



LAW OFFICE OF KENNETH E. BERGER, LLC

August 2018 Newsletter

SAFETY FIRST JUSTICE ALWAYS

“Gestalt”

I was reading a book earlier this summer that used this odd-looking word. There was a time in my past when I knew its meaning, but at the moment it escaped me, so I looked it up. Turns out “gestalt” is a more concise way of saying “the whole is more than the sum of its parts.”

I’ve always believed in that idea, perhaps now more than ever because it reflects my experience as a lawyer. A few years ago, I wrote about “interdependence” and the amazing things that can be achieved by a single group of people working together toward a common goal. The group is almost always more powerful and more impactful than the individual. Gestalt captures that sentiment and is a great reminder for the ego – mine included.

In a couple months, I’ll be traveling to Austin, TX to work with a small group of lawyers who handle 18-wheeler cases. We’ll each bring one specific trucking case to discuss and work on, with the idea being that our case will be a lot stronger by the end of the weekend than when we arrived. Gestalt summarizes this type of collective



effort and other workshops I’ve attended over the years. We get better by working with and challenging each other.

None of us work or live in a vacuum. The best lawyers generally have the best teams; the best architects have the best draftsmen; the best captains often have the best lieutenants; and the best way I’ve heard to capture this idea is “gestalt.”

A handwritten signature in black ink, appearing to read 'Ken Berger'.

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@bergerlawsc.com.

BEST AMONG US:



Kassy Alia, Serve & Connect

This month we're excited to feature Kassy Alia, the founder and CEO of Serve & Connect, a nonprofit in Columbia, SC. Kassy founded Serve & Connect, originally Heroes in Blue, after her husband, Officer Greg Alia, was shot and killed in the line of duty on September 30, 2015. At a time when tensions were high between police and their communities, Kassy wanted to take action to eliminate this divisiveness.

Today, Serve & Connect aims to create partnerships between police and community organizations to help them understand the factors that contribute to disunity and distrust, and to help find creative solutions for divisiveness based on common ground. The organization also champions officers, organizations, and individuals who exemplify the best of community service, while providing support for families of fallen officers.

If you would like to learn more, volunteer your time, or donate, please visit ServeandConnect.net or email info@ServeandConnect.net.

FIRM SNAPSHOT:

Shannon Wickham

We are proud to introduce you to the newest member of our growing team - Shannon Wickham. Shannon joined us in mid-June as a litigation paralegal after moving to Columbia from Connecticut. She brings more than 20 years of paralegal experience with her, as well as passion, dedication, and a sincere desire to help make our state a safer and even more incredible place to live.

Shannon made the move to South Carolina with her fiancé, Eric. She also has two children - a daughter who is a chef and a son who recently earned the title of United States Marine.



CASE RESULT:

Confidential Settlement in Permanent Brain Damage Case

In general, I despise confidentiality because I think it rewards dangerous defendants. However, there are times when it makes sense, and this was one of those cases. Even though I can't get into specific facts, I can share a few things we seek to do in every brain damage case to help survivors and their families achieve the best possible legal outcome. I don't use the term "fair outcome" because there is nothing fair about brain damage to an innocent human being.

1. Learn their story – I don't mean simply how they were doing in the months leading up to the incident and what their life has been like since (though that is critical). I mean getting to know the full story. Finding out what they were like as kids, what drove them, what led them to where they were in life, and where they hoped to be down the road. Nearly every great biography starts from the beginning, and I think our clients' should, too. This requires getting to know family, friends, neighbors, co-workers, and the other people who bring the case to life.

2. Help them find great medical care – I want my clients to focus on getting better. When it comes to brain injury, a comprehensive approach to recovery is usually required. This may include cognitive, speech, physical, and occupational therapy, as well as psychological care to help cope with the "adjustment" to a new life. A neurologist or physiatrist who has actually taken the time to stay up-to-date with the latest advances in TBI treatment can often serve as the point-person in making sure the survivor receives high quality care.

3. Determine future costs – A mediation, settlement, or trial often takes place less than three years after the initial injury. While that may feel like a long time, it may be just a glimpse of what the brain damaged person faces in the future. Between future medical needs, decreased earning ability, and the sheer toll of daily hardship brought on by brain injury, the true measure of damages almost always lies in an uncertain future.

The human beings living with brain damage that I've represented over the years are among the bravest, most perseverant I've met in any arena. They cannot receive fairness, but they can receive justice under the law. It just takes a lot of work and a lot of love.

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Case Result

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AUGUST 2018 NEWSLETTER

CLIENT REVIEW:

5.0 ★★★★★

via Facebook

Renee L. from Blythewood, SC

“Kenny and his staff went above and beyond to ensure that my case was handled with the highest professionalism. Kelly, his paralegal, and Kenny have become a part of our family. They were quick to respond to my emails and calls, and gave me options and insight as to the best route given the complexity of my case. My family and I were truly impressed.”

