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## who's at fault IN A REAR-END ACCIDENT?

In the United States, a rear-end accident occurs approximately every eight seconds, according to recent statistics from the National Highway Traffic Safety Administration (NHTSA). Chances are, if you've been driving for a long time, you have, at some point, either been involved in a rear-end accident or come close to having one.

Rear-end accidents, much like left-turn accidents, are categorized as "no doubt" liability accidents. In these instances, there is near certainty as to who is to blame. In the case of rear-end accidents, it's the driver who hit someone else from behind who will be at fault just about every time.

One of the fundamental rules of the road is that when following another vehicle, you should leave enough distance between you and the vehicle in front of you to ensure you can stop safely if traffic comes to a halt. Therefore, if your vehicle is ever rear-ended by another car, the other driver will almost always be at fault for the accident – no matter what you stopped for.

The driver who hit you may be able to file a claim against a third vehicle – such as one that caused you to stop suddenly or one that rear-



ended his vehicle into yours – but the driver who rear-ended you is still responsible for your damage and injuries.

However, under comparative negligence, your compensation can be reduced if there is sufficient evidence proving your carelessness led to the accident. An example of comparative negligence is failing to replace taillights or brake lights that have gone out, which are both intended as safety features to help drivers behind you maintain safe distances.

Though liability in a rear-end accident may seem straightforward, getting the compensation you deserve can still prove challenging. If you've been a victim of a rear-end collision that left you or a loved one with injuries, you should consult with an experienced car or truck accident attorney to explore any legal options that may be available for you. ■



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# UNINTENTIONAL POISONINGS – who's at risk?



Unintentional poisonings are a serious problem in the U.S., and it's a problem that continues to get worse. Every day, over 80 people die from unintentional poisonings and nearly 2,000 are treated in emergency rooms. A poison is defined as any substance, including medication, that is harmful to a person if he or she inhales, consumes, injects, or absorbs too much of it. The bottom line is that any substance – even water – has the potential to be poisonous if too much is taken.

Most cases of poisoning in the United States occur unintentionally. In fact, according to recent data, approximately three quarters of all poisoning deaths in America in 2007 were unintentional – only motor vehicle crash-fatalities accounted for more unintentional deaths. Of those unintentional poisoning deaths in 2007, almost all were caused by drugs. Those included pain medications, such as methadone, hydrocodone, and oxycodone, as well as drugs like heroin and cocaine. Other forms of poisons include household chemicals and carbon monoxide.

In addition to the terrible death and injury toll, the annual medical and productivity costs for poisonings can easily top \$30 billion.

Adults have the greatest risk of dying from unintentional poisoning. In fact, adults between the ages of 45 and 49 are most at risk, with men twice as likely to die from poisonings as women. Things aren't improving either – death rates for unintentional poisoning have been steadily rising since 1992. ■

## A PARENT'S GUIDE TO KEEPING THEIR children safe this halloween

Halloween is right around the corner and kids are already getting excited. As fun and memorable a time as it can be though, it's important to remember that there are many safety risks involved with this spooky holiday.

By following these helpful tips from the American Academy of Pediatrics (AAP), however, you can help ensure that your children's Halloween experience will not only be fun, but safe:



**Find bright costumes.** As most Trick-or-Treaters go out after dark, it's important that children can be seen easily, not only to be safe from vehicles, but so their parents can spot them easier should they become lost. Try reflective tape or trick-or-treat bags.



**Pick safe accessories.** Instead of masks, which can impair visibility, opt for non-toxic makeup, flame-resistant wigs or well-fitting hats. Also, be wary of any accessories that come pointed, as they can easily cause injury if someone trips and falls.



**Supervise.** Parents should always chaperone their children while they're Trick-or-Treating. For older children, plan a route and a return time for them.



**Porch light – check.** Make sure children only approach homes with porch lights on, and never let them enter homes or cars for treats.



**Be safe when walking.** Stay in well-lit areas, using sidewalks and crosswalks when available. Always travel in groups and make sure everyone has flashlights with new batteries.



**Preach 9-1-1.** Make sure all the Trick-or-Treaters know to call 9-1-1 in case of an emergency, and always carry a cell phone for quick communication.

Halloween should be all about treats, friends, and great memories. Avoiding the common dangers associated with Trick-or-Treating is simple with the right guidance. For more Halloween safety tips, please visit [www.aap.org](http://www.aap.org). ■

# our weekend in Key West

The Winston, Clark & Wigand team participated in Phil Peterson's Key West Poker Run on the weekend of September 16th. Motorcyclists from across the U.S. gathered in Miami on that Friday to start the weekend with a beautiful trip across the Overseas Highway. A portion of the \$10 registration fee was donated to charity.

Our booth on Duval Street was well attended by friends, family and new acquaintances. Here are some photos from the event.



Our team in front of the booth, left to right: Randy Angerame, Lori Wheaton, Michelle Ponte, Oxana Kouzmenko, Billy Duenas



Attorney Brad Winston and Billy Duenas enjoying the evening.



## JOIN US FOR MONDAY NIGHT FOOTBALL FUN

You are invited to join us on Monday nights during football season at Big Dawgs 2, located in Davie, just off of Sheridan and University near the Davie Road Extension. The fun starts from 7:30 -8:00 p.m. Kickoff for the game is at 8:30 p.m. Stop by to say hello!

**Check This Out:** Nearly everyone has heard of the McDonald's hot coffee lawsuit in which an Albuquerque woman sued the fast-food giant after she spilled coffee on herself. In fact, most people point to that case as the prime example of a legal system run amok, where people are just out for a payday and willing to sue over just about anything.

But do you know the real facts about what happened to Stella Liebeck? Do you know why her case garnered so much attention and who ultimately stood to profit from it? You might be shocked to learn the truth.

Check out the brand new documentary film, *Hot Coffee*, to gain an entirely new perspective on this infamous case. The film will be available on DVD on November 1, 2011, and can currently be viewed on HBO On-Demand. For more details, check out [www.HotCoffeeTheMovie.com](http://www.HotCoffeeTheMovie.com).

Important Dates – October 2011

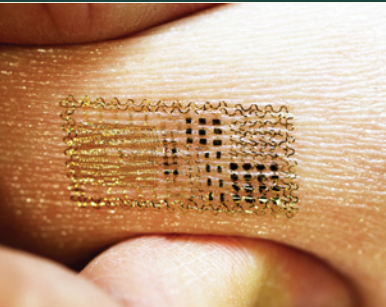
Oct 8 – Yom Kippur    Oct 10 – Columbus Day    Oct 16 – National Boss Day    Oct 31 – Halloween

## who's at fault?



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## tiny electronic tattoos

### THE FUTURE OF MEDICAL DIAGNOSTICS?

There's no question that medical professionals can only do so much for patients without the help of diagnostic tools. In fact, obtaining an accurate diagnosis is paramount to treating patients and getting them healthy again.

While advancements in medical technology over the last several years have made diagnostic tools far more efficient and accurate than ever before, there are still many drawbacks associated with them. In addition to being quite costly, most of today's diagnostic tools are bulky and are limited to use only at medical facilities. As a result, unless you're at the hospital, it's tough to monitor your health at any given moment.

That is, until now. According to a research team at the University of Illinois, there may be a day in the not-too-distant future when

tiny sensors actually can be worn by patients. Small, skin-mounted electronic patches – made of flexible, water-soluble plastic – may be the future of medical diagnostics. The patches potentially can be used as sensors for EEGs or EMGs, monitoring nerve and muscle activity.

Much like a temporary tattoo, the sensors are applied through water-based lamination onto the skin.

Besides added comfort for patients who've previously been subjected to gels, bulky wires, and tape, these sensors aren't confined to any one place. Other possible applications include research for sleep disorders, muscle disorders, and even neurological disorders. By interfacing skin sensors with computers, it may even be possible to translate throat movements into electronic speech. ■