

Electronic Newsletter

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[The Law Firm of Stephen M. Reck, LLC](#)

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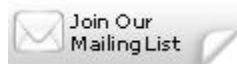
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Atty. Stephen M. Reck Obtains Huge Verdict in Hartford



\$839,969.75 Verdict for Injured Motorist

Atty. Stephen M. Reck demonstrated once again that he is one of the state's preeminent trial lawyers with a verdict last month that is one of the highest (if not *the* highest) in the state for so-called "soft tissue" injuries. Attorney Reck successfully represented a 50 year-old-woman who was rear-ended by an 18-year-old driving her father's car. The insurance company's highest offer before suit was \$75,000; Reck's lowest demand was \$300,000, which Liberty Mutual stated was "excessive and unreasonable" for an accident that, in its view, merely caused an aggravation of a pre-existing condition. The plaintiff's physiatrist, James O'Brien, MD, testified she had a 20% permanent impairment to the cervical spine, 8% to the lumbar spine, and myofascial pain syndrome. Her physical therapist testified she had extreme muscle spasms and flare-ups. Witnesses who knew the plaintiff before and after the accident described how this energetic "go-getter" was reduced to lying on the floor under her desk due to extreme pain, and lying on her living room floor at night after work. The jury understood that her injuries were legitimate and that her enjoyment of life was severely reduced, and returned a verdict of \$45,986.75 for past medical bills, \$61,983.00 for future medical bills and \$732,000.00 for non-economic damages (pain, permanent injury, loss of enjoyment of activities, etc.) for a total of \$839,969.75.

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Disaster Shows Why Tort Reform is Wrong

In a column in the [San Antonio Express-News](#), Scott Stroud wrote, "All of a sudden, with oil from the Deepwater Horizon rig threatening to ruin the entire Gulf of Mexico, limits on legal liability don't look so good." To Charles M. Silver, "the McDonald Chair in Civil Procedure at the University of Texas at Austin, the comments some politicians have made after the spill ooze irony - and make a pretty strong case against tort reform." Said Silver, "Maybe when we understand that tort reform is all about not being responsible for our mistakes, we'll understand that tort reform isn't good for our society."

Just in Time for Hurricane Season

Get the CDC's tips for hurricane preparedness [here](#).

CT's Hospital Transparency Law Called Victory for Patient Safety

How Civil Justice System Holds Corporate Polluters Responsible

As the devastation from BP's oil rig disaster grows, a new report released last month by the American Association for Justice (AAJ), "[Hazardous to Your Health: How the Civil Justice System Holds Corporate Polluters Accountable](#)," illustrates how corporations have evaded U.S. environmental laws for decades, only to be later held accountable for clean-up through the civil justice system.

Walmart Fighting Small OSHA Fine for L.I. Trampling Death

Wal-Mart has spent a year and "more than a million dollars in legal fees battling a \$7,000 fine that federal safety officials assessed after shoppers trampled a Wal-Mart employee to death at a store on Long Island on the day after Thanksgiving in 2008." The company's "all-out battle against the relatively minor penalty has mystified and even angered some federal officials," but Wal-Mart contends that regulators "are trying to enforce a vague standard of protection when there was no previous OSHA or retail industry guidance on how to prevent what it views as an 'unforeseeable incident.'" Read [more](#).

Lobbyists Oppose Anti-Distracted Driving Efforts

NY Times blogger Matt Richtel wrote about how "A major electronics industry trade group and a Washington lobbying firm have been pushing separate efforts to reframe the debate over the dangers of distracted driving, in response to moves by state legislators and regulators to restrict motorists' use of cellphones and other devices." A [document](#) from a Washington lobbying firm, the Seward Square Group, says the distracted driving issue has been "hijacked" by national transportation authorities (i.e., Transportation Secretary Ray LaHood) and celebrities like Oprah Winfrey, who has encouraged motorists to pledge to put down their devices, and calls for the creation of a powerful industry coalition to counter these campaigns. Read [more](#).

Survey: Teens Still Driving Distracted, Even When They Know It's Dangerous



[USA Today](#) reported that "Nearly nine in 10 teenage drivers have engaged in distracted-driving behaviors such as texting or talking on a cellphone although most of them know that their actions increase their risk of crashing," according to a new survey by *Seventeen* magazine and auto club AAA. The survey "highlights the difficulty of the nation's efforts to stop texting while driving, especially among young drivers

."

Former Dallas Cowboy Sues Over Facility Collapse



Former Dallas Cowboys player Jamar Hunt, who was inside the team's indoor practice facility when it collapsed last year, has filed suit against the builder and companies operated by team owner Jerry Jones, alleging that the accident caused a career-ending injury. Hunt, who was on the Cowboys' roster as a rookie free agent last spring, alleges that he suffered "serious, disabling and permanent injuries" when the tentlike structure fell on May 2, 2009." Special teams coach Joe DeCamillas and team scout Rich Behm, who also were injured in the accident, have filed similar lawsuits. Read [more](#).

The [Hartford Courant](#) editorialized, "Gov. M. Jodi Rell (R) has signed into law a much-needed bill that would increase the transparency of medical mistakes at hospitals and surgical facilities." After July 2011, the new law will require that "annual reports prepared by the state Department of Public Health must include details of all reported events from wrong-site surgeries to serious falls to sexual assaults," along with relevant "contextual information" about each hospital, including its patient caseload and patient mix." The Courant concluded that not only will the new law be "a useful tool for the health care consumer," it could also "be an incentive for the medical community to embrace a culture of patient safety."

Complaints Related to Recent Toyota Recall Go Back to 2007

[Bloomberg News](#) reported that Toyota received complaints about engine stalls as far back as March, 2007, but the company didn't initiate a recall until only last month, affecting more than 100,000 Lexus and Toyota vehicles in Asia.

Recall Central

To read about recent recalls and product safety news from the U.S. Consumer Product Safety Commission, click [here](#).

Get the latest recall information from the National Highway Traffic Safety Administration [here](#).

The Dept. of Agriculture's Food Safety and Inspection Service regulate meat, poultry products and processed eggs. Check their recalls [here](#).

Click [here](#) for Food and Drug Administration recalls, market withdrawals and safety alerts.

For updates on the peanut products recall click [here](#).

Beware the Salsa



A study released last month by the CDC said salsa and guacamole were blamed for one in 25 identified outbreaks of food poisoning at restaurants between 1998 and 2008, more than twice the rate of the previous decade. The agency said the outbreaks often are traced to raw hot peppers, tomatoes and cilantro, which are commonly used in salsa and guacamole. Read [more](#).

Doctors Feel Conflicted About Reporting Dangerous Colleagues

The [Los Angeles Times](#) reported, "A doctor survey study published online Tuesday in the *Journal of the American Medical Association* "suggests that workplace monitoring of impaired or incompetent physicians is not what you'd call common. Conducted by a team from Massachusetts General Hospital in Boston, the study used data from a 2009 national survey of close to 3,000 physicians." Notably, approximately "70% of physicians said they feel prepared to report impaired physicians, and 64% said they were prepared to report incompetent ones. But more than one-third, 36%, said they do not feel obligated by professional commitment to do so."

The [AP](#) reported that, according to the survey, "many American physicians fail to report troubled colleagues to authorities, believing that someone else will take care of it, that nothing will happen if they act, or that they could be targeted for retribution." In fact, "a surprising 17 percent of the doctors surveyed had direct, personal knowledge of an impaired or incompetent physician in their workplaces, said the study's lead author, Catherine DesRoches," DrPH.

CDC: Thousands of Hospital Infections Preventable

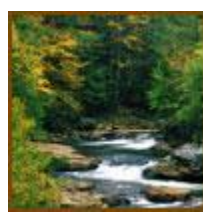
The [Washington Post](#) reported that "Deadly yet easily preventable bloodstream infections continue to plague American hospitals, because facility administrators fail to commit resources and attention to the problem, according to a survey of medical professionals" released last month. The data show that about "80,000 patients per year develop catheter-related bloodstream infections, or CRBSIs -- which can occur when tubes are inserted into a vein to monitor blood flow or deliver medication and nutrients are improperly prepared or left in longer than necessary." The CDC has estimated that "30,000 patients die as a result...accounting for nearly a third of annual deaths due to hospital-acquired infections in the United States."

CDC's Pedestrian Safety Tips

"In 2008, more than 4,300 pedestrians were killed in traffic crashes in the United States, and another 69,000 pedestrians were injured," according to the [CDC's Injury Center](#). "This averages one crash-related pedestrian death every 2 hours, and a pedestrian injury every 8 minutes." The CDC recommends:

- Being especially careful at intersections, where drivers often fail to yield the right-of-way to pedestrians while turning onto another street.
- Increasing your visibility at night, by carrying a flashlight and wearing reflective clothing.
- Crossing streets at a designated crosswalks.
- Walking on sidewalks, but when you must walk in the street, walk facing traffic.

About Our Firm



At [The Law Firm of Stephen M. Reck](#), justice is our mission. Our firm is well known and well respected for its ability to handle personal injury, wrongful death, and professional malpractice cases in Connecticut and Rhode Island. Call today or visit us on the web at www.stephenreck.com.

The Law Firm of Stephen M. Reck, LLC

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* Advertising Material *

Study: Zinc Cold Remedy Can Lead to Loss of Smell

[AFP](#) reported that a study published last month concludes "A popular zinc-based homeopathic remedy for the common cold that is sold over the counter is not only ineffective but can cause users to lose their sense of smell.... Clinic trials found that zinc nasal gels and sprays were ineffective in preventing or reducing the duration of the common cold, as well as links to a loss of smell, the study in *Archives of Otolaryngology* said." The study's authors urged the FDA "to more strictly regulate zinc cold therapies and other homeopathic remedies."



Proudly Serving Connecticut and Rhode Island

The trial attorneys at The Law Firm of Stephen M. Reck, LLC represent individuals in all types of personal injury cases throughout the state of Connecticut and the state of Rhode Island, including, in Connecticut: New London County, New Haven County, Middlesex County, Hartford County, Tolland County, and Windham County; and in Rhode Island: Bristol County, Kent County, Newport County, Providence County, and Washington County.

Referrals Welcome



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Don't Drive Distracted!

It Kills



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