



LAW OFFICE OF KENNETH E. BERGER, LLC

AUGUST 2016 NEWSLETTER

SAFETY FIRST JUSTICE ALWAYS



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“The Power of Resting”

BY KENNETH BERGER

Around this time last year, I was getting ready to head off to Israel for 10 days. A lot of people asked whether it was a religious trip, and while it certainly had a religious component, there was also great value in taking time to simply recharge. From the Bible to workout regimens to the instructions that come with electronic devices, rest is not only emphasized, it is required.

I have a tendency to get caught up in the momentum of work. I’ll convince myself that I need to get to the office a little earlier, stay a little later, knock out a few things on a Saturday morning, or spend part of Sunday at the office. Given the nature of our practice, there are weeks when 6 or 7 twelves is what it takes. However,

that ain’t every week. At least it doesn’t have to be.

Study after study has proven that people are more productive – and outcomes are improved – when hours remain below certain thresholds. Likewise, our analytic skills, attitudes, and decision-making are better when we are rested. In short, even the most ambitious or hard working would benefit from doing less.

For me, mid-summer and the end of the year are when I like to take a little time off to rest and recharge. The other 50 or so weeks are better for it, as are my clients, practice, and team.

I hope all of you are enjoying your summer...and also finding power in rest.

DISCLAIMER: ANY RESULT I MAY ACHIEVE ON BEHALF OF ONE CLIENT IN ONE MATTER DOES NOT NECESSARILY INDICATE SIMILAR RESULTS CAN BE OBTAINED FOR OTHER CLIENTS. IN ADDITION, SOME OF THESE RESULTS WERE OBTAINED IN CONNECTION WITH OTHER FIRMS. I AM A SOUTH CAROLINA INJURY LAWYER, NOT A MIRACLE WORKER. I EVALUATE EVERY CASE ON ITS OWN MERITS AND ONLY ACCEPT A LIMITED NUMBER OF NEW CASES EVERY YEAR.

Drunk Driver Puts College Student in the Hospital

BY KENNETH BERGER

On November 21, 2015, Simon Maple has a drink. He continues drinking beyond the point of intoxication, and then chooses to get behind the wheel of an old, uninsured automobile. Mr. Maple gets on Sumter Highway. He begins driving erratically. Mr. Maple attempts to pass another car and veers into the oncoming lane of traffic where he strikes multiple vehicles, including a Jeep, before going off the side of the road and into a ditch.

"Sarah" is a passenger in the Jeep that the drunk driver crashed into. Sarah's thigh bone and kneecap are fractured. Her heel is crushed. She is taken to Palmetto Richland's trauma unit where multiple surgeries are performed. Doctors inform Sarah that she will likely require months of outpatient care. Her medical bills climb as she remains unable to walk.

At the time of the wreck, Sarah was on the way to do some early Christmas shopping with a family friend. She was also looking forward to finishing her first semester of college. Her grades were good, and she had enjoyed being a member of the school's marching band. The wreck forced Sarah to seek a medical withdrawal, delaying her studies and thus her earnings.

The only saving grace was that the family friend with whom Sarah was riding had a six-figure uninsured motorist policy. We were able to obtain the policy limits for Sarah, and as importantly, get her lien repayment obligations reduced in order to maximize the net recovery.

Throughout her hospitalization, surgeries, and therapy, Sarah remained grateful to be alive and optimistic about her future. I'm happy to report that she will start back at college in the fall, and that we've been promised graduation invites.

FOR REFERRING ATTORNEYS

If you are one of our many referring attorneys, we want to thank you for allowing us to serve. Your trust means a great deal.

We seek to strengthen your relationship with the client by providing him/her with a great experience, as well as a great result. Additionally, we always make it a point to emphasize that you are truly the person to thank, as it was your good judgment that allowed us to take part in their representation.

If questions arise in the coming month concerning a life-changing injury or wrongful death case, we are here to help. From simply answering your questions to being associated on or referred the case, please let us know what we can do to benefit you and the client. Likewise, if you have a potential client call us directly, be sure to have him/her say who made the referral so we know who to thank.

To discuss anything from litigation tactics to our core values, call us at **(803) 790-2800** or email kberger@berger-lawsc.com.

THE BEST AMONG US: TIA SAVAGE

The title says it all about this extremely gifted young woman – The Best Among Us. As the daughter of our COO, Jason, Tia Savage, 25, is very much a part of our family. After graduating from USC in 2013, Tia was promoted from Marketing Director, a position she had acquired at 18, to Home Solutions Advisor of Cool Care Heating & Air.

"I love my job, because I get to help people on a daily basis," Tia explained. "In South Carolina, comfort is such a critical part of our everyday lives, and we really don't realize that until we don't have the option to retreat from our extreme weather."

From abundantly working within the community to providing South Carolinians with the "ultimate customer service in HVAC," Tia and the folks at Cool Care have earned an amazing fan base – pun intended. In fact, when asked what drives Tia to be successful, this was she said:

"At Cool Care, we have fantastic customers who make it very rewarding to do a great job. Our clientele are truly grateful for an honest professional and make it easy to want to be the best."

Should you require their services, Cool Care can be reached around the clock at **(803) 772-7715**.

MEET OUR TEAM:

TARSHA DIXON

I was born and raised in Columbia, South Carolina. I'm a graduate of Dreher High School and Midlands Technical College, with a degree in Paralegal Studies. As a South Carolinian, I understand the importance of family, community and a strong work ethic.

I have been a paralegal for more than 20 years and have experience working in the areas of criminal defense, civil litigation, real estate, medical malpractice and personal injury.

I feel very fortunate for the opportunity to be a part of such an awesome team here at the Law Office of Kenneth Berger – a team that cares for one another as well as their community. I was immediately drawn to this firm's dedication and more personal way of representing personal injury clients. To me it's more than a job, it's actually a fulfilling career.

My husband Greg, a native of Philadelphia, Pennsylvania, retired from the US Army in 2008, where he served proudly as a Military Police Investigator. We are blessed to have a wonderful son, Justice Ross Dixon, who is the joy of our lives. I enjoy traveling, cooking and spending time with my family and friends.



Mopeds, Injuries, and Insurance: A Summary of What South Carolinians Need to Know

BY KENNETH BERGER

Many people are aware of the fact that mopeds are not required to carry insurance in South Carolina. However, that is not the end of the story. Whether the accident was caused by the driver of a car or a moped, the injuries are often severe. And while the moped may not have liability coverage, it's important to know about the other auto and health insurance issues that could be involved.

First, if the driver of a car is negligent and causes harm to anyone on a moped, the car's insurer is on the hook. Moreover, because moped injuries can be so devastating, it is important to explore the possibility of excess, umbrella, and underinsured motorist coverage after such an accident.

Second, anyone who requires medical care should use their health insurance to pay for such care. Accident victims are frequently told they can pay out of a settlement rather than using health insurance, but that is simply a medical provider's way of trying to steal your money and deprive you of the benefits that come from being insured. For example, it would be much better to owe the hospital \$1000 and BlueCross \$4000 at

the end of your case than having to pay a \$15,000 bill out of your settlement funds. In short, you will benefit from a health and financial standpoint by insisting that your accident related bills be filed with your insurer.

Third, if you are the one who has been hurt by the moped driver - be it as a passenger, pedestrian, or motorist - South Carolina law allows you to recover from your uninsured or underinsured carrier, depending on whether the moped driver had any coverage. Some legislators have proposed requiring mopeds to carry liability insurance, but until that day comes, people injured by mopeds will generally be forced to file a claim with their own insurer. While some people are hesitant to contact their own insurance company because of fears over rate increases, the truth is that if you have been hurt by a reckless moped driver, the amount of money it will take to fairly compensate you should greatly outweigh any premium increase.

Moped accidents often trigger health care and insurance questions that I have answered in the past, and am glad to walk you through as well. 3

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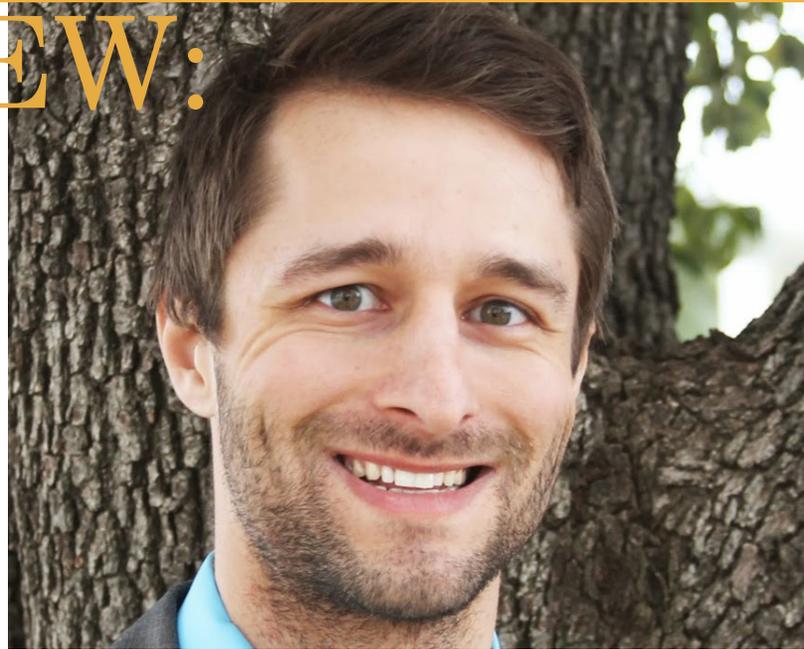
AUGUST 2016 NEWSLETTER

PEER REVIEW:

5.0 ★★★★★
via Facebook

BY RUSSELL BUTTON,
DALLAS, TX PERSONAL INJURY LAWYER
“I have known and worked with Ken-
ny for several years now. Kenny is a
true trial lawyer that will turn over
every stone on your case. His team is
beyond impressive. *I traveled from
Texas just to spend a few days in
their office learning how to run
a top-rated personal injury law
firm.* If you are looking to be treat-
ed like family, make the Law Office
of Kenneth Berger your first call.”

NOTE: THIS PUBLICATION IS INTENDED TO EDUCATE THE GENERAL PUBLIC ABOUT PERSONAL INJURY, CIVIL LITIGATION AND WORKERS' COMPENSATION ISSUES. THE INFORMATION CONTAINED IN THIS PUBLICATION IS NOT LEGAL ADVICE. EVERY CASE IS DIFFERENT. THE INFORMATION IN THIS NEWSLETTER MAY BE FREELY COPIED AND REDISTRIBUTED AS LONG AS THE NEWSLETTER IS COPIED IN ITS ENTIRETY.



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