



PERSONAL INJURY NEWS YOU CAN USE

JAN DILS 
ATTORNEYS AT LAW, L.C.

DECEMBER 2017

How the Old Ames Tool Plant Fire in Parkersburg Might Be Affecting Residents Health

The burning of the more-than-400,000 square foot facility has swept the news, even becoming a national story and grabbing the attention of consumer advocate Erin Brockovich.

October 24th, a post on Brockovich's Facebook page stated, *"The chemical fire at old Ames plant in Parkersburg, West Virginia will burn for several days... I am collecting tons of information... and it's not good. Please stay out of the smoke... if you smell it, you are suffering harm. Take care of your children and pets... this will impact you for weeks to come."*

The fire started on Saturday, October 22 at approximately 12:30 a.m. The following Monday, Governor Jim Justice declared a state of emergency in the county, according to a news release from his office.

Equally as alarming, according to an article in the Charleston Gazette-Mail, two volunteer fire chiefs in Wood County warned nearly a decade ago that they had "extreme concerns" about the potential for a major fire at one of the local warehouses being used to store large amounts of

plastics and unknown other products from area chemical plants, state records show.

The warehouse might have contained PVC, nylon, carbon black, titanium dioxide, fiberglass, formaldehyde, Teflon and styrene, according to a list from public officials.

Located in a heavily populated residential area, the chemical smoke, odors, gases and fumes permeated the county. The Wood County Commission strongly advised people to stay indoors to avoid inhaling the smoke, especially people with respiratory issues.

Local residents are rightly concerned about potential threats to their health. Legal fallout from the fire could include

public and private nuisance and infliction of emotional distress, physical injury, annoyance and inconvenience, and loss of property value. If exposed, plaintiffs are entitled to fair compensation.

Since 1994, Jan Dils, Attorneys at Law has called the Mid-Ohio Valley home. We love being a part of this community. Like many of you, the fire at the former Ames plant impacted our lives. We understand that many of you may have questions about legal options for injuries or losses resulting from this fire. We are happy to answer those questions. Feel free to give us a call. Our number is 304-428-8900.

Legal fallout from the fire could include public and private nuisance and infliction of emotional distress, physical injury, annoyance and inconvenience, and loss of property value.





Letter From Jan

The Jan Dils team would like to wish you all a wonderful holiday season. Enjoy spending time with family and friends. But as you celebrate, we remind you to be safe. If drinking, assign a designated driver or take a cab. The consequences of getting a DUI or injuring yourself or someone's loved one are never ever worth risking.

In this issue, we talk about the old Ames Tool Plant fire. This has been a tragic and concerning event for our community. It's going to take quite some time to assess the damage and associated health risks. We know many of you have questions. West Virginia is home to a plethora of large, often dangerous industries - more than many other states. As a result, our firm has decades of experience with these sorts of negligence cases. We want you to know we are monitoring this closely.

If you have personal concerns, please feel free to contact us. The second article shares tips on negotiating with insurance companies - something else we do every day. We want you to go into every claim with an understanding of what to expect and how you can maximize your return. If you feel you are being taken advantage of, please don't hesitate to give us a call. The consultation is free. We are here to support you.

Of course, it's December - and our last newsletter of 2017. We wish you happy holidays and a safe New Year. From our family to yours, here's to health, prosperity and happiness in 2018!

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!

Darian Farley

Darian Farley joined the Jan Dils team in 2015 as a Management Support Specialist. She graduated from Waterford High School in 2012 and is currently enrolled in West Virginia University at Parkersburg. Go Riverhawks! She is pursuing a degree in Legal Studies with just three more semesters in front of her.

"I help with anything and everything to support the Personal Injury team, but medical records is my area of specialty. It has been so wonderful to work with the best in the business and get this experience while I earn my degree in the field."



When Darian's not working and attending classes, she might be with her study group - Halo is a Husky and Luna, her brand-new puppy, is a Saint Bernard Border Collie Mix. She also enjoys lifting weights and even runs a photography business in all her spare time. Fortunately for us, she is high energy and a great multi-tasker. Oh, and let's not forget the big news. Darian is recently engaged. Congratulations to Darian and Anthony Betts!

Community Corner

On Tuesday September 19th, Jan Dils participated as a judge in the **2nd Annual Launchpad Pitch Competition**. The event, which is sponsored by several local businesses and organizations, allows new business owners to compete for a



Photo Credit: Jeffrey Saulton

\$5,000 prize. Jan is pictured here with her fellow judges, and event winner, Kay Mullenix, owner of Pastry & Petals LLC. Pastry & Petals is located in Cairo, West Virginia.

Also, help us congratulate **Mr. Holmes Marty** of Blennerhassett Elementary School. He is the September 2017 Jan Dils, Attorneys at Law **Golden Apple Award Winner**. Mr. Marty teaches 5th Grade at the school. Holmes was nominated by a parent at the school. She explained how Mr. Marty truly goes above and beyond for his students and every student at the school. Congrats Mr. Marty, you are a very deserving recipient!

OFFICE INBOX

We are proud of our own **Elise McCay** on the Jan Dils team. She is attending West Virginia University at Parkersburg to earn her paralegal degree.





Tips for Negotiating with an Insurance Company



Whether you were in a car accident, slipped and fell, or were on the receiving end of medical malpractice, after you submit a demand letter to an insurance company, it's time to negotiate.

How the Process Works
During the first call with the insurance adjuster, you will each make your points about the strengths and weaknesses of your claim. The adjuster will then make an offer to settle your claim, likely lower than the amount specified in your demand letter. Counter the offer. It typically takes two or three phone calls to agree on a settlement.

Do Not Jump at a First Offer
When the insurance adjuster makes you a first offer, it may be a tactic to see if you know what you are doing. Make a counteroffer that is a little bit lower than your demand to show you are being reasonable and are willing to compromise.

Emphasize Emotional Points
In these negotiations, just emphasize

the strongest points in your favor – for example, that the insured party was completely at fault, that you had a very painful injury, that your medical costs were reasonable, and/or that you

had long-term or permanent physical effects.
It may also help to refer to any emotional points supporting your

Continues on back page >>

Peppermint Kiss Thumbprint Cookies

A sweet holiday treat from Veterans Affairs Quality Review Specialist, **Tiffany Rummer**.



- INGREDIENTS:**
- | | |
|-----------------------------|--|
| 1 cup butter | 1/2 teaspoon baking powder |
| 1 cup powdered sugar | 1/4 teaspoon salt |
| 2 egg yolks | for the chocolate |
| 1 teaspoon vanilla | 1 cup white chocolate chips |
| 1/2 teaspoon almond extract | 4 tablespoons heavy cream |
| 2 1/4 cups flour | red food coloring |
| | one bag peppermint Hershey kisses, unwrapped |



DIRECTIONS: Preheat oven to 350°. Spray a baking sheet with cooking spray. In a large bowl, cream together butter and powdered sugar until smooth. Mix in egg yolks, vanilla and almond extract. In another, medium sized bowl, whisk together flour, baking powder and salt. Slowly mix dry ingredients into wet ingredients until incorporated. Roll dough into 1 inch balls and place on prepared baking sheet 2 inches apart. Use your thumb to make a well in each dough ball. Bake 10-12 minutes. Remove and allow to cool 5 minutes before carefully removing from pan to finish cooling. While warm, gently press down the center of the cookie to re-form the well. Combine chips and heavy cream in a microwave-safe bowl and set on high for 1 minute, stirring every 20 seconds until mixture is smooth. Reserve 1/4 cup of the chocolate. Add 3-6 drops (according to preference of color) of red food coloring to the large portion of chocolate and mix until smooth and even in coloring. Fill with about 1 teaspoon of red chocolate. Spoon reserved white chocolate into a small zip lock bag. Seal the bag and snip off a TINY bit of one bottom corner. Drizzle the white chocolate onto the cookies in any pattern. Gently press one peppermint kiss candy into the center of each cookie. Allow chocolate set 1 hour. Sprinkle with granulated sugar for a more festive look.



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Continued from inside story

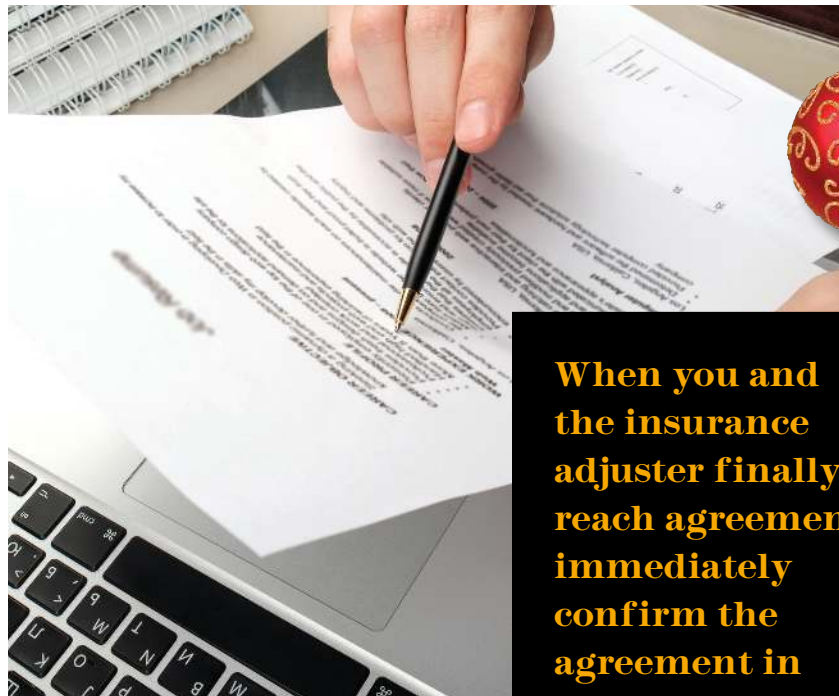
claim – a particularly strong photo of a smashed car or a severe-looking injury. If your injury interfered with your ability to care for your child, mention that your child suffered as a result.

Put the Settlement in Writing

When you and the insurance adjuster finally reach agreement, immediately confirm the agreement in a concise letter to the adjuster stating the settlement amount, what injuries or damages it covers, and the date by which you expect to receive settlement documents.

Be Aware of Statute of Limitations

The pursuit of personal injury claims can be barred by time limitations (statute of limitations) proscribed by the State's laws in which the injury occurred. Research the applicable statute of limitations and do not let it pass, otherwise, your claim may be precluded.



When you and the insurance adjuster finally reach agreement, immediately confirm the agreement in a concise letter to the adjuster.

Of course, if you believe your claim is not being handled fairly, please feel free to call the experts at Jan Dils, Attorneys at Law. We won't take no for an answer.