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State Farm's DOs and DON'Ts of a Car Wreck

As you probably know, a large part of our practice is representing individuals and families who are injured in auto accidents.

As a result, most of our time is spent fighting with insurance companies, especially fighting about whether our clients' injuries were caused by their wrecks.

That's why I was so interested last month when I received an email with a link to a web page listing State Farm's Dos and Don'ts of a Car Wreck.

It has information that you would expect, such as don't drive off, do stay calm and take photos of the scene and cars, etc.

But it also had advice that I found surprising. Their website said this:

Don't assume there aren't injuries.

Do assess yourself and your passengers. Even low-impact collisions can cause injuries, some not appearing until days after the accident.

They're right, of course. People can sustain serious injuries in wrecks that don't appear to be too bad. In fact, in

the last year, I've resolved two cases that are perfect examples of this. In one, a client thought he was okay until he started experiencing significant pain several days after his wreck. It turned out he had a herniated disc that required surgery.

In another case, a client was rear-ended and initially thought he was okay. Unfortunately, symptoms later developed and he had to have hip replacement surgery due to his injuries.

Both of these cases were significant injuries (with significant settlements) even though the wrecks didn't appear to be bad and the injuries did not show up for several days.

But what is so surprising is to see State Farm admit it. We battle State Farm and other insurance companies every day, and we constantly hear them argue that injuries can't be severe if there isn't significant damage to the vehicles and that injuries can't be severe if there is a delay in the onset of symptoms or in the time before a client seeks medical treatment. It's nice to see at least one insurance company finally acknowledge that these arguments just aren't true.

— Brooks Schuelke

HAPPY MEMORIAL DAY

I'm preparing this newsletter on the eve of Memorial Day. And this year's Memorial Day will be particularly special and bittersweet for my family.

Why? This month, my grandfather, a World War II veteran, passed away. He was an aircraft mechanic and test-pilot who was stationed in Hawaii, Okinawa, and New Guinea among other places.

I don't know what emotions my family will have this year, but I do know that we'll all pause a little longer and say a prayer of thanks and gratitude for my grandfather, my family's dads, step-dads and aunts who were also veterans, and all other veterans who have risked their lives for us.

I hope you'll do the same.

— Brooks



What We Can Learn About Brain Injuries From The Military

One legacy of the wars in Iraq and Afghanistan is the number of military personnel who have suffered head injuries, primarily the result of bomb blasts.

By its own admission, the military failed in its diagnoses and treatment of those injured early in the conflicts. But to their credit, they have admitted the problem and dedicated resources to help fix it.

That has led to a significant increase in research into brain injuries. With that research, scientists are finding new ways to diagnose brain injuries, finding new potential forms of treatment for brain injuries, and finding links between brain injuries and long-term consequences that we never fully understood.

That is not only good news for the those who suffered brain injuries in the military, but it is good news for all brain injury victims. This research and new emphasis on treatment of brain injuries is important for professional athletes and victims of other accidents.

I have long warned clients that it's important for them to look out for brain injuries because they are so hard to diagnose. But with new breakthroughs in science and a new focus on brain injuries, that may no longer be the case.



HERNIATED DISCS

We have seen a rash of clients who have experienced herniated discs as a result of an auto accident. As a result, I thought I'd take this opportunity to let you know a little more about the injuries.

WHAT IS A HERNIATED DISC?

As you may remember from high school science, our spinal cord goes down our spine protected by our vertebrae, the bones that make up our spine.

In between each bone is a disc, a small, jelly-like substance that buffers the vertebrae.

Unfortunately, in many accidents, the disc is damaged, and the disk material leaks out of its space. This can cause a number of problems. The disk material itself may impinge (or squeeze) the nerve, causing significant pain.

Additionally, the center of the disc contains material (nucleus pulposus) that may also leak. These chemicals may themselves irritate the spinal nerves and cause pain.

SYMPTOMS OF HERNIATED DISC

A herniated disc that affects a nerve is often quite painful. It may also be accompanied by radiating pain, pain that travels down your back or even into your legs. Depending on which vertebrae has the problem, you may also get tingling in your fingers, hands or feet. Again, depending on the location of the injury, you may experience weakness and even bladder issues.

If you have these symptoms, it's important to seek treatment. A herniated disc is a serious injury.

TREATMENT

Many physicians will start with a conservative course of treatment, which may include physical therapy or strengthening exercises.

If the conservative care doesn't help, then your physician may suggest the use of steroid injections. While steroid injections don't "fix" the problem, they may help with pain relief. Some of our clients get significant relief from the use of injections, and others get relief that only lasts a day or two.

If conservative treatment and steroid injections don't provide significant relief, then many patients and clients require surgery.



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This newsletter is informational and not legal advice. If you need legal advice, feel free to call us to set up a consultation.

THANKS AGAIN FOR YOUR REFERRALS

As many of you know, making a claim with an insurance company or another claims adjusting firm can be complicated. That's why we work hard to make sure that our clients aren't taken advantage of during their stressful times. Obviously, we're biased, but we think we provide a very important service that really helps people.

We thank those of you who have recognized the important value and service we bring to our clients and who have referred potential clients to us. If you have a family member, friend or other acquaintance injured in a car wreck or other accident, we hope you'll continue to refer those individuals to our firm to give us the opportunity to help them.