



FALL 2009

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# SchmidtKramer

I N J U R Y L A W Y E R S

Talk to  
a Lawyer.

## Terry S. Hyman appointed to Patient Safety Authority

Attorney **Terry Hyman** (standing to the right in photo) was appointed by the Speaker of the House of Representatives, Keith R. McCall (D, Carbon), to the Patient Safety Authority for the 2009-2010 Legislative Session of the General Assembly. While the Board of Directors consists predominantly of health-care providers, Mr. Hyman was appointed because of his extensive legal experience representing those affected by medical errors. As a Director, he will use his experience and knowledge of the medical system to find methods of preventing patient injuries from occurring in today's complex and sophisticated health-care environment.



## Gerard Kramer speaks to lawyers

Partner **Gerard C. Kramer** spoke at a Pennsylvania Bar Institute (PBI) seminar on how to handle dog-bite cases. The Pennsylvania Bar Institute is a self-supporting, nonprofit corporation chartered for the guidance of the Pennsylvania Bar Association for the purpose of administering programs of continuing legal education for lawyers. PBI is dedicated to excellence for continuing legal education and provides a comprehensive curriculum to benefit lawyers. Mr. Kramer covered the plaintiff's perspective of dog-bite cases.

On May 13, 2009, Mr. Kramer spoke to the Pennsylvania Defense Institute concerning liens in personal injury actions in Pennsylvania. The conference was held at the Hollywood Casino; approximately 100 attorneys attended.



## AWARD FOR COMMUNITY SERVICE

**Gerard C. Kramer** (left), a partner at **Schmidt Kramer**, received an award for having completed 20 hours of community service with United Cerebral Palsy of Central Pennsylvania.

## CONGRATULATIONS TO SCOTT B. COOPER AND TERRY S. HYMAN

**Scott B. Cooper** and **Terry S. Hyman**, partners at **Schmidt Kramer**, have been selected as 2009 Pennsylvania Super Lawyers by *Law & Politics* magazine, an honor awarded to only the top five percent of attorneys statewide. Each Super Lawyer is chosen by his or her peers as being among the best in the legal profession. Attorneys across Pennsylvania cast votes for the best lawyers they have personally observed in action. A review panel researches the nominees to verify proper licensure and good standing, and then a Blue Ribbon panel of attorneys scores the top vote-getters in their areas of practice.

## Schmidt Kramer donates to Nancy Lui Fund



The law firm of **Schmidt Kramer** recently donated \$10,000 to the Nancy Lui Fund, which helps students in the Dickinson School of Law Disability Law Clinic attend national conferences on disability law. Pictured are **Charles E. Schmidt, Jr.**, middle, and **Terry S. Hyman**, right, both of **Schmidt Kramer**, presenting the check to Professor **Robert Rains**, director of the clinic.

*We take your family's safety and security personally.*

## Pretournament Happy Hour at Cantone's

Nick Cantone hosted a Pretournament Happy Hour on August 6, 2009, at Cantone's, featuring celebrity bartenders Chuck and Steve Schmidt. Guests were encouraged to tip the celebrity bartenders, and all proceeds raised were donated to United Cerebral Palsy of Central Pennsylvania. Thanks, Nick, for your support of UCP.



## UCP/Schmidt Kramer Golf Tournament 2009

The 23rd annual UCP/Schmidt Kramer Golf Tournament was a day of community and camaraderie...and the setting for a great game of golf on August 10, 2009, at the Carlisle Country Club.

Gerard C. Kramer served as Honorary Co-Chair of this year's golf tournament. For over half a century, UCP of Central Pennsylvania has been meeting the needs of individuals of all ages and with all types of disabilities. UCP currently provides both community- and center-based programs serving more than 2,500 individuals in Central Pennsylvania.

The day's events began with a buffet luncheon in the Club's dining room, followed by a shotgun start to the Scramble Tournament. All golfers had an opportunity to participate in the hole-in-one competition for a chance to win a new car, courtesy of Sutliff Chevrolet. A buffet dinner, a live and silent auction, and an awards ceremony hosted by Gerard C. Kramer and Scott Thompson rounded out the memorable day. Thanks to Thomas S. Cook of Schmidt Kramer for serving as auctioneer.

We wish to extend special thanks to Chuck Schmidt and Gerry Kramer of Schmidt Kramer for their many years of support, both for the tournament and for UCP of Central Pennsylvania. We also want to express our appreciation to the golf committee members for their hard work in putting together another successful tournament. Finally, we would like to thank the many civic-minded businesses and individuals who in some way contributed to the event.

## How injuries can affect us deeply

In representing people who have suffered physical injuries or psychological harm, a key practice goal is to employ our civil justice system to "make them whole again." That may seem hard to understand, until you think about how your own life might change if you were to be injured.

Would you be the same parent, for instance, if you were disabled in an auto accident? Probably not, because your condition might limit your ability to drive your children to school, or wash their clothes, or even hug them.



Would you be the same physical person after a slip-and-fall? Perhaps not, if your spinal injury prevented you from working out at the gym or even walking around the block.

How about your ambitions and dreams? How might loss of independence, for example, increase your financial worries, or darken your normally optimistic outlook that things always work out for the best?

Our legal system provides justice to those injured by the misconduct of others and deters future misconduct by holding wrongdoers accountable. Our civil justice system makes a difference by making us feel "whole again."

## AUTO ACCIDENTS Time is of the essence

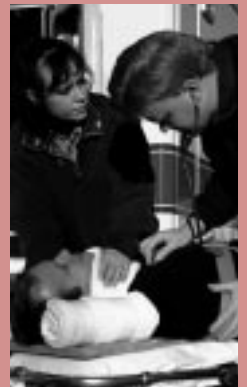
Anyone who is involved in an automobile accident should obtain medical care right away.

It is also wise to seek an experienced attorney's advice quickly as well. Here are two good reasons:

**1** Serious injuries can take time to develop. Signing a medical release immediately after a potential injury may prevent a victim from obtaining compensation for a medical condition that shows up weeks or months later. An attorney can refer a victim to capable physicians or specialists for diagnosis and care, which cannot always be obtained in an emergency room.

**2** When several people—drivers, passengers, and even pedestrians—are involved in a serious auto accident,

injury compensation can reach insurance policy payment limits quickly. In some cases, victims who believed that medical, rehabilitation, and other bills would qualify failed to receive payment because insurance dollars simply ran out.





## Recalled product roundup

Here are some recently recalled products you may have in your home or at work:

- ✓ **Nautilus Inc.** has recalled 78,000 Bowflex® Ultimate 2 Home Gyms with horizontal seat rails that, when not manually latched, can fall unexpectedly and injure users or bystanders.
- ✓ **Old Navy, LLC**, asked buyers to return 35,500 (in the United States) and 5,400 (in Canada) Stuffed Animal and Creature Toys that have two button eyes that can detach and choke young children.
- ✓ **Dorel Juvenile Group USA** recalled 100,000 Safety 1st SmartLight Stair Gates. Hinges holding stair gates in place can break and pose a fall hazard to children if the gate is placed near stairs.
- ✓ **Intermatic Inc.** asks consumers to return 200,000 Intermatic DT17 Heavy Duty Digital Timers that have faulty ground connections, which can give electrical shocks to users.
- ✓ **Nordica USA** recalled 4,500 pairs of XBi ALU Skis. Binding plates can crack or break, causing injuries to skiers.

## "What's my case worth?"

As you can probably guess, no two personal injury cases are alike. Attorneys can't respond to "What's my case worth?" until they do a lot of case homework. Here are some factors we weigh:

1. Nature of injuries
2. Injury treatment needs
3. Treatment cost and amount already paid
4. Future medical treatment costs
5. Types of treatment, from surgery to rehabilitation
6. Where the suit will go to court
7. If you were partially at fault
8. Your prognosis
9. Preexisting medical conditions
10. Wage, benefit, and vacation losses
11. Future wage-earning limitations
12. Third-party insurance coverages
13. Emotional- and mental-stress value
14. Loss of spousal consortium
15. Property-damage deductibles
16. Similar verdicts in local courts
17. Defendant's insurer
18. Judge assigned to case
19. Defendant's counsel

Answers to these questions help build mutual trust between a client and attorney. With mutual trust and credibility, we can strive to earn injury victims fair outcomes.

## Slip-and-fall injuries

When someone slips, falls, and suffers injury because of another's negligence, an attorney familiar with premises liability accidents can help. Victims can obtain compensation for medical bills, lost wages, pain and suffering, and other damages.

An experienced personal injury lawyer can assess the incident, communicate with property owners, negotiate with insurers, locate witnesses and experts to testify for the plaintiff, and, if required, present the case at trial.

### Dangerous stairs

A concierge worsened her existing back condition when she fell down a hotel stairway that lacked a handrail. Her lawyer showed a jury that the employee, an outdoor-sports enthusiast, was not only unable to enjoy jogging or water skiing, but also required daily morphine injections to control pain. A jury's verdict included a significant monetary judgment, plus a pain-and-suffering award.

## BLUE KNIGHTS GOLF TOURNAMENT

On August 14, 2009, **Schmidt Kramer** was a hole sponsor and Partners **Gerry Kramer** and **Scott Cooper** participated in the Blue Knights International Law Enforcement Motorcycle Club's (Pennsylvania Chapter XXIV) Annual Charity Golf Tournament in honor of Sgt. **Michael C. Weigand**, a police officer who was killed in a traffic accident last year while in the line of duty. The Blue Knights is a nonprofit organization that raises money for various charities, including the Cystic Fibrosis Foundation, Make-a-Wish Foundation, Toys for Tots, D.A.R.E., and Concerns of Police Survivors.



**READ ABOUT:**

- **Terry S. Hyman appointed to Patient Safety Authority**
- **Gerard Kramer speaks to lawyers**
- **Congratulations to Scott B. Cooper and Terry S. Hyman**
- **Award for community service**
- **Schmidt Kramer donates to Nancy Lui Fund**
- **Take Your Daughters and Sons to Work Day**
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The information included in this newsletter is not intended as a substitute for professional legal advice. For your specific situation, please consult the appropriate legal professional.

## Take Your Daughters and Sons to Work Day

On April 23, 2009, Schmidt Kramer participated in Take Your Daughters and Sons to Work Day. The program allowed children of Schmidt Kramer employees to learn what their relatives accomplish during the work day. Participating were Attorney **Joseph Chapman's** sons, **Jennifer Garcia's** son (Jennifer is secretary to Charles E. Schmidt, Jr.), and **Jessica Niblett's** sister (Jessica is our receptionist). The children were welcomed to Schmidt Kramer by Charles E. Schmidt, Jr., who presented a history of the firm and of the judicial system. The children toured our law office, helped their mentors with their job duties, and received a tour of the Dauphin County Courthouse, where they met Judge Scott A. Evans and Judge Lawrence F. Clark. The children joined the staff of Schmidt Kramer for a pizza luncheon. At the end of the day, the children received a Certificate of Participation and a Payday candy bar, which represented their paycheck for the day.



## THANK YOU, SCHMIDT KRAMER STAFF

Schmidt Kramer celebrated Administrative Professionals Day on Wednesday, April 22, 2009. We have a great staff and very much appreciate their hard work and dedication, not only on this day, but every day of the year. Thank you for all you do!



## ATTENTION, CLIENTS AND FRIENDS!

If you have a special event that has taken place, a nonprofit group or special charity you support, or want to offer special congratulations to someone, please send a short article to the attention of **Dawnn E. Trostle** and we will announce it in the firm newsletter in our "Client News" section as soon as possible. We look forward to hearing from you.

## THE STAFF CORNER

The following birthdays have been celebrated at Schmidt Kramer: **Jessica Niblett** on May 6; **Gerard Kramer** and **Jessica Kurtz** on June 10; **Ashley Burris** on July 11; and **Jennifer Garcia** on July 26.  
**HAPPY BIRTHDAY TO EVERYONE!**

### Question of the month

**Q:** If I am injured in a motorcycle accident, will my auto insurance coverage pay my medical bills?

**A:** Most likely not. In Pennsylvania, the law only requires that there be a minimum of \$5,000 in medical-bills coverage for cars. The law treats motorcycles differently, and it is not required. In fact, most policies do not provide this coverage. So, when purchasing auto and motorcycle insurance, make sure to research this or feel free to call one of our **Schmidt Kramer** lawyers to help review your policy.

## Take me out to the ball game

The attorneys and staff of **Schmidt Kramer** attended a Harrisburg Senators baseball game on Monday, July 13, 2009, at Metro Bank Park. It was a beautiful day to enjoy a ball game. We all had a fun and relaxing day. Thanks **Chuck, Gerry, and Scott** for a great day!

