



The Road to Justice Starts Here



So, What's My Injury Case Really Worth?

The value of a personal injury case that goes to trial is determined by the jury. They are given evidence to evaluate and a list of items they may take into consideration before making their decision.

When settling a case prior to trial, various factors play a role in establishing the worth of a case. A good personal injury attorney makes their evaluation based upon all the doctor's reports, present and future medical bills, and a comprehensive discussion with your doctor. Information covered should include the invasiveness of, pain associated with, and duration of treatment; future pain and discomfort; and loss of enjoyment of life. Employment considerations include lost wages and future lost wages.

Insurance companies influence the landscape, too. They keep track of cases nationwide and can crunch the numbers. They know which doctors are "overtreaters" whose bills can more easily be challenged at trial, and which doctors make poor or excellent witnesses.

Insurance companies keep tabs on attorneys who are willing to go to trial, and those who settle in every circumstance. They also know which attorneys have expertise in a specific area of law, and those who are general practitioners. Insurance companies lick their chops when an attorney sends most of his/her clients to the same doctor, which they may exploit at trial by insinuating that the doctor is shading their testimony to favor the attorney.

There is no magic formula in determining the value of a personal injury case, but hiring the right personal injury attorney can go a long way toward winning your case or achieving a fair settlement. •



August 2015 News



Summer Session at the Harvard Law School



In last month's newsletter we shared how attorneys Jim and John Snell would be attending the National College of DUI Defense's summer session held at the Harvard Law School. We're happy to report that they both made it back from Harvard intact.

Program coursework included methods to investigate and challenge police laboratory blood analysis, workshops on opening statements & cross examination, and lectures on the constitutional issues surrounding bad faith actions of law enforcement in conducting and prosecuting DUI cases.

One of the program highlights was a Q&A session with Alan Dershowitz who shared with us his recent conversation with former president Bill Clinton.



Other than learning some of the latest in DUI defense strategies, our two lawyers also got to see a little bit of the Boston area. This included a speedboat tour in the harbor (called Codzilla), a Red Sox Game, the best lobster rolls in Boston (at Yankee Lobster), and they took the official Harvard campus tour.

Jim is looking forward to the College's winter session where the focus is going to be on alleged marijuana DUI cases (non-alcohol DUI cases are becoming the "next" big thing around South Carolina). ●

Legal Question of the Month



I want to buy a commercial pressure washer and try to start a little business. How do I get a business name and do I have to use a corporation?

Your business name is limited only by your imagination. Check to make sure that you can get the Internet domain name, and make sure that no one else is operating under the same name. You'll want to check government records, do an Internet search, and check the phone book to make sure that your business name is available. Your name has to be unique enough so that it won't be easily confused for another existing business.

Normally for a small owner-operated business you don't need all of the bells and whistles of a corporation. However, forming a Limited Liability Company (LLC) can be a very good idea. This is because an LLC provides you with the same protection for your personal assets that a corporation provides, without creating all of the accounting and tax complications that come with a corporation. You'll need to use the LLC designation in all of your materials to make sure you get the full protection.

Visit www.scsos.com for the South Carolina Secretary of State's website. There you can check to see if your business is available and download the forms necessary to form your LLC. You may be able to complete this process by yourself, but if you need assistance you'll want to consult with an attorney or licensed public accountant.

Have a legal question that you'd like to see featured here? E-mail it to jamesnell@snelllaw.com. If your question is selected you'll receive a \$25 Starbucks gift card. This month's question was provided by Doug from Irmo, South Carolina. ●

Angel Oak a Sight to Behold



The oldest living thing east of the Rockies reportedly resides on St. John's Island outside of Charleston, South Carolina. It's a live oak called Angel Oak, also known simply as "The Tree." Angel Oak is estimated to be close to 1,500 years old. Truth be told, some cypress trees are likely older than Angel Oak, but they can't hold a candle to its majesty.

Angel Oak is over 65 feet high, but this plant chooses to spread out more than shoot up. Its sprawling branches covered in Spanish moss cover a diameter of 160 feet and an area of over 17,000 square feet. Its trunk has a circumference of 25 feet—large enough to have completely obscured the entire company, 19 dancers, of the Charleston Ballet Company during a park performance. Because the branches are so large, some of them rest on the ground, with a few disappearing under the surface for a few feet, then reemerging a short distance later.

To lend some support, metal and wooden posts have teamed up with steel wires to hold some branches aloft that otherwise may have become unstable and broken off. With over 50,000 tourists visiting Angel Oak Park each year (there is no charge to visit The Tree), a stable tree equals happy, healthy tourists.

Angel Oak has withstood the ravages of natural disasters and war to reach its ripe old age, but its most menacing foe may be mankind and encroaching development. All living things eventually die, but if humans keep their distance, Angel Oak may be around for a good while longer. •

August 2015 - Events and Observations

August 1
National Mustard Day

August 2
International Friendship Day

August 13
International Left-Handers Day

August 26
Women's Equality Day

August 2015 is
National Immunization
Awareness Month
and Children's
Eye Health and
Safety Month

The Wright Stuff

On the morning of December 17, 1903, just outside Kitty Hawk, N.C., aviation history was made with the first successful manned, self-propelled flight of an airplane. The Wright brothers, Orville and Wilbur, of Dayton, Ohio, were the creators and pilots of the *Flyer*. (Incidentally, that's why the University of Dayton's nickname is the "Flyers.")

The first trip, piloted by Orville, was brief—12 seconds and 120 feet—but in a matter of two years, the brothers were performing complex aerial maneuvers and staying aloft for nearly 40 minutes. There were a total of four runs that historic day. Wilbur one-upped his little brother with a final flight of 59 seconds, covering 852 feet.

Research and development were key components in the Wright brothers' success. Former owners of a bicycle shop in Dayton, the Wright brothers were exceedingly gifted in technical ability. They pored over aeronautical books, picked the brains of civil engineers, and then began to build kites, which eventually graduated to gliders. Through studious observance of birds in flight, they developed the concept of wing warping: controlling a plane by raising or lowering flaps in the wingtips to turn (bank), or to ascend and descend.

Once they installed a lightweight motor, history was theirs for the taking. Orville and Wilbur decided on Kitty Hawk, N.C., for their glider testing and first airplane flight for three reasons: regular winds, hills, and sand (for soft landings).

The Wright brothers made history, some of which is available to us today. The *Flyer* is on permanent display at the National Air and Space Museum in Washington, D.C. •





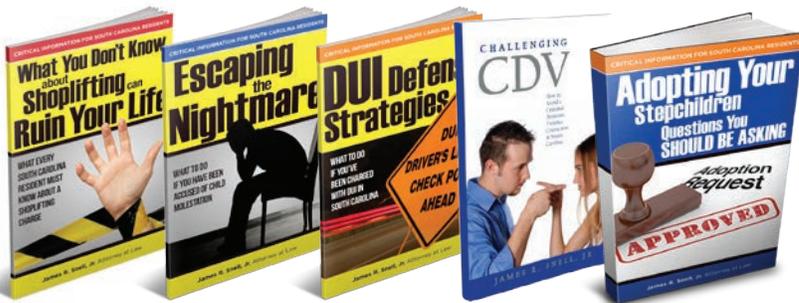
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Twin Palmetto Restaurant Landrum, South Carolina

Recently attorneys Jim Snell and Vicki Koutsogiannis with our office took a little road trip to Spartanburg to assist our client in criminal court. After seeing to it that all charges were dropped they made the quick drive to Vicki's parents' restaurant, Twin Palmetto in Landrum. This was Jim's first trip there (although way back in the mid-80's he visited their first location in Inman).

Vicki's parents opened Twin Palmetto over twenty years ago. The emphasis is on high quality, quick service food. Popular menu items include cheeseburgers, grilled chicken strips, and flounder (prepared in the restaurant). Additionally there is a selection of real ice cream cones, milkshakes, and sundaes.

After receiving the "grand tour" from owner-operator Jimmy Koutsogiannis, it was easy to see how the quality and value that an independent family owned restaurant provides can never be matched by the big chains. For whatever reason we simply don't have restaurants like this in the midlands of South Carolina, making Twin Palmetto definitely worth the drive.

Twin Palmetto is located at 1005 E. Rutherford Street, Landrum. They can be reached at (864) 457-5008.

We'd like to make a special offer to our newsletter subscribers. If you visit the Twin Palmetto between now and September 15, 2015, send us a copy of your receipt and we'll reimburse you the cost of your meal up to \$20. This offer is for subscribers only – if you're not on our list call to be added to our list before you head out for your free lunch! E-mail your name, address, and receipt to jamesnell@snelllaw.com.

