



LAW OFFICE OF KENNETH E. BERGER, LLC

September 2016 Newsletter

SAFETY FIRST JUSTICE ALWAYS



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“Train, Trust, Delegate”

BY KENNETH BERGER

Almost everyone I know has too much to do, and not enough time to do it. Even when we make lists, prioritize, and efficiently take care of our responsibilities, it seems like the hits just keep on coming. From work to family to community, it can feel like we're being pulled in 1,000 different directions by even more competing interests. So what's the solution?

For me – when I have the discipline to do it – the solution is to train, trust, and delegate. This approach is essential not only for owners and managers, but for all of us. My firm runs best when I spend as much time as possible doing the things that only I can do. Whether it's trying a big case, taking a medical expert's deposition, spending time getting to know a client at their home, or meeting with a referring attorney, I must engage in as many high-level activities as possible for us to meet our goals. However,

that implicitly requires that every other responsibility attendant to running a law practice is being satisfied. The only way that gets done is through hiring exceptional people, training them to execute responsibilities at the highest level, trusting that they will do a great job, and then delegating those responsibilities to them.

One of my favorite questions to ask is, “Could someone else do this just as well as me so I could spend time doing something that only I can do?” I don't ask this question out of laziness, but rather based on an awareness that to best serve our clients and community, I must maximize each team member's potential – including my own. I encourage you to begin training, trusting, and delegating, both at work and at home. It will result in greater productivity, less stress, and more free time. Plus, its football season and we could all use a little more time in front of the TV;)

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.

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Tractor-Trailer Driver with 21 Prior Safety Violations Causes Injury to Football Coach

A national company chooses to hire a man with a questionable driving record. They put him behind the wheel of a tractor-trailer and send him out on South Carolina's roadways with little training. Over the course of his employment with the company, he commits 21 safety violations – including driving while fatigued, colliding with cars and posts while turning, driving an excessive number of consecutive hours, and operating an overweight vehicle with an improperly secured load. All of these violations occurred prior to an early morning in February 2014, when this same driver chose to turn left in front of an oncoming vehicle, resulting in a collision that nearly ended a man's life.

Fortunately for the driver of the oncoming vehicle, he struck an axle on the trailer, rather than being crushed by the trailer's underide. Though his back was broken, his wrist ligaments torn, and his brain concussed, the man thanked G-d for sparing his life.

This was a case the insurance company should have settled in 2014. However, it wasn't until we obtained a trial date of August 22, 2016 that the insurance carrier offered a dime. While they continued to try to blame our football coach for the wreck, they recognized that 21 safety violations – the root cause of which was an apathetic, out-of-state company – plus a church-going, football coach whose former players were lining up to testify on his behalf, could result in a very large verdict. Thus, shortly before trial they paid far more money than we initially asked for. The money did not un-break our football coach's body, but it did lend meaning to his suffering. Additionally, we made the settlement contingent upon the company taking all necessary steps with SCDOT to get a traffic light at the intersection where the wreck occurred in an effort to prevent future injury to other innocent people.

**See what Coach Jordan & his family have to say on Page 4*



REXY'S RECIPES:

PEANUT BUTTER & HONEY CHEERIOS™ GRANOLA

via Kristine's Kitchen Blog

Ingredients:

- 3 CUPS OLD-FASHIONED OATS
- 2 CUPS MULTI-GRAIN (OR YOUR FAVORITE KIND OF) CHEERIOS™
- 1/2 TEASPOON CINNAMON
- 1/2 CREAMY PEANUT BUTTER
- 1/2 CUP HONEY



Directions:

1. PREHEAT OVEN TO 250 DEGREES F.
2. IN A LARGE BOWL, STIR TOGETHER THE CHEERIOS™, OATS AND CINNAMON
3. PLACE THE PEANUT BUTTER AND HONEY IN A MICROWAVE SAFE BOWL AND MICROWAVE ON HIGH FOR 30 SECONDS; STIR. HEAT FOR 30 MORE SECONDS AND STIR. POUR OVER THE CHEERIOS™ MIXTURE AND STIR UNTIL EVENLY COATED.
4. SPREAD THE MIXTURE IN AN EVEN LAYER ON A RIMMED BAKING SHEET. BAKE GRANOLA FOR 15 MINUTES; STIR. USING THE BACK OF A SPATULA, PRESS THE MIXTURE DOWN INTO AN EVEN LAYER. BAKE FOR 12-16 MORE MINUTES UNTIL GRANOLA IS LIGHTLY BROWNED.
5. LET GRANOLA COOL COMPLETELY ON PAN, THEN STORE IN AN AIR TIGHT CONTAINER IN THE REFRIGERATOR.

THE BEST AMONG US:

Shirley Towne

Meet Shirley Towne, owner of 24/7 Total Protection, a local ADT Dealership. Over the years, the number of homes ADT protects has increased even when the housing industry was challenged. It is ADT's mission to design a system that meets your family or businesses needs. In an effort to provide more than just security, they also provide peace of mind. ADT believes they are driven to be successful because they strive to be the leader in the industry. They come to your home and hear your concerns. To ADT, you are more than someone who pays their bills; you are their neighbor. For more info on Shirley and her teams services, call 803-996-3131 or visit www.homeandfiresecurity.com.



FIRM SNAPSHOT:

BIASC ANNUAL CONFERENCE

Last month, we had the pleasure of giving a presentation at the Brain Injury Association of South Carolina's Annual Conference: Living With Brain Injury.

In South Carolina, TBI is the leading cause of death in persons ages 1-44 and that is why we put special emphasis on these cases. We spent the day discussing "Why Medical Providers Need Not Be Afraid of Brain Injured Patients' Lawyers," while also meeting a lot of wonderful brain injury survivors.

This conference served as a forum for the exchange of information on programs and resources. We were humbled by the invitation, and are already looking forward to next year. For more information on BIASC, visit www.biausa.org/SC/.



BACK TO SCHOOL: CHILD SAFETY ON PLAYGROUNDS

It's that time of year again. It's time to send your children off to school and with school comes recess. Children love playgrounds for the possibilities and variety they present. Teachers like playgrounds because it gives their students an opportunity to interact with others. Unfortunately, numerous children are injured every year as a result of playground accidents. Many of these accidents are preventable; others need not produce so great a consequence. We want to do our part to lessen the number of playground injuries and make South Carolina a safer place for our kids. Here are three tips you can follow, adapted from kidshealth.org, regarding playground safety.



1. Always check the playground surface. Children are going to fall from the monkey bars, tumble out of slides and push each other off equipment. The playground surface must be forgiving if we are to reduce the chance of injury. Concrete, blacktop and hardened earth will not provide the cushioning a child needs if they slip, tumble or fall. Instead, only visit playgrounds with soft

surfaces. The best playgrounds usually have mulch, pine bark or sand.

2. Inspect the equipment. Rusty swings break, rickety slides collapse and rotten wood splits. If the playground has broken equipment, let your child's teacher know. The swing should not sound like it's "whining." Nor should the slide rattle.

3. Avoid ropes and certain swings. Ropes often break. They also present strangulation hazards - especially near slides. Some swings are inherently dangerous. For instance, "glider swings" that can hold more than one child at a time often result in at least one child falling off. If you think it could be dangerous, eliminate the risk rather than taking a chance.

Many of my best childhood memories involve recess. I want the same for your kids and I hope these tips serve as reminders that school playgrounds should be not only fun, but safe as well. We wish all of your children a great school year!

SEPTEMBER 2016 NEWSLETTER

CLIENT REVIEW:

5.0 ★ ★ ★ ★ ★

via Google

“The Jordan Family, of Ridgeland, SC Kenneth Berger and his staff provided excellent service throughout our case. They made us feel more like friends or family rather than clients. We were always kept in the loop and never had to wonder what was going on with our case. If we had questions, they were answered in a very timely manner. Mr. Berger’s attentiveness, commitment to truth and his professionalism is shown in every meeting and call. After the initial meeting, we were so confident and comfortable with Mr. Berger and his team handling our case that the anxiety and stress we felt vanished which made it easier for the healing to begin. His passion for justice made us truly happy that he was on our side.”

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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