundance of pine trees and an on-going effort to sustain and capitalize upon this valuable resource, the forestry industry provides billions of dollars to the Alabama and Georgia economies—particularly for saw mills, product manufacturers, and trucking companies that haul timber to be processed for consumer use. Like all drivers, the people who are responsible for transporting timber have a duty to maintain safe conditions when traveling. Unfortunately, however, the shared use of public roads and highways by log trucks often creates a safety risk to other motorists that could lead to serious injury or death.

Penn & Seaborn has recovered millions of dollars for log truck crash victims and their families. From our experience, we know that these tragedies frequently result from negligence and/or equipment defects. We also know that these collisions are often preventable if the responsible parties would simply take necessary steps to ensure they are operating in a safe manner. The following are issues that usually arise in lawsuits involving log trucks:

- Did the log truck company properly train its driver before putting the driver on the road?
- Were the logs properly loaded and secured to prevent shifting and unsafe balancing?
- Did the log truck company and its driver comply with the Federal Motor Carrier Safety Regulations?



- Did the driver follow the law in keeping log books and following hours of service requirements?
- Was the driver impaired through drugs or alcohol or distracted by smoking, eating, texting, or using a cellular phone?
- Was the log truck roadworthy and properly maintained and inspected?
- Did the log truck and trailer have proper brakes, tires, lighting, flagging, and other safety devices?

If you or a loved one has been the victim of a log truck crash, put the experience, skill, and knowledge of Penn & Seaborn's attorneys on your side.

### Single Vehicle Accidents

Penn & Seaborn represents individuals who have suffered injury in car accidents. Life after a vehicle accident can be stressful, especially when the accident was due to the negligence of someone else. Also, single-vehicle accidents can often be traced back to a defect that results in catastrophic injury or death. Our firm and its staff will investigate immediately the accident scene and vehicles involved. Just because another vehicle is not involved does not mean that you do not have a case.



# No fee if no recovery\*...

## Identity Theft

**I**dentify theft is a crime that occurs when a thief steals your personal information in order to commit fraud. The identity thief can use your personal information to fraudulently apply for credit, file taxes, or get medical services. Unfortunately, identity theft is all too prevalent in the United States. Over 60 million Americans have been victims of identity theft based on a 2018 online survey by The Harris Poll. Based upon the same survey, there were over 15 million victims in 2017 alone. In 2017, there was over \$16.8 billion dollars stolen according to Javelin Strategy & Research.

What steps can you take to avoid being a victim of identity theft?

- Secure your Social Security Number.

Do not carry your Social Security card in your wallet or write your number on your checks. Only give out your SSN when necessary.

- Do not respond to unsolicited requests for personal information by phone, mail, or online.
- Collect your mail in a timely manner. Place a hold on your mail when you are away from home for more than a couple of days.
- Pay attention to billing cycles on credit cards. If bills or financial statements are late, contact the sender.
- Enable the security features on mobile devices, especially if you have contacts, banking websites and application saved.

- Review your credit card and bank account statements. Watch for unauthorized transactions.
- Shred receipts, credit offers, account statements, and expired credit cards to prevent identity thieves from getting your personal information.
- Store personal information in a safe place.
- Review your credit report once a year to be certain that it does not include accounts that you have not opened.

This is not an exhaustive list of tips to avoid identity theft, but it is a good start. To find more information about identity theft, and how to protect yourself and respond if it happens, see [www.usa.gov/identity-theft](http://www.usa.gov/identity-theft).

## Recent Filings

Penn and Seaborn recently filed a lawsuit in Tift County, Georgia on behalf of an Alabama resident who suffered injuries from a motor vehicle collision while working in Georgia.

The firm filed a lawsuit on behalf of a Houston County resident who was injured in a car wreck. Our client was rear-ended by a negligent driver while sitting at a red light in Henry County.

Penn & Seaborn filed a lawsuit on behalf of a client who suffered injuries while she was walking to her vehicle in a private parking lot and an inattentive driver backed into her.

The firm recently filed a lawsuit in the State Court of Muscogee County, Georgia. Two Pennsylvania college students were traveling through Alabama when a Georgia rental truck ran them off the road causing serious injuries.

Penn & Seaborn recently filed a lawsuit on behalf of a Barbour County resident against a Houston County hospital for injuries suffered in a slip and fall. The hospital failed to properly warn of a dangerous condition and as result our suffered significant injuries.

## Recent Settlements

The firm recently achieved a settlement on behalf of two Montgomery County residents who were injured in a vehicle accident in Montgomery. Our clients were struck by an inattentive driver while at a stop light. Our clients have recovered from their injuries and were pleased with the outcome of their case.

Penn & Seaborn settled a case on behalf of a Bullock County client who suffered injuries in a car wreck in Montgomery. The client was able to receive the treatment he needed and was happy with the outcome of his case.

Penn & Seaborn recently obtained a favorable settlement for a Lee County, Alabama client who was injured in a Muscogee County, Georgia motor vehicle collision.

Penn & Seaborn recently obtained a policy

limits settlement for a client who was injured in a Houston County, Alabama motor vehicle collision.

Penn & Seaborn recently obtained a policy limits settlement for a Covington County, Alabama client. The at-fault driver drifted over into our client's lane, struck our client and knocked him and his motorcycle off the road. Our client is fortunate to be alive and back to work.

Penn & Seaborn recently obtained a policy limits settlement in favor of a passenger against the driver of the car. Our client was riding in an acquaintance's automobile when the driver pulled out in front of oncoming traffic. The crash occurred in Pike County, Alabama.

Penn & Seaborn obtained a favorable settlement for two young men who were injured by a hit and run driver in Montgomery County, Alabama.

Our firm recently settled a case for a Bullock County driver who was severely injured from a collision with a tractor-trailer. We were able to achieve a very good outcome for our client and we wish her all the best as she continues on her road to recovery.

Penn and Seaborn settled a case on behalf of an Auburn resident who was injured when a drunk driver hit him from behind in Montgomery. The drunk driver left the accident scene and was located by law enforcement. Fortunately, the client did not suffer any permanent injuries.

These recoveries and testimonials are not an indication of future results. Every case is different, and regardless of what friends, family, or other individuals may say about what a case is worth, each case must be evaluated on its own facts and circumstances as they apply to the law. The valuation of a case depends on the facts, the injuries, the jurisdiction, the venue, the witnesses, the parties, and the testimony, among other factors. Furthermore, no representation is made that the quality of legal services to be performed is greater than the quality of legal services performed by other lawyers.

\* No fee if no recovery refers only to fees charged by the attorney. Court costs and other additional expenses of legal action usually must be paid by the client. Contingent fees are not permitted in all types of cases.

# Have a case like one of these? Call Penn & Seaborn

## Personal Injury/Products Liability

### PRODUCT LIABILITY

We continue to focus on accident cases involving automobiles, heavy equipment and consumer products. Some of these auto cases involve single-vehicle crashes, while others involve multiple-vehicle accidents. We would like to review any case involving catastrophic injury or death.

### PREMISES LIABILITY

In premises liability claims, patrons of establishments are often injured because the premises, for some reason, was unsafe. Premises liability claims can take many forms, including when severe injury or death results when a building or structure collapses, merchandise falls, during swimming pool accidents, due to poor lighting, falling debris, unsecured fixtures and furniture that falls or tips over, unsecure drainage that creates drowning or fall hazards, slippery surfaces, and inadequate maintenance.

### TRUCK ACCIDENTS

There are significant differences between handling an interstate trucking case and other car wreck cases. It is imperative to have knowledge of the Federal Motor Carrier Safety Regulations, technology, business practices, insurance coverages, and to have the ability to discover written and electronic records. Expert testimony is of utmost importance. Accidents involving semi-trucks and passenger vehicles often result in serious injuries and wrongful death. Trucking companies and their insurance companies almost always quickly send

accident investigators to the scene of a truck accident to begin working to limit their liability in these situations. Our lawyers, staff and accident investigators immediately begin the important task of documenting and preserving the evidence. We would like to review any case involving catastrophic injury or death.

### DEFECTIVE TIRES

Tire failure can result in a serious car crash and even a vehicle rollover accident, causing serious injury or death to vehicle occupants. Air, heat and sunlight can cause the rubber in tires to break down. When a tire is defective, potentially serious problems like detreads and blowouts can occur long before the tire would be expected to wear out. If the tire failure is the result of design or manufacturing defects and the manufacturer is aware of the problem, they have an obligation to alert consumers to the potential danger.

### DEFECTIVE INDUSTRIAL PRODUCTS

Thousands of workers suffer serious injuries or are killed on the job as a result of defective industrial products every year. In fact, many times when our lawyers are investigating a worker's compensation case, they discover a defective industrial product is to blame.

Industrial products may include manufacturing equipment, farming equipment and construction equipment. When a worker is seriously injured or killed on the job, it is important to look closely at the working environment.

Machinery may lack proper safety guards, safety instructions may not be properly posted or may be missing altogether. The industrial product may not be properly secured, or workers may have been instructed to use the product improperly.

Although a state's workers' compensation system places limitations on the ability of employees to hold employers accountable for work-related injuries, many people do not realize that there may be another available source of recovery. If a product causes an on-the-job injury, a product liability suit may be brought against the product's manufacturer. Unfortunately, catastrophic injuries, deaths and amputations commonly occur from defective products found in the work place.

We help ensure that employers, manufacturers, distributors, suppliers, retailers and others who make products available to the public are held responsible for the injuries those products cause.

The importance of examining third party claims when examining workers' compensation claims is extremely important to the client. All common law damages, past/future pain and suffering, past/future mental anguish, loss of enjoyment, lost income and punitive damages are recoverable. Additionally, spouses of injured employees can file loss of services or consortium claims. This, of course, is not possible under workers' compensation.

## Pharma and Devices

### XARELTO

Lawsuits filed against Johnson & Johnson subsidiary Janssen Pharmaceuticals and Bayer Corp. over the blood thinner Xarelto have been consolidated in Louisiana federal court. Xarelto has been linked to serious side effects including internal bleeding, gastrointestinal bleeding, brain bleed and death. The Xarelto lawsuits come on the heels of the recent \$650 million Pradaxa settlement. Researchers linked Pradaxa, also a blood thinning medication, to more than 500 deaths. Xarelto blood thinner litigation has been consolidated before U.S. District Judge Eldon Fallon in the Eastern District of Louisiana, who presided over suits against Merck & Co. over its medication Vioxx.

### OPIOIDS

Opioid abuse has reached epidemic proportions in the United States. According to the Department of Health & Human Services, 12.5 million people misused prescription opioids and 33,091 Americans died from opioid overdose in 2015 alone. These medications provide important pain relief for many. However, over the years, drug companies inflated the effectiveness of delayed-release medications like OxyContin and downplayed their addictive properties, creating conditions ripe for abuse. We are investigating cases involving opioid-related deaths and overdose, or symptoms of overdose requiring hospitalization.

### IVC FILTERS

Retrievable IVC filters are wire devices implanted in the vena cava, the body's largest vein, to stop blood clots from reaching the heart and lungs. These devices are used when blood thinners are not an option. Manufacturers include Bard, Cook and Johnson & Johnson. While permanent IVC filters have been used since the 1960s with almost no reports of failure, retrievable IVC filters were introduced in 2003, promoted for use in bariatric surgery, trauma surgery and orthopedic surgery. Risks associated with the retrievable IVC filters include migration, fracture and perforation, leading to embolism, organ damage and wrongful death.

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## 2018 FOOTBALL SCHEDULE



DATE	AUBURN TIGERS	ALABAMA CRIMSON TIDE	ALABAMA STATE HORNETS	GEORGIA BULLDOGS	TROY TROJANS	TUSKEGEE GOLDEN TIGERS
September 1	Washington (at Atlanta)	at Louisville	Tuskegee	Austin Peay	Boise State	at Alabama State
September 8	Alabama State	Arkansas State	at Auburn	at South Carolina	Florida A&M	vs. Albany State (Phenix City)
September 15	LSU	at Ole Miss	at Kennesaw State	Middle Tennessee	at Nebraska	at Clark Atlanta
September 22	Arkansas	Texas A&M	at Grambling State	at Missouri	at ULM	Missouri S&T
September 29	Southern Miss	Louisiana-Lafayette		Tennessee	Coastal Carolina	Lane College
October 4					Georgia State	
October 6	at Mississippi State	at Arkansas	at Alcorn State	Vanderbilt		vs. Morehouse (Columbus, GA)
October 13	Tennessee	Missouri	at South Alabama	at LSU	at Liberty	at Fort Valley State
October 20	at Ole Miss	at Tennessee			at Georgia State	Kentucky State
October 23					at South Alabama	
October 27			at Alabama A&M	at Florida	Georgia Southern	at Central State
November 3	Texas A&M	at LSU	Texas Southern	at Kentucky	Louisiana	at Miles College
November 10	at Georgia	Mississippi State	Jackson State	Auburn	at Georgia Southern	
November 17	Liberty	The Citadel	at Prairie View A&M	Massachusetts	Texas State	
November 22			Mississippi Valley State			
November 24	at Alabama	Auburn		Georgia Tech	at Appalachian State	
December 1						