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ANATOMY OF A whiplash injury

Whiplash is a common occurrence in rear-end car collisions, and it doesn't have to be a particularly violent crash. Low-speed fender benders can also be a source of long-term health issues with the spine and neck.

Unfortunately, 80 percent of vehicles on the road today either have improperly adjusted headrests or the headrests have been removed.

The reason this is so critical is that when a car is struck from behind, the seat springs forward in concert with the rest of the car because it's bolted to the floor. The seat will surge forward against the person's body, the weight of which will force the seat to bend backward. When the head is not

properly supported, it is flung back over the seat. When the seat bends to the farthest point that it will go, it snaps forward, propelling the person's torso forward, past the head. In essence, the head is forced to catch up with the rest of the body and is then whipped forward.

When the neck and spine are being violently propelled, snapped forward, hyper-extended, hyper-flexed—call it what you will—you can imagine it's not a good thing. Whiplash briefly turns the spine into an "S" shape—and vertebrae, which are supposed to slide over each other, push against and scrape each other in whiplash situations. All these events can cause tightness and pain in the upper spine, neck, and shoulders due to soft-tissue

damage (injury to muscles, ligaments, and tendons), disc damage, nerve impingement, headaches, dizziness, irritability, blurred vision, and sleep disturbance.

If you experience a whiplash injury as a result of being rear-ended, you owe it to yourself to contact an accident injury attorney to safeguard your rights. ■



Mr. Winston is Board Certified in Civil Trial by The Florida Bar

COSMETICS LACED WITH mercury?

The Food and Drug Administration (FDA) recently issued a warning about mercury-tainted cosmetic products on the market. Women in at least seven states may have been unwittingly applying poison to their skin through the use of skin-lightening and anti-aging products sold as soaps, lotions, and skin creams.

The FDA has identified 35 such products. Most are manufactured overseas, and the great majorities are sold in African-American, Latino, Asian, and Middle Eastern neighborhoods.

Mercury is nothing to trifle with. It is readily absorbed through the skin and can damage the body's nervous system and organs such as the kidneys, leading to illness and possibly even death. Though the amount of mercury in the affected products on the FDA list is low, mercury accumulates in the body over time. Repeated use can also lead to symptoms like irritability, depression, memory problems, tremors, and hearing and vision issues.

Mercury can also vaporize, meaning people might breathe it in, putting the user and others in close proximity at risk (in particular, infants and young children).

The word "mercury" might not be listed on product labels. "Mercurous chloride," "calomel," "mercuric," and "mercurio" may be listed instead but indicate the same ominous thing—the presence of mercury.

If you've been using a mercury-tainted product, stop immediately. Wash your hands and any body parts to which the product was applied and call your local environmental health agency to find out how to properly dispose of the product. ■



WINSTON, CLARK & WIGAND appeals Miami-Dade assessment AGAINST U.S. ARMY STAFF SERGEANT

Attorney Bradley Winston is appealing a \$10,510 assessment levied April 19, 2012 by Miami-Dade County against Jesus Jimenez for posting a protest sign on his property. Jimenez posted the protest sign after a lien was placed on his property and the home was demolished by the County in June, 2011, while he was still a U.S. Army Staff Sergeant on active duty in Afghanistan.

In protest of the demolition, Jimenez posted this sign: "This is how the U.S. Government thanks the service of an active Army soldier who gives his life for this country leaving his family HOMELESS."



Winston, Clark & Wigand had filed suit last August against Miami Dade County and another official of the Building and Neighborhood Compliance Department for demolishing the Jimenez home on the grounds that the action violated the Servicemembers Civil Relief Act as well as the Fourth, Fifth and Fourteenth Amendments to the United States Constitution

"Plaintiff Jesus Jimenez was on active duty, and his pregnant wife, her mother, his daughter and his disabled brother were residing at the property at the time it was demolished," said attorney Bradley Winston. "The County and the Building Department were notified of Mr. Jimenez's active duty status on multiple occasions. Requests for extensions of time, including one forwarded by former Governor Charlie Crist, were ignored."

The lawsuit, *Jimenez et al v. Miami-Dade County et al*, case number 1:11-CV-23131, was filed in U.S. District Court for the Southern District of Florida. ■

PONZI SCHEMES: don't fall prey

Ponzi schemes—named after Charles Ponzi, a first-class scam artist who defrauded thousands of New Englanders in 1920 to the tune of \$20 million—promise high financial returns or dividends to investors not available through traditional investments, with seemingly little or no risk. The con artist recruits a group of investors, then attempts to attract subsequent rounds of new financial backers—a layering effect—to make promised “dividend” payments to earlier-stage investors. Instead of making any legitimate investments, the scammer uses a good chunk of the money for their own personal pleasure.

There are various levels of sophistication in Ponzi schemes. The scheme usually ends when new investors can't be found in order to continue to pay “dividends,” a large number of investors want to cash out, or the authorities get wind of something. However it goes down, many victims can find themselves in financial ruin after getting scammed.

Recently, R. Allen Stanford was convicted of running a \$7 billion Ponzi scheme that defrauded nearly 30,000

investors from over 100 countries. The Texas financial tycoon may have ample time to reflect on what he's done, as he faces a lengthy stay in prison, pending appeal.

When contemplating an investment opportunity, consider these important questions:

- Is the seller licensed?
- Is the investment registered?
- Does it sound too good to be true: high investment returns with little or no risk?
- Are returns overly consistent? Most investments go up and down, especially those seeking high returns.
- Do you fully understand the investment?
- Do you receive constant excuses why you can't review investment information?

So, if you're looking to invest any time soon, do your homework before taking the leap. You just might save yourself a lot of headaches... and a lot of money. ■

Historical Dates in May

May 5, 1961 – Alan Shepard is first American in space on Freedom 7

May 21, 1881 – American Red Cross founded

May 25, 1977 – Star Wars opens May 26, 1955 – City of Miramar founded

safety alert PUT ON THOSE LIFE JACKETS; PUT DOWN THE ALCOHOL

Each year, over 70 million Americans take part in recreational boating, making it one of our most popular spring and summertime activities. If you and your family are heading out on the water, though, please be extra careful.

In 2009, over 3,300 people were injured and 736 died in boating incidents. Of those who died, more than 7 out of 10 drowned. Of the drowning victims, 90 percent were not wearing a life jacket.

Not surprisingly, alcohol was the leading contributing factor in fatal boating incidents.

Bottom line – insist on wearing life jackets to everyone who gets on a boat, and leave the alcohol behind to make your boating experience significantly safer. ■





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ANATOMY OF A whiplash injury



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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.



IT'S NOT JUST pit bulls and rottweilers

The Centers for Disease Control estimates that there are 4.5 million dog bites in the United States each year. Approximately 800,000 victims require medical attention, with 350,000 of those victims making a trip to the emergency room.

Pit Bulls and Rottweilers get most of the publicity due to the severity of damage inflicted, but any dog has the potential for harm (including "good" ones). In January, a woman from Ottawa, Canada, received a settlement for an incident at a Home Depot in which she was bitten on the nose by a Shih Tzu, which necessitated plastic surgery. Some may think of Shih Tzus as small and spunky dogs, but probably not maulers. Sharp teeth and anxiety/fear/surprise is a volatile mix, no matter what size the dog.

Over 50 percent of dog bites are inflicted on children 12 years of age and under. Education is the best prevention for dog bites,

whether to a child or adult. Here are a few quick rules of thumb:

- Never treat a dog unkindly (sounds obvious to adults, but kids may think pulling a tail or ear is funny).
- Don't bother a dog when it's busy eating, playing with a toy, sleeping, or tending to puppies.
- Never approach an unfamiliar dog in any environment.
- If a loose dog approaches you, stand completely still, keep your hands by your side, stay quiet, and look away from the dog.
- Parents, supervise your children when near a dog.

Dog bite losses exceed \$1 billion each year. If you are bitten by a dog and need medical attention, be sure to contact a personal injury attorney to discuss your options. ■

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