

YOU & the LAW



DUNAHOE LAW FIRM, LLC

402 Second St.

Natchitoches, LA 71457

(318) 352-1999 • 1-800-259-4460

“YOUR PERSONAL ATTORNEYS”

www.dunahoelaw.com

When a computer decides your damages

Many insurance companies rely on automated computer programs to decide how much they think your damage claim is worth when you have been injured in a car wreck. Using a computer program to determine settlement amounts simplifies the claims process for the insurance company.

But the computer program is not designed to work in your favor. It was developed to assist the insurance industry, not the injured party.

The amount the insurance company decides it should pay for your injuries is based on how the adjuster answers questions about you and your injuries. The computer compiles a summary of your claim and recommends certain settlement amounts.

Colossus is one of the leading software programs used by insurance company adjusters to determine the amount to offer in settling damage claims. Allstate began to use Colossus in the 1990s, and now most insurers use this program or a similar one.

How Colossus works — specific factors and “severity points”

An insurance adjuster collects information from your medical records and uses that to answer a computer questionnaire. The software program assigns “severity points” to different



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injuries and conditions. Severity points are one factor in deciding how much the program thinks your injury is worth.

Because the calculation of your case is based on data entered into a computer, it is important that your medical records contain a complete and detailed report of your injuries. You can assure your medical record is accurate and help your attorney make the best case for a fair settlement for you by addressing certain issues in each visit to the doctor.

Tell your doctor about all symptoms resulting from the wreck, even some that may seem minor. The insurance software program uses information from the doctor’s notes in your medical record to determine the severity of your injuries. Failure to tell your doctor all of your symptoms will result in an incomplete report in

your medical record of the injuries you sustained from the accident.

At each visit, give your doctor an accurate and specific update on the status of any wreck-related medical conditions. It may help to keep a regular diary of your symptoms and the progress of your recovery. Take your notes with you to the appointment with your doctor.

Tell your doctor if your injuries cause you pain when working or performing ordinary daily activities, including educational activities if you are a student. Performing work and personal duties while in pain is a factor used to calculate how much you are owed for your damages.

If your injuries leave you unable to do some things you could do prior to your injury, your physician may need to perform a permanent impairment evaluation. The inability to enjoy doing things you were able to do prior to the wreck is considered loss of enjoyment of life. It is another factor in determining how much the insurance company owes you for your injury.

Loss of enjoyment of life includes work, educational, and household activities, as well as hobbies, social activities and sports.



Plan ahead to ensure a successful summer road trip

Be ready for your summer road trip with these tips from *Consumer Reports* and the National Highway Traffic Safety Administration:

1. Take care of scheduled maintenance, such as oil changes or tune-ups. Check fluid levels and replace worn windshield wipers. Have brakes inspected and replace any worn brake pads. Be sure the battery has a strong charge; use baking soda and a little water to clean corroded terminals.

2. Inspect and replace any tires with worn tread. Tread depth is key to maintaining traction in slippery road conditions. Look for bulges or tears in the side wall and be sure tire pressure is at the level shown on the driver's side door jam or in the owner's manual.

3. Check for recalls. Visit the National Highway Traffic Safety Administration website, www.nhtsa.gov/recalls, to find out about possible safety defects in your vehicle

and help protect your loved ones and other motorists.

4. Stock your vehicle. This includes emergency supplies (such as a flashlight, blanket, first-aid kit and basic tools); games, videos and music to entertain children; as well as sufficient snacks and water for everyone.

5. Don't overload the car. The recommended weight load for your vehicle, also found on the driver's side door jam, includes passengers, luggage and other gear. Loading the roof rack with heavy cargo can make the vehicle difficult to handle in emergencies and increase the risk of a rollover. A lighter load increases fuel efficiency.

6. In addition to providing directions to your destination, a GPS navigation system can help in other ways. It can locate gas stations and places to eat, and it can suggest alternate routes. In an emergency, it

can direct emergency services to your location. Portable GPS devices are available if your vehicle does not have a built-in navigation system.

7. Be patient. Expect traffic slow-downs during peak driving times. If it's an option, driving late at night or early in the morning may allow you to avoid rush hours and arrive earlier at your destination. Plan for periodic stops for refreshment and restroom breaks. Combining a rest break with a refueling stop can save time.

8. Buckle up. All passengers, including the driver, need to wear seat belts while on the road. Younger children should be in a car seat suited for their age and size, and all children 13 and younger should ride in the back seat.

9. Drive safely. Follow the rules of the road and don't let a mishap spoil your vacation.

Prepare well before setting out and observe good driving practices on the road to make the journey to your destination a pleasant one.



Lifestyle changes can help prevent a stroke

According to the Centers for Disease Control and Prevention, stroke is the fifth leading cause of death in the United States and is a major cause of serious disability for adults. Each year, about 795,000 people in the United States have a stroke.

The risk of having a stroke increases as we get older, but strokes can occur at any age. Medical conditions that contribute to the risk of a stroke include high blood pressure, high cholesterol, diabetes, atrial fibrillation and circulatory problems. Poor diet, lack of exercise, smoking and alcohol consumption are lifestyle factors that increase the risk of stroke and contribute to medical conditions that can lead to stroke.

These positive lifestyle changes can lower the chances of having a stroke:

Diet and exercise. High blood pressure, high cholesterol and diabetes are affected by diet and weight. Maintaining a healthy weight requires eating the right foods in the proper amounts and getting regular exercise.

A healthy diet is one that includes four to five daily servings of a variety of fresh fruits and vegetables; a variety of lean protein, fish, eggs, and dried beans and peas; whole grains; and low-fat dairy, including milk, yogurt and cheese. No more than 10 percent of daily calories should come from sugar. Reduce salt intake to about a half teaspoon a day if high blood pressure is a problem.

To lose weight, reduce calories to between 1,500 and 2,000 a day and increase your daily exercise. Apart from contributing to lower blood pressure, lower cholesterol and weight loss, exercise by itself reduces the risk of stroke. People who exercise five times or more a week have a reduced risk of stroke, according to one recent study.



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Signs of stroke: F-A-S-T

Face: Does one side of your face droop when you smile?

Arms: When you lift both arms, does one arm drift back down?

Speech: Is your speech slurred or does it sound odd?

Time: Call 911 immediately if you notice any of these signs in yourself or someone else. Other signs of stroke can include weakness on one side of the body, numbness of the face, unusual and severe headache, vision loss, numbness and tingling in other parts of the body, and unsteady walk.

Regular exercise also has positive benefits in preventing or controlling other chronic health conditions.

Quit smoking. Smoking doubles the risk of stroke, as compared to the risk for a non-smoker. It contributes to plaque buildup in the arteries, increasing the risk of clot formation leading to stroke. Aids to stop smoking include nicotine pills and patches, counseling and prescription medication.

Limit alcohol. Women should consume no more than one glass of alcohol a day. The limit for men is two, and the preferred drink for both is red wine. Red wine contains

resveratrol, a substance thought to protect the heart and brain.

Follow your doctor's advice. High blood pressure and diabetes are two chronic diseases that increase the likelihood of a stroke if left untreated. Follow your doctor's advice to monitor and control your blood pressure and diabetes through diet, exercise and medicine if necessary.

Heart palpitations and shortness of breath are symptoms of atrial fibrillation, an irregular heartbeat that causes clots to form in the heart. Clots greatly increase the risk of a stroke, but doctors can prescribe anticoagulant drugs to treat them.



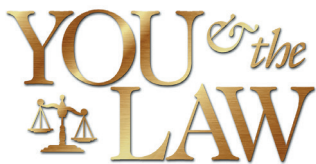
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Is your smartphone draining your brain?

About three-quarters of U.S. adults own a smartphone. Among younger people aged 18-29, that number is 92 percent.

Research indicates that owners interact with their smartphones an average of 85 times a day, including immediately upon waking, in bed before going to sleep and even in the middle of the night. Most never leave home without their phone and about half say they couldn't live without them.

Smartphones improve our lives in many ways. We use them to connect with family and friends, read books, find directions, stay current with news and local gossip, take photos, check the weather, track appointments, shop online, watch videos, in addition to making phone calls.

But according to research, the constant use of our smartphones comes at a cost. Increased phone use results in higher stress levels and poor quality of sleep. Just having our smartphones nearby, even when we're not using them, hurts our ability to focus.

A recent study found that people who had their phone on the desk while taking a test performed the worst. Putting the phone in a pocket, purse or backpack still reduced performance.

Those whose phones were in another room, however, significantly outperformed those whose phones were nearby, even though all phones were silenced.

Just having our phones nearby reduces the ability to focus and

perform tasks. When our smartphones are present, we use some of our mental resources to keep from thinking about checking our phone. This leaves us with less capacity for thinking about the task.

We believe we are giving a task our full attention, but just the presence of the phone drains some of our brain's ability to focus.

The answer to the brain drain isn't to give up your smartphone, but to separate yourself from the phone. When you need to concentrate on learning something new or on a task that requires your full attention, silence the phone and place it in another room. This will not only reduce interruptions that distract you, but also will actually help you to think better.