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Fighting like a Tiger for you!

ARE THE WALLS IN YOUR HOUSE making you sick?

Scope of Chinese drywall problem remains hard to quantify

The U.S. Consumer Product Safety Commission (CPSC) continues to investigate problems stemming from drywall imported from China and used in an estimated 100,000 homes in the United States.


The drywall in question was imported mainly from 2004-2007 during the American housing boom and has been suspected of causing many different health ailments, including headaches, rashes, and breathing problems. In addition, it is thought to be contributing to the corrosion of electrical wiring, air-conditioning coils, and other metal housing components. To date, there have been no confirmed fires attributed to the drywall.

Many homeowners have noted a distinct smell that is similar to rotten eggs coming from the drywall, which may be due to the presence of compounds such as strontium sulfide – a gray powder that emits a strong odor when exposed to moist, humid air.

Health officials have yet to determine whether anyone exposed to Chinese

drywall will suffer any long-term health consequences. However, according to the Associated Press and the Centers for Disease Control, prolonged exposure to some of the compounds found in the drywall can affect the nervous system and can cause breathing problems, chest pains and even death.

While the drywall complaints initially surfaced in Florida and other southeastern states, the CPSC has now received nearly 1,000 complaints from residents in over 20 states, including some as far north as Pennsylvania. The agency is also working to confirm the total amount of drywall that was imported from China, with a current estimate showing well over 6 million sheets. ■



Rotten eggs smell?

It may be coming
from the drywall.

WHY DID IT TAKE 15,817 DAYS?

spotlight: TIMOTHY R. MILEY, FOUNDER OF THE MILEY LEGAL GROUP

While many of you know Tim Miley personally, some of you may only know him from his appearances in his firm's television commercials. But few of you know the journey his life took to become one of the most recognized lawyers in North Central West Virginia.

After graduating high school, Tim attended Southern Methodist University in Dallas, TX, where he received his undergraduate degree in finance. He later received his law degree from Duquesne University in Pittsburgh, Pennsylvania.

When Tim began practicing law, his first several years were spent representing large corporations and insurance companies against injured people. By 2001, fed up with the disturbing tactics that insurance companies would use to deny or delay claims for injured people, Tim made a commitment from then on to only represent injured people. Ultimately, on June 1, 2006, Tim opened his own firm - The Miley Legal Group - and finally had the type of firm he always envisioned - a law firm on the cutting edge, dedicated to providing excellent legal service to injured people.

Over the years, Tim has searched for additional ways he could serve his fellow West Virginians outside of practicing law. In 2004, he ran for, and won, a seat in the West Virginia House of Delegates representing Harrison County and part of Marion County. Given that his time was becoming increasingly consumed by practicing law and serving in the West Virginia legislature, many friends thought he would never find a potential spouse who would share his same interests, while also tolerating his hectic schedule.

When Tim was introduced to Susan Aguayo Wilcher - the West Virginia Democratic field representative for North Central West Virginia - many friends were hopeful that a relationship could develop; after all, she was beautiful, enjoyed politics, and was from nearby Buckhannon. After the two began dating, there was friendly wagering in both the legal and political worlds as to whether Susan was going to be THE ONE! After having lived for 15,817 days as a bachelor, and 22 months of dating, Tim Miley (a.k.a. the 'Tiger'), was finally 'tamed' by the former Susan Aguayo Wilcher when



Susan, Tim and Jordin

they exchanged wedding vows atop Snowshoe Mountain on July 31, 2009.

Tim is surprised as to how easily he is adjusting to married life. "Because I was set in my ways for so long, I thought it would be really difficult to share my life, and everything in it, with another person. Surprisingly, it has been relatively easy, but I guess that's what happens when you wait long enough to find the right person to marry."

One adjustment Tim has embraced is learning to help raise his 13 year-old step-daughter, Jordin.

"This has been a big transition for each of us," Tim said. "Jordin had to leave lifelong friends when she moved to Bridgeport, which was tough on her, and in my case, I'm doing my best to learn what it takes to be a great step-dad to a teenager since I do not have any kids of my own."

Despite the challenges, Tim indicates he would never trade married life to return to bachelorhood. And who can blame him? With a successful political career, a law practice dedicated to helping injured people, and now a fulfilling marriage and family life, Tim feels fortunate to have achieved an ideal balance between his personal and professional life. ■

IS YOUR baby safe?

CPSC Announces Simplicity Bassinet Recall for Second Time Due to Life-Threatening Hazard

After learning of two additional infant deaths since its August 2008 recall, the United States Consumer Product Safety Commission has re-announced the recall of the Simplicity "Close Sleeper/Bedside Sleeper Bassinets." Overall, the CPSC is aware of four infants who have died in close-sleeper bassinets, and is urging consumers to immediately stop using the 3-in-1 and 4-in-1 bassinets.

The bassinets, including some with the Graco logo as well as others with Winnie the Pooh images, contain metal bars that are covered by an adjustable fabric flap. The flap is secured by Velcro fasteners, which are intended to be partially removed if the bassinet is converted to a bedside/close-sleeper.

If consumers fail to properly re-secure the fasteners after they adjust the fabric flap, or if they remove the flap completely, the metal bars can be exposed. An infant can slip through the opening and become trapped between a metal bar and the mattress support, causing them to suffocate or strangle.



Photo courtesy of the CPSC

Consumers are urged to return the bassinets to the retail store in which they were purchased. Many major retailers, including Wal-Mart, Target, JCPenney, Kmart, Toys-R-Us, have agreed to accept returns of the Simplicity bassinets and will issue a refund or store credit.

Because of the life-threatening hazard posed by Simplicity conversion bassinets to infants, we urge you to share this warning with family, friends, day care centers, and consignment shops to help ensure that no child is placed to sleep in any of the recalled bassinets. For a complete listing of the recalled bassinets, please visit the website www.cpsc.gov. ■

LOCAL UPDATE: man awaits sentencing for killing Lewis County hunter

A tentative sentencing date, previously set for November 5, has been continued to December 2, 2009, for a Pennsylvania man charged in connection with a fatal West Virginia hunting accident.

Robert L. Tobias, who pled no contest to felony wanton endangerment following a plea hearing on September 23 in Lewis County, is awaiting the results of a pre-sentence investigation into the April 2008 shooting death of Shawn Craig Stewart of Walkersville.

Tobias, who pleaded guilty to negligent shooting and failure to render aid and assistance, both misdemeanors, saw the charge of involuntary manslaughter dismissed. He still faces

the possibility of more than six years in prison (we here at The Miley Legal Group hope Mr. Tobias receives the maximum sentence).

Mr. Stewart, who was an engineer in Buckhannon, had been turkey hunting in the Wildlife Management/Public Hunting Area of the Stonewall Jackson Lake State Park prior to the shooting, according to State Police. He is survived by his wife, Tonya, and his infant son, Zane.

With hunting season coming in to full swing, we urge all hunters to be extra careful and follow all safety guidelines while hunting in our forests, wooded areas and fields. ■

November Important Dates

November 11 – Veterans Day
November 26 – Thanksgiving



Fighting like a Tiger for you!

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guess who got married?

COLD VS H1N1 FLU

Trouble determining whether you have a common cold or the flu? Use the following chart as a helpful guide.

Symptom	Cold	H1N1 Flu
Fever	Fever is rare with a cold.	Fever is usually present with the flu in up to 80% of all flu cases. A temperature of 100°F or higher for 3 to 4 days is associated with the flu.
Coughing	A hacking, productive (mucus-producing) cough is often present with a cold.	A non-productive (non-mucus producing) cough is usually present with the flu (sometimes referred to as dry cough).
Aches	Slight body aches and pains can be part of a cold.	Severe aches and pains are common with the flu.
Stuffy Nose	Stuffy nose is commonly present with a cold and typically resolves spontaneously within a week.	Stuffy nose is not commonly present with the flu.
Chills	Chills are uncommon with a cold.	60% of people who have the flu experience chills.
Tiredness	Tiredness is fairly mild with a cold.	Tiredness is moderate to severe with the flu.
Sneezing	Sneezing is commonly present with a cold.	Sneezing is not common with the flu.
Sudden Symptoms	Cold symptoms tend to develop over a few days.	The flu has a rapid onset within 3-6 hours. The flu hits hard and includes sudden symptoms like high fever, aches and pains.
Headache	A headache is fairly uncommon with a cold.	A headache is very common with the flu, present in 80% of flu cases.
Sore Throat	Sore throat is commonly present with a cold.	Sore throat is not commonly present with the flu.
Chest Discomfort	Chest discomfort is mild to moderate with a cold.	Chest discomfort is often severe with the flu.

Call us at **(304) 326-1800**