

THE LAW OFFICE OF KENNETH E. BERGER, LLC

Safety First,
Justice Always

MAY 2019 NEWSLETTER

“Smart and a Dollar Will Get You a Cup of Coffee”

This is one of countless sayings I learned from my dad growing up. It was his way of explaining that you have to work for what you want in life. It came to mind as I was thinking about my dad celebrating 50 years in private dental practice this month. Most people told me I was too young to start a practice at 29. My dad started his at 25. In fact, by the time my dad was 25, he had one child, another on the way, and had already served a tour in Vietnam.

My dad’s name is Robert Berger, and he’s a tough son of a gun. He grew up in Holly Hill, SC, where his stepfather ran a small store. As a teenager, he worked on farms and construction crews. When my dad was 16, he applied to Clemson and got accepted – even though he’d yet to earn a high school diploma. At 18, he applied to Emory University’s dental program and was again accepted, despite not having a college diploma. He graduated dental school at 22 and joined the Army because he thought it was the right thing to do.

After completing his time in the military, my dad sought out a construction loan, built an office despite not having any patients, and over the last 50 years has built one of the most successful dental practices in the state. My dad is certainly smart, but he got the dollar and that cup of coffee through hard work.

I can’t repeat all my dad’s sayings. However, I hope this one sticks with you.



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

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.

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



Will Thompson, Owner
All American Transport II

We have the honor of featuring our friend, Will Thompson, as this month's Best Among Us. Will owns a transportation company, All American Transport II, that regularly partners with service organizations to help make South Carolina a better place to live. One of his company's main contributions is providing transportation for the military's Yellow Ribbon Reintegration Program (YRRP). YRRP is a Department of Defense-wide effort to promote the well-being of National Guard and Reserve members, their families, and communities, by connecting them with resources throughout the deployment cycle.

As part of the YRRP program, All American Transport II provides transportation to and from counseling sessions for military families that visit Columbia from across the country. Will's parents and grandparents both served in the military, so he said he's proud to be a part of such a wonderful program that saves marriages, reduces suicide rates, and guides service members through the hardships of deployment. You can learn more about the Yellow Ribbon Reintegration Program at www.yellowribbon.mil.

Firm Snapshot

Welcome Ami Grissom and Karen Ready

We're excited to introduce the two newest members of the LOKB family - Ami Grissom (right) and Karen Ready (left). Born in Columbia and raised in Lexington, Ami joined our team as a paralegal in January. She shares our team's desire to make a difference in our clients' lives and hopes to make a positive impact on them daily.

Karen joined our team as a legal assistant at the beginning of 2019. She moved to Columbia in 2011 and worked in law enforcement for three years before earning her paralegal certificate from USC. In her spare time, you can find her spending time with her 5-year-old daughter.



Case Results

Amtrak Picking Up CSX's Tab for 2018 Train Wreck

Over the last year, we got to know Elida and Leon Mars, a wonderful retired couple from Florida who were on their way home from a family gathering when the Amtrak train they were riding crashed just outside Columbia.

The train was operated by Amtrak. The portion of railroad where the crash occurred was maintained by CSX. The National Transportation Safety Board has still not completed its investigation or issued a report, but everyone acknowledges that CSX is the most culpable party. Nonetheless, Amtrak is the entity defending and paying out claims.

For Elida and Leon, their goal was never money – only safety. They, along with their family and nearly everyone else with any knowledge of this incident, thought it was absurd for CSX to know about a deadly problem on its tracks, yet do nothing to fix it. The settlement we achieved for the Mars family had little to do

with medical bills, but a great deal to do with punitive damages and the value our communities place on safety.

During the time we represented the Mars, we were also retained by other passengers on that ill-fated trip. These people trusted Amtrak and CSX to follow safety guidelines and get them home without incident. They had no clue that CSX would knowingly place them in danger that night. They had no idea that a preventable accident would turn into a life-altering crash. This is why safety standards are so critical; this is why we have safety laws; and this is why safety rules must be followed. CSX knew the consequences of their actions, and they chose them anyway. Why Amtrak is picking up the tab, I do not know, but I am glad someone is being held accountable for the conscious disregard CSX had for the well-being of good people like Elida, Leon, and the other folks on board that night.

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Client Review

5.0 ★★★★★

via Google

Duwan F., Motorcycle Accident Client from Columbia, SC
One word, Amazing. The K.B. team took care of me from start to finish during a very difficult time in my life. When it comes to business, they gained my trust on multiple occasions by educating me about the ins and outs of the entire process. Their communication and hospitality make me feel like family every time I step into the office. If I started the process over, I would go with Berger without hesitation every time.

