



Miley Legal News

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Is it Better to Settle Your Claim Out of Court?



Why do so many court cases settle out of court?

Settlements save both parties the effort, expense, and uncertainty of going to trial. They make sense as an efficient resolution to a lawsuit, if the parties can find a financial middle ground.

Judging the quality of a settlement offer is not an easy task. However, a good and fair settlement agreement is one in which you believe pays you a fair value for the injuries you suffered and the impact it has had on your life and that of your family.

While that doesn't necessarily mean that you were paid the highest possible value for your injuries, it does mean that you received an amount that fairly recognizes the harm you experienced, while also considering the risk that if you went to court a jury may have determined that your injuries were of less value.

Skilled lawyers will often tell you that a "good" settlement is one in which neither party feels fully satisfied; that is, both parties feel like they compromised their desired outcome to get a deal done.

Who decides whether to settle or go to trial?

It's always your choice, as the client, whether to settle your personal injury claim.

When it comes to settlements, our role as your attorney is to provide you with a clear, current, and accurate evaluation of the strengths and weaknesses of your case, and to advise you on whether a settlement matches that evaluation and your personal priorities.

Is it better to settle out of court? The short answer is that it depends on the nature of your case. However, settling your claim with the help of an attorney instead of taking it to trial is faster, less stressful and cuts out the uncertainty that comes with leaving the decision to a jury.

As personal injury lawyers, we have handled thousands of cases and, while each client is different and every case has its own unique set of facts, there are some questions that appear in virtually every case.

As a general rule, it is unlikely you will have to go to court to recover for your personal injury claim.

It's commonly cited that 95-96% of all civil cases settle out of the courtroom, but the real number may actually be slightly lower than that. Because settlements are private it's very hard to get an accurate account of the number of cases that avoid their day in court, though many cases are settled after years of preparation for trial.



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

**Regina C.
Amber C.**

**Lucy T.
Enliven Chiro
Gary W.**

Tiger Family News: Back to School Basics

(Family Features) Each new school year brings a chance for fresh beginnings and an opportunity to get the family organized for a smooth transition back to the classroom. Easing back into a more structured schedule after a laid-back summer may be easier than you think.

From devices that make classwork simple to snack and meal ideas for busy school nights, these tips and products can help the whole family feel ready to jump back into the school year for lots of learning and fun.

A Durable Device Designed for Learning

Keep your kids focused on what's important this school year - learning - with distraction-free

devices. Built to withstand the demands of the classroom and available in bold colors, it can help students grasp important STEM concepts for years to come.

Make Weeknight Dinners Simple and Quick

The start of the school year is often busy, but you can bring relief to dinnertime with simple weeknight meals using meal options that are quick and still fulfilling for every family member.

A Winning Organization Strategy

One key to back-to-school success: organization. As with doing schoolwork at home, organizing for going back to school is important. Designating an area in your house for homework, papers and



other school related material, will help the whole family keep on track with school work.

Find more tips for a successful school year at eLivingtoday.com.

With two offices to serve you:

229 W. Main Street, Suite 400, Clarksburg, WV 26301

250 Scott Avenue, Suite 100, Morgantown, WV 26508

Choosing the Right Hospital is a Life or Death Decision

(Family Features) When Judie Burrows, an adventurous, retired teacher, broke her hip during a bicycle accident, her family trusted the doctors and the hospital. They were not worried about a routine hip surgery.

“I didn’t realize at the time that we should have worried, even though this was a routine procedure,” said her son, Steve Burrows. “We thought all hospitals were basically the same.”

Burrows, who produced the award-winning HBO documentary “Bleed Out” recounting his mother’s story, points to an option like the Leapfrog Hospital Safety Grade as how his family might have compared hospital safety.



Five months later, with her first hip surgery failing, Judie Burrows fell and broke her hip again and spent eight days in the hospital in excruciating pain with no plan of care. She had a second hip surgery, despite the doctor knowing she was still on three different prescription blood thinners, and lost half the blood in her body.

After surgery, Judie Burrows slipped into a coma. For a day and a half, no one noticed.

“When my mother emerged from her coma after two weeks, her cognitive abilities were equal to that of an 8-year-old,” Steve Burrows said. “She survived, but lost her fierce independence, her home and all her life savings, which were used to pay for the injuries she suffered.”

“Health care is too important not to shop for it,” said Leah Binder, president and CEO of The Leapfrog Group. Binder suggests a safety-first research strategy that begins with the Hospital Safety Grade, the only resource entirely devoted to errors, injuries and infections, followed by research from other sources into the quality of the surgery or treatment a patient needs.

Look up grades for your local hospitals at HospitalSafetyGrade.org.



★★★★★ “The Miley Legal Group has been great to deal with. My accident was terrible, but they helped me deal with the bills and the insurance company.” -Fred T.

★★★★★ “After searching the internet and looking for recommendations for a lawyer, I settled on The Miley Legal Group and I am sure glad I did. They have been awesome to work with and have helped me through one of the worst times of my life.” -Susan L..

★★★★★ “Thank you to the attorneys and staff at MLG. They worked hard on my case and even dealt with the nasty insurance adjuster who only offered me \$1,500 for my accident. My bills alone were \$25,000! I will be forever grateful for the hard work they put in on my case.” -Sally W.

Pet Peeves: The Struggle of a “Simple” Stroll

Walk me human! It is inevitable your pooch will be itching to take a stroll throughout your local neighborhood. Sounds delightful, right? Think again! As your loving companion detects new smells, hears an interesting noise, or encounters your elderly neighbor on her porch – chaos will ensue!

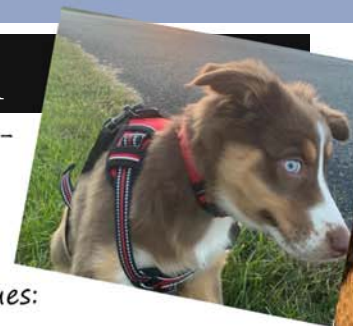
An untrained dog needs proper and consistent training to master the art of walking. So, save yourself from embarrassment by checking out these brilliant techniques:

#1 Introduce the leash and harness: Ensure the harness is snug fitting where is not too loose where the dog could slip out, but not too tight where it is uncomfortable.

#2 Practice and perfect the “heel” command: Make sure you are consistent as to which side you pick for your pet to walk on. Have your pet’s favorite treat in your hand, lower it to their nose, and take one step forward saying “heel”. When your pet follows you, praise them with a treat for their obedience.

#3 Manage pesky leash pulling by recalling them back then rewarding them with a treat and praise for their return.

#4 Just remember... patience, patience, patience! Training takes repetition and time.



Love
Selena Rosalie


Recipe of the Month: Zucchini Corn-bread Casserole

Ingredients:

- 4 cups shredded zucchini
- 1 onion, chopped
- 2 eggs, beaten
- 1 (8.5 oz.) package dry corn muffin mix
- 1/2 tsp salt
- 1/4 tsp ground black pepper
- 8 oz. Cheddar cheese, shredded



Directions:

1. Preheat oven to 350 degrees F. Grease a 2 quart casserole dish.
2. In a large bowl mix together the zucchini, onion, eggs, muffin mix, salt and pepper. Stir in 4 ounces of the cheese.
3. Spread the mixture into a greased 2 quart casserole dish; top with remaining 4 ounces of cheese.
4. Bake in preheated oven for 60 minutes.

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

Words of Good Wisdom

"When the time is right, I, the Lord, will make it happen."
- Isaiah 60:22

"Good sense makes one slow to anger, and it is his glory to overlook an offense."
- Proverbs 19:11

"The best way to predict the future is to create it."
- Abraham Lincoln

"Leadership is the capacity to translate vision into reality."
- Warren Bennis

August's Cases of Interest

Motorcycle Rider Injured at Charity Ride!

Even before it started! Our client was getting ready to start the charity ride when he was struck from behind by another rider. The impact was so severe that he and his bike were thrown into a brick wall, where the bike subsequently bounced and struck him again, pinning him between it and the wall.



Unfortunately, for our client, the accident resulted in him being life-flighted to Ruby for treatment.

The client reached out to us because he was in touch with the insurance company after the accident to file a claim and only received the run around. After he signed with our firm, we immediately began to straighten out his property damage claim with the insurance company so he can continue treating his injuries.

Dog Bite Leads to Extensive Facial Injury

Our young client was visiting with a friend when their Mastiff-German Shepherd mix lunged at her and bit her face. The attack was so severe that her bottom lip was almost completely torn off. In addition she had bite wounds on her neck and upper lip.

After the dog attack, our client was rushed to UHC and then onto Ruby for treatment. The injuries that the animal caused will end in life altering scarring that will impact our client for the rest of her life. We of course keep this in mind as we investigate the incident and any and all available insurance proceeds that may help our client now and in the future.



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

Regional Jail Van Runs Red Light Hits Client

Once again, we received a call from someone that had been involved in an accident caused by a government vehicle. More specifically, this client was struck by the NCRJ van that had run a red light.

After the accident, our client was treated at the ER for her injuries and her vehicle ended up being totalled by her insurance company.



However, the difference with dealing with her property damage claim and her injury claim was significant. After attempting to work through her injury claim alone, she learned quickly that the insurance company of the NCRJ was not going to be easy. She reached out to us for assistance and once she signed on with our firm, we immediately began to work through some of the issues with the insurance and the medical providers that treated her.



Check out our blog at
MileyLegalBlog.com



***Do You Have to Report ALL
Accidents?***

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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

**Susan Visits
Sister (and
Family) in
Puerto Rico**



**Happy
Anniversary
Tim and Susan!**



**Celebrating Birthdays for
Bob & Sandra Miley!**

