

PERSONAL INJURY NEWS YOU CAN USE

JAN DILS 
ATTORNEYS AT LAW, L.C.

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Asbestos Exposure in The Workplace

Every day as many as 1.3 million people in the U.S. go to a job where they're exposed to significant amounts of asbestos, according to the Occupational Safety and Health Administration (OSHA). For decades, the link between asbestos and serious health problems like mesothelioma has been well-established. But many employees have more questions than they do answers concerning asbestos. Here are some things to know:

Health Risks

The dangers of asbestos have been clear for decades now. Everyone breathes in trace amounts of asbestos each day, since it occurs naturally in the environment. But, because asbestos fibers can be inhaled, even short-term exposure to significant levels of asbestos on the job can lead to breathing problems, coughing and shortness of breath. Asbestos has been classified as a carcinogen (cancer-causing) substance. The most serious health risks come from long-term exposure to asbestos on the job – especially for people who may have spent decades in the workplace before the advent of safety

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Occupational Safety and Health Administration (OSHA)

measures that help protect employees from most asbestos exposure in the modern workplace.

Serious health problems related to asbestos exposure include:

- *Mesothelioma (a form of cancer that invades the lining of the chest and abdomen)*
- *Lung cancer*
- *Asbestosis (lung inflammation and buildup that can cause coughing, difficulty breathing, and permanent lung damage)*
- *Colorectal and gastrointestinal cancers*
- *Abnormalities (thickening and calcification) in the lining of the chest cavity*

Employees' Rights

If you work with or around significant amounts of asbestos as part of your job – or if you're worried about exposure to asbestos in the workplace – talk to your supervisor about any health risks and the steps that are being taken to minimize those risks.

OSHA and other workplace safety agencies should carefully regulate and monitor asbestos exposure on the job – they even set permissible exposure limits for different kinds of industries. Chances are, if your job does involve exposure to significant levels of asbestos, your employer is legally required to take certain steps to protect you and your coworkers from any health risks involving asbestos.

If you've been exposed to asbestos and have been diagnosed with mesothelioma or lung cancer, you have an excellent chance of recovering substantial monetary damages. Contact Jan Dils, Attorneys at Law today. Money will never replace your pain and suffering, or the loss of a love one. However, because the law is at a disadvantage to truly compensate you, money is one measure the legal system can use to value your losses.

Letter From Jan

The year seems to have flown by and the holidays are already upon us! Of course, we work year-round for our clients to provide the compensation they deserve so every day – and every holiday – can

be a joyful time to enjoy family and friends without added financial stress. Stresses like serious illness.

In this issue, we talk about toxic exposure in the workplace – specifically as it relates to asbestos and the severe, associated health risks of its exposure. With a staggering 1.3 million people exposed to on-the-job asbestos, the corporate world and government must protect our workers.

Another thing you hear about, but may not fully comprehend is “What constitutes ‘pain and suffering’ in a personal injury case?” If your case goes to trial, judges do

not give juries much in the way of determining the value of pain and suffering. There are no charts for jurors to look at in order to figure out how much to award. In most states, judges simply instruct juries to use their good sense.

The bottom line of both articles is to be well informed. It’s the reason we offer these newsletters. And, equally as important, the reason we are here to answer your questions. Please don’t hesitate to give us a call about these or other personal injury matters.

Thank you for being a subscriber in past years. We wish you all a very safe and happy holiday – from our family to yours!

Sincerely,
Jan Dils



Jan Dils brings her expertise to issues that affect you and millions of other Americans every day. While her knowledge spans the critical areas pertaining to Personal Injury, Veterans’ benefits, Social Security disability benefits and related appeals and claims, her practice remains focused on people, making sure you get the right answers and results.

EMPLOYEE SPOTLIGHT!

Elizabeth Dues

Elizabeth Dues is a West Virginia native. As Jan Dils, Attorneys at Law Outlying Office Manager, Elizabeth travels between all five branch offices. For her, that’s a special bonus to her already fulfilling job.

Elizabeth loves to travel – for business and pleasure.

Her priorities are God and her family. She is now an empty nester, but loves spending time with her three children

and her niece and nephew – practically grandchildren. In her spare time, she is a voracious reader, has started yoga, journaling, crocheting and, thanks to Blue Apron, has become quite the chef.

“Amongst my faith, family, and hobbies, my work with the firm adds another level of fulfillment to my life. As a united group, my coworkers and I, diligently work to provide compensation payments our clients so justly deserve. I am forever grateful to be a part of the Jan Dils team.” Elizabeth brings so much expertise to our firm. She is always the voice of calm and serenity. We are so fortunate to have her managing our offices and making our customer service a cut above.



Community Corner

OFFICE INBOX

We are pleased to welcome **Jenn Booth** back to the Jan Dils Personal Injury team after returning from medical leave. We have all missed Jenn and are glad to have her back!

HOLIDAY COOKING SAFETY TIPS

- Do not rinse raw meat and poultry before cooking
- Use a food thermometer to make sure meat is cooked to a safe temperature
- Refrigerate food within two hours
- Leftovers are safe for four days in the refrigerator
- Bring sauces, soups and gravies to a rolling boil when reheating





What Are "General Damages" in a Personal Injury Case?

Most people have heard the term "pain and suffering," but may not necessarily know that it is a key component of any personal injury case. Pain and suffering is a "general damage" whereas medical bills and lost wages are considered "special damages." But what is pain and suffering from a legal perspective, and more importantly, how are general damages calculated for purposes of an injury-related insurance claim or lawsuit?

There are two types of pain and suffering: physical and mental.

- *Physical pain and suffering is the pain of your actual physical injuries. It includes not just the pain and discomfort you have endured to date, but also the detrimental effects that you are likely to suffer in the future as a result of the defendant's negligence.*
- *Mental pain and suffering results from being physically injured, but it is more a by-product of bodily*

injuries. Mental pain and suffering includes things like mental anguish, emotional distress, loss of enjoyment of life, fear, anger, humiliation, anxiety and shock.

Very significant mental pain and suffering can include anger, depression, loss of appetite, lack of energy, sexual dysfunction, mood swings and/or sleep

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Magnífico Mexican Dip

You can practically make a meal of this fabulous appetizer from Reception Pod Team Leader, **Cheryl Wingrove**. It's creamy deliciousness with a little kick. And easy to boot!



INGREDIENTS:

- 1 cup Jimmy Dean® Original Sausage Crumbles
- 1 package (8 ounces) cream cheese, softened
- 1 cup (4 ounces) shredded Mexican cheese blend
- 1/2 cup salsa
- Tortilla chips or crackers

DIRECTIONS: Combine sausage, cream cheese, Mexican cheese and salsa in a large microwave safe bowl. Microwave on HIGH for 2-3 minutes stirring every minute until cheese is melted and dip is smooth and creamy. Serve with chips and or crackers.





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disturbances. More severe mental pain and suffering can even constitute post-traumatic stress disorder (PTSD).

How to Calculate General Damages

Unfortunately, there is no special formula for calculating your general damages. Each settlement or jury verdict will depend on the unique circumstances of each individual's claim. Special damages

are fairly simple to calculate as those are tangible losses that include actual dollar amounts - medical bills, lost wages, out of pocket expenses (i.e., medication, travel expenses) and lost or damaged personal items like eyeglasses. However, general damages are subjective and personal and not as straightforward.

Your pain and suffering may not be the same as another person's pain and suffering. By example, two people could sustain the exact injury but one of those

people may experience much more pain and suffering than the other.

Many insurance companies use impersonal computer programs in an attempt to put a dollar figure on your general damages settlement amount. However, those computer programs do not, and cannot, accurately measure your pain and suffering. It is important to provide any and all supporting documentation to the insurance company to prove the nature of your general damages. For instance, documenting tasks you were able to do prior to sustaining your injury that you are unable to do now like grocery shopping, household chores, playing with your children or grandchildren.

As you can imagine, these cases are tricky. At Jan Dils, Attorneys at Law we have decades of experience in all aspects of Personal Injury. Questions? Give us a call. We'll help you recover the maximum and fair monetary compensation you deserve.



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