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The Louisville Accident Lawyer Journal

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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

#### Why a Newsletter?

You are receiving this newsletter because you are an existing or past client of our firm, or have contacted us about representation. For this reason, this newsletter is not an "advertisement" under Ky. Supreme Court Rule 3.130-7.02(1)(h). It is our way of staying in touch with people who have had a relationship with our firm. We care about the people we have helped and want you to know your relationship is valuable to us, even after your case is over. We hope you find it entertaining and informative, and would love to hear from you if you enjoy it!  
Our best,  
Brad Harville  
Dana Skaggs

## Announcing the Winner of the 2019 Harville Law Offices Car Crash Recovery Scholarship Contest

Harville Law Offices is proud to announce the winner of our 2019 Car Crash Recovery Scholarship, Kali Carson, who is enrolled as a full-time student in the Radiology Technologist program at Cleveland-Kansas City University in Overland Park, Kansas.

Kali's essay, "My Tragedy, My Blessing" was selected as the winning essay from over 40 entries from college students attending many different schools across the USA. All of these essays contained inspiring and heartfelt stories of young people who have had to deal with serious injuries from car crashes, either to themselves, family members or friends. In many cases, the effects of these injuries upon their lives have been pro-

found and devastating. Selecting the winning essay proved to be no easy task.

Kali's essay, however, stood out as being the most impactful. You will find her essay reprinted in full on page 2 of this issue. Her essay relates in vivid detail her horrific experience as a child when she and her mother were the victims of a drunk driver in a head-on collision. Her story drives home the point of how a moment of poor judgment by an intoxicated driver in getting behind the wheel can cause unbelievable and lifelong tragedy in the lives of those involved as well as their loved ones. Not only did this experience leave Kali and her mother injured and mentally and emotionally scarred for life, it cost

the intoxicated driver and his passenger their lives. The same sort of thing can happen anytime a driver is distracted momentarily while texting or talking on a cell phone. Kali's story also underscores how important it is to purchase as much insurance coverage as you can to protect you and your family from economic disaster if you or a loved one are ever seriously injured by a dangerous driver.

Again, we are pleased to award our first \$1,500 scholarship to Kali which will be paid toward her Spring 2019 tuition. She is an amazing person who will bring great empathy and compassion to her patients in her chosen health care career.



## My Tragedy, My Blessing

by Kali Carson

Often times I find it difficult to truly put into words how life-altering a single moment can be when you have witnessed or been at the core of a tragedy. The specific moment that my life changed was by a drunk driver was never my choice, nor was it my mother's.

At the raw age of 8, my mom and I were following behind my dad on our way home from my soccer game when we were struck head-on by a drunk driver who had three times the legal limit of alcohol in his bloodstream. As if that wasn't enough, the driver and his passenger had stolen the vehicle they were driving. In the truck ahead of us, my father turned left as we waited for an oncoming car to pass. My mom instantly saw the car was crossing the center line, so she instinctively put both feet on the brake and leaned over to block me in the passenger seat. In the following seconds my father watched in his rearview mirror as the oncoming car plowed into the front of our truck.

When I opened my eyes after the impact I was staring into the eyes of the driver of the other car, laying lifeless on the windshield in front of me. He had been traveling so fast he was thrown through the windshield of his own car, due to the lack of wearing his seatbelt. Everything else seemed to be a blur at the time but looking back now is so vivid. The car directly hit the driver front tire, forcing the floorboard of our truck up into the cab, shattering my mom's heel bone. As she tried to stay strong for me, my dad ran over and pulled me out of the truck and got me away from the scene. The passenger of the other vehicle was still alive but unfortunately passed away in life-flight on her way to the hospital. The impact was so strong the trash bags that were in the bed of our truck were ejected and scattered in the ditch alongside the truck.

Even with the grueling details, and the countless hours in the hospital with my mom as she recovered, I am grateful. I was able to walk away with nothing but a bruise from my seatbelt. Sure, I spent many afternoons in a counseling office to talk about what I had seen and still have vivid nightmares 15 years later, but I learned a valuable lesson that day. Drinking and driving will never be worth the pain it causes.

To think that often the victims who pay the ultimate price are the innocent drivers who happen to be in the wrong place at the wrong time. I will be forever in debt to whichever guardian angel was looking over my mother and I that day. As we both still deal with the pain that filled our hearts that day, we celebrate being here to educate others on dangers of drunk driving and living to love another day. As I start my Radiology Technologist Program, I hope to touch lives through my work and be the light for others on their worst days.



*Kali Carson*

## Current Trends in Personal Injury Law

John Morgan, of Morgan & Morgan fame, loves to get on TV and talk about all of his firm's successes. When you advertise as much as he does, and land enough big fish in your net, you are bound to have some impressive results.

However, Mr. Morgan, like all lawyers, doesn't like to talk about his firm's losses. Those are going to happen to any lawyer who tries enough cases. I've tried lots of cases, and won most of them, but there are a few I'd like to forget. It comes with the territory.

In my June, 2018 issue, I reported on the Ky. Court of Appeals' deci-

sion in [Neal v. Floyd](#), in which the Court of Appeals gave Morgan's firm another crack at trying a medical malpractice case, after a juror expressed some uncertainty at the beginning of the trial as to whether the amount of advertising by Morgan's firm might affect her decision. The juror ended up serving on the jury, which returned a 10-2 verdict for the defense.

Unfortunately for Morgan's client, the Kentucky Supreme Court has now taken that second chance away. It granted review of the Court of Appeals' decision, and rendered an [opinion](#) on December 19 holding that the alleged error of

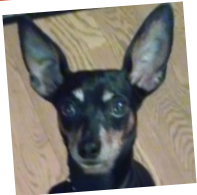
allowing the juror in question to serve on the jury was not properly preserved for argument on appeal.

Mind you, I'm not faulting the Morgan attorneys. Their lead counsel, Keith Mitnik, is a nationally renown trial lawyer. Morgan's firm only brings him out to try the big cases. The Ky. Supreme Court's opinion also seems a bit hypertechnical to me in finding that the alleged error was not preserved for appeal. But that is the nature of the game. Any lawyers unafraid to try cases are going to lose a few. Morgan's firm is no exception.

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.



Casey's Ky. Trivia Question: The first state-supported school for the deaf in the USA is in what Kentucky city?

- A. Danville
- B. Richmond
- C. Covington
- D. Morehead

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

## Stupid-Easy Recipe of the Month

### Air-Fried Chicken Wings

Air fryers are the greatest thing since the microwave! You can't beat the wings you can make right at home!

#### Ingredients:

- 1 package cut chicken wings
- 1/2 cup flour (GF works well)
- 1/3 cup baking powder
- 1/2 tsp Black pepper, white pepper, cayenne pepper, paprika and salt (or to taste)



- Frank's original or hot buffalo wing sauce
- Blue cheese dressing
- Celery sticks

#### Directions:

Combine flour, baking powder and seasonings. Dust each chicken wing in flour mix. Pre-heat air fryer ~ 1-2 minutes at 370°. Place wing pieces in air fryer in single layer. Air fry for 12-15 minutes until wings are lightly golden-brown. Toss with buffalo sauce and serve with blue cheese and celery if desired.

Also great plain! Yum!!!

Awesome  
appetizer  
for football  
playoffs!

## Favorite Pet of the Month

Meet Corie! Corie is a 1 year old female Heeler mix. She needs an active family that will take her for walks and allow her to participate in family activities. She loves playing ball and frisbee!

If you would like to make Corie a part of your family, visit [www.barktownrescue.org](http://www.barktownrescue.org) and fill out an application.

Dana serves on the Board of Directors at Barktown Rescue.

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](mailto:bdh@harvillelaw.com) with a photo and we'll try to put this in a future issue!



Corie



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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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