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## **Protecting the 7th Amendment**

Sept. 17 is Constitution Day. The U.S. Constitution is the supreme law of the land, whereby the federal government is broken down into the legislative, executive, and judicial branches of government. The Constitution came into effect in 1789 and has only been amended 27 times since then, with the first 10 Amendments being the Bill of Rights. Constitutional law is part of the required course work in law school. Law students study it, and various interpretations can lead to disagreements and controversy.

However, this month, I want to talk about the 7th Amendment, which is particularly important to our personal injury legal practice. This amendment codifies the right to a trial by jury. This fundamental right affects more people than they realize.

Allow me to explain how the 7th Amendment affects the average American we represent every day. Imagine you're driving in stop-and go-traffic on the interstate, and an 18-wheeler, driver not paying attention, rams you from behind at 55 mph, sending you crashing into other cars. You sustain serious injuries and are flown to the hospital

> "This fundamental right affects more people than they realize."

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### **Cases We Handle:**

Personal Injury

- Wronaful Death
- Car Wreck Truck Wreck

## Willie the Parrot:

## THE ULTIMATE DANGER ALARM

Willie the Quaker parrot was a pretty remarkable bird. Like many parrots, he had a knack for mimicking certain sounds and words, including barking dog noises, human kissing noises, and a fair share of swear words. However, what made Willie a hero one day was not just what he said, but also when he said it.

Meagan Howard, Willie's owner, brought him over to her friend Samantha Kuusk's house while she babysat Kuusk's little daughter, Hannah. Hannah and Willie were both in the kitchen while Meagan prepared a Pop-Tart for Hannah's breakfast. After placing the Pop-Tart on the table, Meagan stepped away to use the bathroom.

While she was away, however, Hannah got her hands on the Pop-Tart and began to scarf it down, lodging a piece in her

windpipe. She started choking and was unable to signal to Meagan that something was wrong. Luckily, Willie came to the rescue.

Willie began squawking and shrieking, saying the words "Mama! Baby!" over and over again. In a matter of moments, Meagan knew something was wrong. She rushed to the kitchen to find a very frantic Willie and a very blue Hannah. Meagan jumped into action. She grabbed Hannah and performed the Heimlich maneuver until the Pop-Tart piece dislodged itself and shot out of her mouth.

Meagan may have been the one to stop Hannah from choking, but she insists that Willie was the real hero of the story. If he hadn't used his unique mimicking skills to get Meagan's attention, she doesn't know what would have happened. It's worth noting that before that incident, Willie had never used the phrase "Mama! Baby!" before. He knew something was wrong, and he knew how to get help.

Shortly after the incident, Willie received the local Red Cross chapter's Animal Lifesaver Award for his heroic actions.

You then hire us to represent you because 18-wheeler cases are complex and insurance companies aren't fun to deal with. You have \$500,000 in medical bills and \$2,000,000 in future lost wages because you can no longer walk and therefore can no longer work. That doesn't even include any pain and suffering we will be seeking as well.

When the greedy insurance company makes a ridiculously low offer of \$250,000 to settle the case, the 7th Amendment guarantees you a right to a trial to let a jury determine what is fair. This is an example we see play out every day in our practice. This is an example of how vitally important the 7th Amendment is to all Americans.

While we fight for your right to a trial by jury, there is a group named Texans for Lawsuit Reform (TLR) that constantly tries to strip away the rights of Texans to have a trial by jury. We are in an ongoing fight against TLR to save your 7th Amendment right. I encourage you to find out which Texas legislators take money from TLR. You might be surprised and could change who you vote for. Please educate yourself and vote for legislators who will protect your 7th Amendment rights. Please reach out to me if you have guestions regarding any specific Texas legislators.

-Matt Aulsbrook



# GET A JUMP ON WINTER BLUES

#### AND EXERCISE THROUGH THE FALL

Less sunlight can have a negative impact on your mental well-being, and as you head into the darker, chillier months, worsening weather and shorter days can make staying in shape more of a chore than a joy. But that doesn't mean you're powerless. With a few tricks, you can thrive through the cold season.

Finding ways to stay active while cooped up inside has never been easier. Thanks to the pandemic, online exercise courses, at-home workouts, and remote Zumba classes grew in popularity and are still going strong. If you embraced these for your summer workouts to avoid the heat, you can continue that routine this fall and winter and keep up your exercise, mixing it up if one course gets stale.

Similarly, winter provides a great time to focus on a new type of fitness goal, like building muscle in an indoor facility or taking martial arts classes at the gym. It doesn't matter what you do; what matters is that you do it. Stay active! While it's a bummer that you can't go trail running or biking, any exercise is better than none.

And don't wait to get started: Add that "winter workout" into your weekly routine now. Not only will it help make the transition a little easier when you can't go for your morning run, but also, if you're trying a new sport, activity, or exercise, it gives you a buffer in case you decide it's not for you after all.

Don't let bad weather or fewer daylight hours be an excuse for less exercise. Your brain will thank you, and who knows? You might actually have fun too!

## PERSONAL INJURY OR WORKERS' COMPENSATION?

## How to Tell the Difference

Getting injured is never fun for anyone. It can be even worse if you're injured at your workplace and don't know which steps to take. One of the first things you'll need to know is whether you qualify for a workers' compensation claim or you need to file a personal injury lawsuit.

The most important difference between a personal injury claim and a workers' compensation claim is that a personal injury claim is based on fault. For example, if you are walking through a parking lot and someone hits you with their car, they are most likely at fault. In order to recover damages for the accident, you and your attorney must prove the other party was negligent.

In a workers' compensation case, however, any employee hurt while working is entitled to workers' compensation benefits, and that has nothing to do with fault. You do not have to prove a coworker did anything wrong to cause the accident. In addition, you can even be negligent in these situations and still receive workers' compensation.

The compensation in both cases is drastically different. You are not necessarily entitled to benefits for pain and suffering in a worker's compensation claim. Alternatively, a personal injury claim entitles you to recover all damages you have suffered. These damages can include lost earnings, lost earning capacity, current and future medical expenses, pain and suffering, and loss of enjoyment of life.

For a workers' compensation case, you can only receive weekly compensation, permanent impairment benefits, and medical bills. You do not receive any benefits for pain and suffering in this situation. You also lose the right to sue your employer or any coworker unless your employer intentionally caused your injury. In this case, you can still file a lawsuit to collect pain and suffering damages.

It's important to know how you are protected in case of an injury, whether at work or not. Injuries can cause tremendous mental, physical, and financial pain for many years. If you've been injured and feel someone was at fault, reach out to us at 817.213.3277, and we will find a way to help you.



## **Preventing Dog Bites**

## 4 Signs That a Dog May Attack



Whether it's out of fear or aggression, any dog has the potential to bite someone, even if they have no previous aggressive tendencies. Since dog bites and attacks can cause a tremendous amount of financial, physical, and mental damage, it's important to know the signs that a dog may bite. Here are four common

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TO YOUR HOME INSTEAD OF YOUR OFFICE



signs to watch for with any dog, even a dog you've met before.

#### **GROWLING OR SNAPPING**

The dog could simply feel sick or it could be cautious of its surroundings. Either way, it's best to give a dog its space if it's growling or snapping.

#### FACIAL EXPRESSION

If the dog is licking its lips when no food is around, it could be showing that it's not comfortable. The same goes for excessive yawning and an avoidant gaze. If there is any white showing in the dog's eyes, it usually means that it is afraid or on edge and could be prone to attack.

### **STANCE**

If they appear to be standing stiffly or their hairs are raised on their neck, back, and tail, it's best to back away until the dog feels more comfortable.



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This is not always a sign of aggression, but that is often a sign that the dog is uncomfortable.

#### TAIL WAGGING

While wagging is usually nothing to worry about, some dogs wag their tail in a rigid back and forth motion to signal that they want some space. If a dog's tail is tucked away, it may be scared or uncomfortable. Give the dog its space because it could attack if it's being forced out of its comfort zone.

Knowing the signs that a dog may attack will help prevent you from being attacked by another dog or your dog from attacking. If you or a loved one has been involved in an incident with a dog, please reach out to us, and we will help you.



### QUICK BREAD DOUGH

Looking for a quick and easy recipe for rolls for your next family dinner, holidays, or side for the weeknight crock pot meal? Try Mila's recipe. You won't be disappointed.

### INGREDIENTS

- 1 cup warm water
- 1 tbsp active dry yeast
- 2 tbsp olive oil (use vegetable oil
  - for sweet bread recipes)
- 1 tbsp sugar
- 1 tsp salt
- 2 1/2 cups flour

#### DIRECTIONS

Mix the warm water, yeast, oil, and sugar. Let rest about 5 minutes until foamy. Mix the salt into the flour in a mixing bowl. After yeast has proofed, add mixture to the flour. Knead with dough hook in mixer or by hand until dough forms. Knead an additional 5–6 minutes until dough is elastic and smooth. Cover and let rise about 10 minutes. For rolls, divide the dough into 8 portions and shape into balls. Lightly grease an 8-inch round baking dish and layer the dough inside. Optional: allow to rise for an additional 10–20 minutes. Otherwise, skip straight to baking. Bake at 350 F for 15–20 minutes. Brush with melted butter and serve warm.

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