



What's Inside



Harry & Rita Looker
Celebrating Volunteers
Page 2



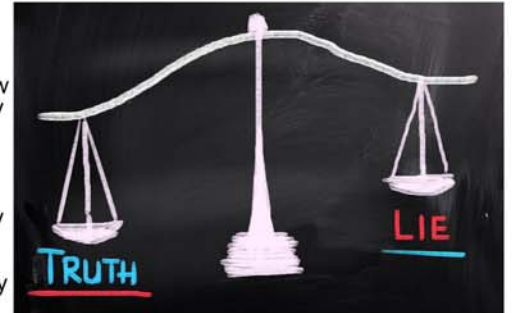
September's
Cases of Interest
Page 3



One Bowl Chocolate
Cake Recipe
Page 3

Other Driver Lying About How Your Car Accident Happened?

One of the most common reasons given when an insurance company denies your accident claim is because they somehow believe that you were at fault or had some sort of responsibility for the accident. It is important that you never take the decision of an insurance company as final, especially when you know that you share no blame in causing the accident. Insurance companies normally pick and choose what information they need to get to the the end result that they are after, to pay the least amount they can on every claim. If basing their decision on the story of their insured, whether it is 100% the truth or not gets the insurance company where they want to be, they will use it.



What Can You Do If the Story of Your Car Accident is NOT Accurate? To prevent a potential disaster with your accident claim, it is important to understand West Virginia law and how it deals with liability and car accidents. Generally, if you are in an accident and a law enforcement officer responds, there is a record of the incident. This record is typically made up of witness statements, driver statements, the position of vehicles and sometimes a drawing of the accident itself. This information will be essential to combat any "changes" in the at-fault driver's story.

The police report is an official record of the incident and should be used by the insurance company when they are determining who is at fault. If the information is wrong on the report, you need to address it with the officer who completed the form immediately. There have been instances where an incident report is incorrect. Officers are human and can make a mistake; however, they must be willing to correct their error.

Protect Yourself When the Other Driver Changes His or Her Story. If the other driver has changed their story or flat out lies, you must remain calm and not immediately start screaming at everyone involved, primarily the insurance company, and more importantly, the officer that wrote the incident report. Avoiding confrontation with those involved can only help your claim and any case that may result.

Insurance Company Will Fight You. It doesn't matter if you are telling the truth or that the other driver is lying. The insurance company will make a decision they think is best for them and not for you. They may take into consideration the evidence that has been provided through the police report and statements, but in the end, they get to initially decide who is liable unless and until you hire an attorney to force the insurance company to accept what happened.

To get the tools and resources you need to combat the insurance company and to combat "lies" told by the at-fault driver; you need to hire an attorney. For additional information on combating the "lying driver" read the complete blog at MileyLegal.com/blog.

Medical Spotlight: Hernia Mesh Malfunction

You've probably seen the commercials and other advertisements for injuries created by a certain type of hernia mesh. We want our readers to be informed in case they too may have been impacted by this issue. Here are some quick facts about the current hernia mesh problems and what you should do if you are are affected.

Hernia mesh injuries are caused by a faulty design in the product that a doctor implants in a patient to help fix a hernia. After the faulty mesh is put into place, additional harm can occur due to the design errors of the mesh itself and the type of mesh used. Some of the harm that can be caused include infections, organ damage, bowel obstructions and even death.

Patients that have had problems with hernia mesh have had to undergo additional surgeries leading to more complications and additional months of pain and suffering, loss of work and even loss of life.

Injuries Listed:	Adherence Infection Migration Seromas	Bowel Obstruction Mesh Failure Organ Damage Death
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ETHICON
a Johnson & Johnson company



The manufacturers of these devices are just now correcting the issues with the design of their hernia mesh products, however for those with them already implanted, the damage is done.

Currently, there are a number of lawsuits filed against manufacturers of these devices and if you have been impacted, now is the time to reach out. The attorneys at The Miley Legal group can help you better understand your options and what you can do to ensure that the defective devices are not used on other patients.



The Miley Legal Group would like to thank everyone that provided referrals to our office this past month:

**Allison M.
John C.
Tasha K.
Heidi M.**



MLG and WBOY Celebrating Volunteers Harry and Rita Looker of The Mustard Seed



Every day there are a number of families in our area that go without the basic necessities of food and clothing. A large portion of these families receive assistance through one of the many organizations that work to provide for their essential needs. The Mustard Seed is one of these organizations. Housed in a building between a historic church and Southern States, The Mustard Seed swings open its doors at 11 o'clock most mornings and begins to serve those in need. The organization itself was created more than 40 years ago by Louise Martin, her husband and many other members of the Immaculate Conception Church.

As with most charitable organizations, it could not survive without a number of people. The hard work and dedication of volunteers like husband and wife, Harry and Rita Looker, make it all possible. With their almost daily participation, hundreds of donated food and clothing items are sorted and ready to be handed to whoever has a need. That is why they both are being recognized by The Miley Legal Group and WBOY TV as this month's Celebrating Volunteers award winner.

"We love what we do, and we see so much need in our community," stated Rita. "Knowing that we help those in our community is what we look forward to when we come here."

Offerings of fresh fruit and vegetables along with leftover bread from Food Lion, mix in with donated boxed and canned goods along with mounds of clothing to sort and hang. Each person that walks in their doors receives a designated amount of food, depending on their family size, and is given access racks of clothing if needed. One of the unique things that The Mustard Seed does is to help families out with birthday celebrations. With the leftover cakes from Food Lion and donated gifts from a local Girl Scout group, The Mustard Seed is able to help ensure that no child goes without a birthday celebration.

"We have something special here," said de facto volunteer organizer, Dolores Yoke. "Week after week we have the same people come through here. We get to know them, find out what is going on in their lives and learn what the needs are out there."

With such excellent community involvement, The Mustard Seed is inundated with items in their drop box every day. Although there is always a need for clothing, one of the most important aspects of the group is their food pantry.

"Those people you see walking around town pulling suitcases with them. Those are not full of clothes, more often than not, those suitcases are full with a week's worth of food. Most of the people we help don't drive and either walk or take the bus. They haul the items we give them in suitcases so they can get it back home."



Recent Victories

- ✓ Through our investigation, it was determined that the cause of a devastating accident was recorded on film, forcing the insurance company to accept liability.
- ✓ We uncovered an additional \$1 million in insurance coverage for a car accident claim that required medical treatment far exceeding what was originally tapped into.

Google Review:

★★★★★ "Amazing! Kept me informed, understood everything, very respectful and wonderful people!"

-Shiana P.

Volunteers are a large part of The Mustard Seed; in fact, there is not much labor they pay for. Rita and Harry Looker provide a service to their community through their work. They dedicate their retirement years, those in which they should be relaxing and enjoying, to sorting and preparing donated items to distribute to those in need.

"I am always amazed at the amount of need I see in our area," stated Marisa Matyola of WBOY. "What The Mustard Seed along with Rita and Harry accomplish is wonderful. They are facing a daunting task and are fighting it head on to the betterment of our community."

"The Mustard Seed plays an essential part in supporting those in need," said Tim Miley, owner of The Miley Legal Group. "Supporting food pantries in our community and those that volunteer to undertake the thankless work of distributing items to those that need them is important. I appreciate all of the work that they do and encourage others to step forward to donate their time or needed items to such a worthy organization."

To learn more about The Mustard Seed, contact their office at (304)623-0859 or stop in on their location at 444 East Pike Street in Clarksburg. Donations needed include food (dry and canned), clothing, personal care items, cleaning supplies and baby items. As for most any group in our area, volunteers are always appreciated.

The Celebrating Volunteers awardees receive public recognition for not only themselves but their organization. They also receive a \$500 contribution to the organization they represent in their name.

Recipe of the Month:

One Bowl Chocolate Cake

Ingredients:

2 cups white sugar
1 3/4 cups all purpose flour
3/4 cup unsweetened cocoa powder
1 1/2 tsps baking powder
1 1/2 tsps baking soda
1 tsp salt
2 eggs
1 cup milk
1/2 cup vegetable oil
2 tsps vanilla extract
1 cup boiling water



Directions:

1. Preheat oven to 350 degrees. Grease and flour two nine inch round pans.
2. In a large bowl, stir together sugar, flour, cocoa, baking powder, baking soda and salt. Add the eggs, milk, oil and vanilla, mix for 2 minutes on medium speed of mixer. Stir in the boiling water last. Batter will be thin. Pour evenly into the prepared pans.
3. Bake 30 to 35 minutes in the preheated oven, until the cake tests done with a toothpick. Cool in the pans for 10 minutes, then remove to a wire rack to cool completely.

Recipe & Picture Courtesy of Allrecipes.com. Submit recipes to mlg@mileylegal.com

Words of Encouragement

"Instruct the wise and they will be wiser still; teach the righteous and they will add to their learning."

- Proverbs 9:9

"Do not merely look out for your own personal interests, but also for the interest of others."

- Philippians 2:4

"All our dreams can come true if we have the courage to pursue them."

- Walt Disney

September's Cases of Interest

Driver Falls Asleep Leading to Fractured Spine:

Asleep in the back seat, with her son in the front passenger seat, our client was quickly awoken when the driver of the car fell asleep and veered off the road, violently crashing the vehicle.



From the accident scene, our client was airlifted to Ruby Medical Center where she was diagnosed with a fractured spine at the T-1 and T-2 region. She also suffered a broken jaw, broken ribs and damaged teeth. Her son suffered a sprained lumbar. They both begin a long road to recovery and we begin the arduous process of filing a claim and helping our

client recover both financially and physically to get her life back.

Accident in Front of RCB Leads to Possible Concussion

We were contacted by a driver that had experienced an accident on Route 98, at the intersection at RCB High School. She was attempting to make a left hand turn when a car approached her from behind. Not stopping, the vehicle slammed into her car pushing her into oncoming traffic.

After the dust settled and our client was taken by EMS to the ER, she was diagnosed with a cervical strain and because she hit her head, a concussion. She has begun receiving treatment from a neurologist and may have months of recovery.

The driver that slammed into her was driving on a suspended license and was placed at fault by the responding officer.

"The greatest compliment we can receive is the referral of your family and friends."

Pot Hole in Parking Lot Leads to Injury

Our client is a 75 year old woman who is wheelchair bound due to a previous injury. Her and her husband were leaving a national retail store with her husband pushing her wheelchair. All of a sudden one of the wheels on her chair struck a pothole, hidden by water, resulting in our client falling forcefully out of her chair. After laying in the wet parking lot, receiving no assistance from store employees, her husband struggled to get her back into her wheelchair and she was taken to the ER. She was diagnosed with multiple injuries and is still recovering from the incident.





Check out our blog at
MileyLegalBlog.com



“Combating the Lying Driver”
Page 1

Give this newsletter to a friend. They will thank you for it and so will I.

This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

Miley Family Fun



MLG at a
WV Black Bears Game



Congratulations to
Kaitlyn and Nick



Congratulations to
Josh and Kristin!