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W.V. HIGH SCHOOL FOOTBALL is back, but...

New study raises concerns about player injuries.

It's one of the annual rites of late summer in West Virginia – the kickoff of high school football. As one of the most popular high school sports in every state in the country, football enjoys an intense, devoted following. Over 1.2 million kids play high school football, and of course, when you couple that level of participation with the physical nature of the sport, you can end up with a considerable number of injuries, including trauma to a players' head and spine.

A recent study conducted by researchers at the University of Illinois at Urbana-Champaign and published by the National Athletic Trainers Association, focused on the biomechanics of how tackles occur in an effort to better understand the high risk of concussions and spine injuries to high school football players. Surprisingly, the study determined that differences in height, weight and technique make high school football tackles a much greater risk of causing injury to the head and spine than similar tackles at the college level. Researchers came to their conclusions by studying high school football players wearing helmets equipped with sensors and comparing the data to similar studies on college players.



It is estimated that over 67,000 concussions occur each year in high school football, though the actual number may be far greater since it is suspected that many concussions are never reported by high school players. It is imperative that our local football coaches teach proper blocking and tackling techniques, but it's also critical for coaches to be keenly aware of the symptoms of concussions and spinal injuries. If such an injury occurs, immediate medical attention should be sought for that student.

While this article is not meant to alarm parents of student athletes, we do want to bring attention to the number of concussions and spinal injuries suffered by high school football players and point out the crucial role proper blocking and tackling may play in reducing or limiting those types of injuries. In doing so, we can only hope that our West Virginia high school athletes avoid any serious injuries during the season. ■



Fighting like a Tiger for you!

The Miley Legal Group 230 W Pike Street, Suite 205 | Clarksburg, WV 26301 | Phone: (304) 326-1800

spotlight:

DOUG MILEY, ATTORNEY THE MILEY LEGAL GROUP

Choosing between Dayton, Ohio or West Virginia...it's not even close

At work from 7 a.m. to 7 p.m., coming home for dinner with his wife and newborn son, and sometimes returning to work from 9 p.m. until after midnight. Of course, there were always the weekends for relaxation - Saturday and Sunday meant he probably only worked 4-6 hours each day, only to come home to yard work and barely enough time for meals with his family. Working first as an assistant prosecutor and then as a personal injury attorney, this is how Doug Miley spent most of his days while practicing law in Ohio for 14 years.

"I really enjoyed being a prosecutor," Doug says, "but my greatest satisfaction came when I began working for a large Dayton law firm representing injured people. I felt called to fight the insurance companies that routinely take advantage of innocent injured victims."

It was during his time at the Dayton law firm that Doug met and eventually married his wife, Heidi. She was a paralegal at the firm, and looking back, she remembers being a little unsure at first about dating Doug. "Knowing how many hours Doug worked, I was leery about getting romantically involved with him," she says, "but I became attracted to his passion for life."



*Doug, Heidi
and Hunter Miley*

After the birth of their first child, Hunter, in January 2007, Doug and Heidi began to seriously think about the quality of life they wanted their family to experience. Ultimately, they decided that West Virginia was where they wanted to live and raise their family.

Was it crazy for Doug to give up a successful legal career in Ohio and move his family to West Virginia? Not in Doug's mind - it was his love of family that inspired him to move back to Clarksburg. In doing so, he would not only be closer to his parents, brothers, and sister, but he would also be returning to the area that he came to know and love as a child - when Saturday livestock sales still occurred in Bridgeport, and his aunt and uncle owned and operated Miley's Hobbies and Crafts in downtown Clarksburg.

Doug is grateful about the decision to move back to West Virginia. He and Heidi are expecting their second child next month and recently built a house in Bridgeport and feel very much at home in the community. While it was not an easy road to West Virginia for Doug and his family, the decision of whether to raise a family in Dayton or Bridgeport wasn't hard to make. If he had it to do over again, Doug wouldn't change a thing, except he would have moved to West Virginia sooner. ■

AMERICAN ASSOCIATION FOR JUSTICE EXPOSES INSURANCE COMPANIES'

greed and dirty tricks

Insurance companies, especially the big ones like Allstate, State Farm, and AIG, spend millions every year cultivating a carefully crafted image. They would have you believe that they are 100 percent on your side, rushing to provide you with the financial support you need if you suffer a devastating illness, accident, or property damage.

Sadly, the real story is not so pretty. It turns out that the insurance companies really aren't looking out for your best interests. In fact, their main goal is to make serious profits, and they're doing just that. The insurance industry averages profits of over \$30 billion a year and is working hard to generate even bigger numbers, usually at your expense.

In its eye-opening report, "Tricks of the Trade: How Insurance Companies Deny, Delay, Confuse, and Refuse," the American Association for Justice (AAJ) exposes many of the insurance industry's dirty tactics, including:

- Denying valid claims and rewarding employees who successfully deny claims.

- Delaying claims until policy holders give up or pass away (this is especially bad among the long-term care insurers.)
- Confusing consumers with dense and incomprehensible contracts.
- Using credit scores to dictate what premiums people pay or whether they can even receive insurance in the first place.
- Canceling retroactively, or rescinding, the policies of people who become expensive to treat, even cancer patients in the midst of chemotherapy.
- Refusing to renew a policy after a person calls to inquire about the possibility of a claim.

The full report of insurance company dirty tricks can be viewed for free on the AAJ website at www.justice.org. If you feel like you are not being treated fairly by an insurance company, call a lawyer for a free consultation. Studies have shown that you get much better results on your cases when you hire a lawyer to represent you against an insurance company. ■

DO YOU KNOW WHAT TO DO IF YOU ARE IN A CAR WRECK?

WEST VIRGINIA AUTO ACCIDENT **checklist**

Unfortunately, automobile collisions are an everyday occurrence in West Virginia and we can only hope that you are able to avoid those careless drivers that cause them. Having represented injured victims of car wrecks for many years, we realize that most people are confused and unsure about what they should do in the aftermath of a collision. To help in that area, we've developed a short checklist for you and your family members to keep in mind if you are ever in a wreck.

- ✓ **Stay Calm** – Many people get hysterical immediately after a collision for any number of reasons (i.e. you wrecked your parents car, you or others in the car may be injured, etc.) Don't worry, those are normal thoughts, but it is important to gather yourself and stay as calm as you can.
- ✓ **Check for Injuries** – It is important that you check yourself, as well as any passengers in your car, for injuries. However, do not move a seriously injured person unless they are in further danger because of traffic or other circumstances.
- ✓ **Call the Police** – Whether the wreck was your fault or that of another driver, you need to call the police to come and investigate.
- ✓ **Promptly Seek Medical Attention** – If you feel even slightly injured at the scene, allow yourself to be transported to the hospital or have someone take you. You never know how serious an ache or pain might be (i.e. bone fracture, muscle and/or ligament tear, etc.). Even if you don't feel injured at the scene but begin to feel the effects within 1-3 days later, go to the emergency room at your nearest hospital and get treatment. If you fail to promptly get medical treatment when you begin feeling the effects of the collision, the other driver's insurance company will assume you were not hurt in the wreck.
- ✓ **Obtain Key Information** – I know you will have many things running through your mind if you are in a wreck but you, or someone on your behalf, needs to obtain certain critical information about the collision, such as license plate numbers, insurance information, addresses of everyone involved including passengers/witnesses, phone numbers, and when the police investigation is completed, a West Virginia Uniform Traffic Crash Report.
- ✓ **Do Not Give a Recorded Statement** – As soon as it gets notice of a car wreck, the other driver's insurance company will contact you by phone and want to take a recorded statement. DO NOT give a recorded statement over the phone to an insurance company representative. The only goals of an insurance company are to: (1) get you to say something that allows it to blame you for the wreck, and (2) get you to admit that you were not seriously hurt, even if you haven't yet been examined or you have not fully recovered from your injuries. Nothing positive can come from the insurance company representative being in a hurry

to obtain a recorded statement from you over the phone.

- ✓ **DO NOT Sign Forms From Insurance Company** – Following a car wreck, you may get documents in the mail from the other driver's insurance company wanting you to "sign a few forms." What the insurance company won't tell you is that you are being asked to sign medical authorizations that allow it to get all of your medical records from as far back as your birth, as well as allowing the insurance company to get personal, confidential records that are totally unrelated to the injuries you may have received from the wreck. It's just a bad idea to give the insurance company unlimited access to your medical records.
- ✓ **Be Careful About Admitting Fault at the Scene or to the Insurance Company** – While I believe that you should always accept responsibility for your actions, I do suggest that you wait until you know all the facts of what caused the wreck before admitting responsibility. Why? Because any admission of fault will always come back to be used against you and, when it is, you want your admission to have been made after being fully informed of the facts. Following a wreck your first inclination may be to apologize to the other driver and admit that it was your fault. This arises from a guilty feeling you may have, even if the collision was not your fault. Before you admit fault, get all the facts. Was the other driver distracted by using a cell phone or texting? Was the other driver in a better position than you to have avoided the collision? Is the collision partially your fault and partially that of the other driver? The point is to make an informed decision.
- ✓ **Document Everything You Can** – This is most easily done by taking photographs of the vehicles involved in the collision, the scene of the collision (which should be taken as quickly after the wreck as possible to capture the scene as it existed at the time), and photographs of any injuries (i.e. bruising, scarring, casts, etc.). Nothing can depict a situation quite like a photograph.
- ✓ **Inform Your Insurance Company** – Even if the collision was not your fault, it is important to let your insurance company know about the wreck. You may have insurance coverage that would pay some of your medical bills, you may have rental car coverage, and your insurance company will usually fight with the other driver's insurance company to get the property damage to your vehicle paid (if you have collision coverage). Keep in mind, however, that your insurance company will not take care of your injury claim for pain and suffering or lost wages.

After you have had an opportunity to consider the above, you may still have questions. If so, call us. We have handled hundreds of these types of cases and are in a position to offer assistance to you. ■

The Miley Legal Group

230 W Pike Street, Suite 205

Clarksburg, WV 26301

Phone: (304) 326-1800



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FIND OUT WHAT TO DO IF
YOU ARE IN A CAR WRECK
IN WEST VIRGINIA **INSIDE!**

RECENT

product recalls

Our firm is committed to your family's safety and we want to make sure you are aware of dangerous products that may cause harm to you or your children. Here are some recent product recalls announced by the U.S. Consumer Product Safety Commission:

- Fiesta has recalled 88,000 **Blue Ember Gas Grills** due to fire/burn hazards. The hose on the gas tank can get too close to the firebox and be exposed to heat, posing a fire hazard to consumers.
- LeapFrog has recalled 3,700 **My Pal Scout** electronic plush toy dogs. The decals on the paws of the plush toy can be removed and ingested by a child, posing a choking hazard.
- The Brown Shoe Co. of St. Louis, MO, has recalled about 1.4 million pairs of **Buster Brown** children's clog shoes. The shoes have decorative wheels that can detach, posing a choking hazard to young children.
- Old Navy has recalled approximately 35,500 **Stuffed Animal and Creature Toys** that were sold between July 2008 and February 2009. The toys have two button eyes that could detach from the toy, posing a choking hazard to young children. ■

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