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Harville
LAW OFFICES, PLLC

The Louisville Accident Lawyer Journal

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OVER 30 YEARS EXPERIENCE

We gladly accept
and appreciate
your referrals

- We are counselors, not just attorneys
- We meet with our clients personally - not caseworkers
- We want you to understand how the legal system works as it applies to your case
- We will keep you informed and guide you every step of the way

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Vacation Season is Here

I'm about to make an admission at great professional risk:

I'm about to take a vacation.

There, I said it. My wife and I and our 2 grown sons are going to spend a week in the Pacific Northwest in June.

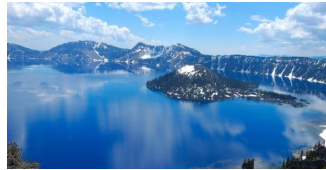
Dana, the best right hand woman I could ever want in my practice, is going to house-sit for us and take care of Casey. God bless her.

I've known lawyers who prided themselves on never taking vacations. Especially in law firms, where the competition is fierce to rack up the most billable hours and be a hero to the partnership.

I left all that years ago when I started my own practice in 1993.

There are lots of reasons why I think vacations are important.

I think the biggest thing is to remove yourself from your normal framework and go somewhere that takes your mind away from



Crater Lake National Park

the things you are always worrying about. And being a lawyer is a worrying business. I've often said that the job of lawyering is worrying about someone else's troubles and getting those troubles resolved to leave them in a better place.

There is just something about going to a different place where people live and work just as you do in your hometown. You realize that your problems really aren't the most important thing in the world, even though they are to you. There are people everywhere in this country with the same sort of worries that you have, they just don't live in the same place you do.

And of course, there are people in other countries with far worse problems than most people in the United

States. You are already better off than most people just because you are fortunate enough to live in this country.

Another thing about vacations is that they make memories. My wife and I and our 2 sons are close-knit. One of the bonds that we have are the vacations we have taken together.

And listen, vacations don't have to cost an arm and a leg. When my boys were young, we would take them to the Ky, State Parks (which I've written about in this newsletter). They are not far away and they are a bargain. And when your kids are young they are not picky about the accommodations (unlike their parents as we've gotten older!).

And don't get into this business about whether you deserve a vacation. It's good for you. Everybody needs a break. Even lawyers.

So please, enjoy your summer and try to go away somewhere fun and spend a few days. Not only will your job performance improve when you get back, your life will be richer for it. - BDH

Why a Newsletter?

We hope you will find this newsletter to be entertaining and informative. We thought it would be a great way to stay in touch with people who have had a relationship with our firm. We care about the people we have helped and we want you to know that our relationship with you is very valuable to us, even if your case is over.

The reason you are receiving this newsletter is because you are an existing or past client of our firm, or you have contacted us about prospective representation. For this reason, this newsletter is not considered to be an "advertisement" under Kentucky Supreme Court Rule 3.130-7.02 (1)(h). (But this doesn't mean you can't give it to someone you

know!)

We hope to share a little more about who we are and what we do, and not just in our law practice. We would love to hear from you if you like our newsletter!

Our best to all of you!

Brad Harville Dana Skaggs

Current Trends - Heart Attack Cases/Workers' Comp

BRADLEY D. HARVILLE LAW OFFICES PLLC

20 Questions about Kentucky No-Fault

The key to understanding how the legal and medical system works in personal injury cases resulting from motor vehicle accidents in Kentucky.

Among the most difficult workers' comp cases to win are those involving on-the-job heart attacks. They are fairly rare but we have handled a couple of such cases over the years. The one thing these two cases had in common is that the employer fought them tooth and nail. The reason being that the employer will always argue that the heart attack occurred as a result of coronary heart disease and was unrelated to the work activity. In other words, the heart attack could have just as easily happened if the employee had been sitting at home.

Our two cases had different facts. The first of them was several years ago. Our client was an elderly security guard who was trying to restrain a patient at a mental hospital and suffered instantaneous cardiac death. The defendant employer fought it all the way but we won a substantial award for his widow.

In the more recent case, our client was moving heavy furniture and other junked items for about an hour before he suffered a non-fatal myocardial infarction. Once again, the defendant employer has fought it all the way and hired

a cardiologist to say that the heavy lifting had nothing to do with it. What the cardiologist didn't count on was a recent study in the American Heart Association Journal *Circulation*, which found that heavy physical exertion and anger or emotional upset occurring in the one hour before a heart attack are common and both exposures may act as external triggers for a heart attack. It remains to be seen whether we will prevail in this case, but this journal article certainly provides convincing medical evidence that heart attacks from heavy physical labor can be work-related.

Advice Column - Swimming Pool Safety

Swimming pools are open! Here are some safety tips from nationalwatersafety.org:

1. Teach children water safety and swimming skills as early as possible.
2. Always brief babysitters on water safety, emphasizing the need for constant supervision.
3. Appoint a "designated watcher" to monitor children around pools.
4. Keep a telephone close by at all times.
5. Post CPR instructions and learn

the procedures.

6. Keep rescue equipment and a first aid kit at poolside.
7. Maintain constant visual contact with children in a pool or pool area.
8. If a child is missing, check the pool first.
9. Don't use flotation devices as a substitute for supervision.
10. Never allow a young child in a pool without an adult.
11. Don't leave objects such as toys that might attract a child in

the pool and pool area.

12. Never prop the gate to a pool area open.
 13. Don't rely on swimming lessons, life preservers, or other equipment to make a child "water safe."
 14. Never assume someone else is watching a child in a pool area.
 15. Don't think you'll hear a child who's in trouble in the water; child drowning is a silent death, with no splashing to alert anyone that the child is in trouble.
- Be safe!

Favorite Pet of the Month

Meet Minnie!

Minnie is a 2 year old black and tan coonhound.

She is a big girl but she is a sweetheart!

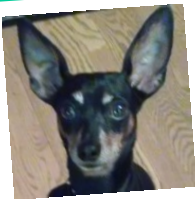
Minnie is housetrained and loves walks and kids.

She would be a great addition to an active family!

Are you a pet lover? We are!

Dana Skaggs serves on the Board of Directors of [Barktown Rescue](http://BarktownRescue.com). Brad and his family love pets, too!

If you want to tell us about your pet(s), send an e-mail to bdh@harvillelaw.com with a photo and we'll try to put this in a future issue!



Casey's Kentucky Trivia Question:
Which Kentucky city is famous for being "the birthplace of the houseboat?"

- A. Somerset
- B. Jamestown
- C. Grand Rivers
- D. Burkesville

Be the first person to answer correctly by sending an e-mail to bdh@harvillelaw.com and we'll mail you a \$5 Starbucks gift card!



Minnie

Boat Insurance

Contrary to the adage that the 2 best days in a boat owner's life are the day he buys the boat and the day he sells the boat, people in Kentucky love their boats! We've got lakes all over the state. And now that summer is upon us, do you boat owners have the right kind of coverage and enough coverage on your boat?

Kentucky doesn't require boat insurance, but if you own a boat and enjoy frequent recreation on the water, it's a pretty dumb idea not to have it.

In many respects, boat insurance is similar to automobile insurance. Not only does the insurance provide coverage for damage to the boat, a good policy will also provide for liability coverage, med pay coverage, uninsured boater



coverage (if you are in an accident with another boater who is at fault and has no insurance) and even underinsured boater coverage (if you are in an accident with another boater who is at fault and doesn't have enough insurance).

Most insurance companies you can think of write boat insurance. If you don't have coverage on your boat, contact your agent or search online for quotes.

People don't like to think about accidents on the water, but they do happen. We have had such a case in our office. Fortunately, the owner of the boat had good coverage and we were able to negotiate a very good settlement.

And, as always, you should buy as much coverage as you can afford. Most of your premium goes into the basic limits and the higher limits don't cost much more. \$100,000 doesn't go very far if you are in a serious accident. Boat safe!

Stupid-Easy Recipe of the Month

Here is a simple and healthy dish, great for lighter summer fare:

Asparagus Frittata:

Ingredients:

- 3/4 pound fresh asparagus spears
- 6 eggs (or 4 eggs with 1/2 cup Egg Beaters)
- 3/4 cup low-fat cottage cheese
- 2 teaspoons yellow mustard
- 1/8 teaspoon salt
- Dash pepper
- Nonstick spray coating
- 1 cup sliced fresh mushrooms

- 1 small tomato, cut into wedges
- Directions:
- Lightly steam fresh asparagus in microwave, reserve 3 spears for garnish
 - Cut remaining asparagus into 1-inch pieces. set aside.
 - Beat eggs in a medium mixing bowl until foamy.
 - Beat in cottage cheese, mustard, salt, and pepper; set aside.
 - Spray a 10-inch ovenproof skillet with nonstick spray coating. Cook mushrooms over medium heat until just



A light, easy summer

meal!

- tender. Stir in asparagus pieces. Pour egg mixture over mushrooms and asparagus. Arrange the 3 reserved asparagus spears on top.
- Cook mixture over low heat about 5 minutes or until mixture bubbles slightly and begins to set around the edges.
- Bake frittata, uncovered, at 400° for about 10 minutes or until set. Garnish each serving with tomato. Makes 4 servings. Enjoy!

The Great American Solar Eclipse of 2017

Summer 2017 is upon us. And that means that the Great Solar Eclipse of 2017 is just weeks away!

Surely you've heard about this by now. On Monday afternoon, August 21, 2017, a total eclipse of the sun will pass over far western Kentucky. In those towns in the "path of totality," such as Paducah, Hopkinsville and Eddyville, the sky will go completely dark in the early afternoon for over 2 minutes! (Alas, it will only be a partial eclipse in the

Louisville area.) This will be the first total eclipse that is visible from across the United States since 1918!

Hotel rooms in the Hopkinsville area started booking for the eclipse date 3 years ago! Once the path of the eclipse leaves Kentucky,



it will cover a wider stretch of Tennessee. It will pass over cities such as Clarksville and Nashville and in between Knoxville and Chattanooga before sweeping across much of South Carolina.

For more information about the Great Eclipse - and how to safely look at it - check out eclipse2017.org.

Let's hope for a clear day on August 21! If we're lucky it will be a once in a lifetime experience!



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We want to help you secure the best possible outcome out of a difficult situation that you wish had never happened. If you have been injured, our goal is to obtain maximum recovery in the shortest amount of time it takes to get your case resolved.



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June is National Safety Month

We write a lot of articles in our newsletter about safety doing various things, but did you know that June is National Safety Month?

According to the National Safety Council's website, National Safety Month, observed annually in June, focuses on reducing leading causes of injury and death at work, on the road and in our homes and communities. The motto is "Keep Each Other Safe."

When you think about it, that just about sums up our civil justice system when it comes to personal injury cases. Our entire system of tort law has evolved over many centuries based upon this one idea: that people must conduct their activities with reasonable care to avoid doing harm to someone else. If they don't, they can be held liable for the harms and losses they cause. Those laws weren't invented by lawyers to make money. They are part of our system of justice in order to make society safer for everybody.



There are lots of interesting resources on the NSC's website. Did you know that preventable deaths are at an all-time high, claiming more than 146,000 lives in 2015? In Kentucky, the leading causes of preventable death for males are: #1) Poisoning (31%), largely due to opioid pain medication; #2) Motor Vehicle (31%); and #3) Falls (19%). For females, the leading causes are: #1) Falls (31%); Poisoning (28%), largely due to opioid pain medication; and #3) Motor Vehicle (21%).

You can even sign up for a free webinar on June 22 explaining the trends and scope of this epidemic.

The NSC is also providing these free downloadable resources highlighting a different safety topic for each week in June:

- Week 1: Stand Up to Falls
- Week 2: Recharge to Be In Charge (Focusing on Fatigue)
- Week 3: Prepare for Active Shooters
- Week 4: Don't Just Sit There (Focusing on Ergonomics)

You can also register for a free NSC First Aid, CPR & AED online course if you register between June 1 and 11, 2017. Availability is limited. You can also request a free sample of the NSC's magazine.

Check out the NSC's website at: nsc.org/act/events/Pages/national-safety-month.aspx