



THE
INJURY &
DISABILITY
LAW CENTER

Personal Injury, Social Security Disability, and Workers' Compensation

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3 Steps to Recovering Lost Wages After an Accident

With a Bit of Preparation, You Can Pocket Your Past *and* Future Earnings

I recently resolved a personal injury case for a client who suffered severe injuries in a trucking accident. Prior to her accident, she worked in the oil field earning a high salary. The injuries she suffered in the accident caused her to miss time from work (past lost wages), and she also lost her ability to ever return to work in the oil field (future lost wages). Her total lost earnings — made up of her past and future lost earnings — were enormous and put her finances, family, and overall future at risk. Like many personal injury victims, my client's lost earnings represented a significant part of her overall damages. Thankfully, by following the steps outlined below, we helped recover these lost earnings for my client.

Recovering lost earnings is never easy. Insurance companies are notoriously reluctant to pay for lost earnings despite clear New Mexico laws establishing them as a recoverable damage in a personal injury claim. (See New Mexico Uniform Jury Instruction 13-1803.) Most denials for lost earnings claims are based on a failure to submit the proper evidence to support the claim.

To avoid having your lost earnings claims denied, follow these three steps:

Step 1: Gather your medical records.

You need to prove that your accident-related injuries caused you to miss time from work. Your medical records can accomplish this. Specific documents from your medical provider releasing you from work can be very helpful.

Step 2: Request verification from your employer for missed work.

Ask your employer for documentation showing the specific dates you missed work. This can be as simple as a letter from your employer, your past pay stubs, or anything showing the dates you missed.

Step 3: Collect records to prove how much you are paid.

The best records are pay stubs, ideally from the past six months. If you are paid hourly, you need to show a history of how many hours you work per



week and how much you are paid. Pay stubs are effective because they often show your year-to-date earnings, and they likely include additional forms of compensation you may earn, such as overtime or per diem pay. Remember, you are looking to show your total lost compensation. If you don't have your pay stubs, you can provide a W-2 or Form 1099, but you will likely need at least three years of those records to show how your annual income was reduced. Alternative documents such as written contracts for work or bank statements can also be used and may be necessary if you are self-employed.

By collecting the documents outlined in these three steps, you can prove: 1) your accident-related injuries caused you to miss work; 2) how much work you missed; and 3) how much income you lost as a result of your missed work.

Here's a tip: Gather all of these items before you submit your claim. It will help avoid delays and make it easier for the insurance adjuster to evaluate the merits of your claim all at once.

In some cases, it may be necessary to hire an expert to help prove a lost earnings claim. This step is rarely necessary, except in substantial cases that involve future lost earnings or other complex financial matters. In this situation, seek legal help.

Our team here at The Injury and Disability Law Center helps clients with all aspects of personal injury claims, including lost earnings claims. We work hard to ensure clients are treated fairly and receive the compensation they deserve.

“Insurance companies are notoriously reluctant to pay for lost earnings despite clear New Mexico law establishing them as a recoverable damage in a personal injury claim.”

-Jeremy Worley

THE LASTING IMPACT OF THE DEEPWATER HORIZON OIL SPILL

LEGAL IMPLICATIONS WE CAN STILL SEE TODAY

Although not many people realize it, the 2010 Deepwater Horizon oil spill greatly affected many aspects of the legal system we rely on today.

The head of litigation for BP at the time, James J. Neath, says the case was a “life-changing event.” For over a year and a half, BP’s large internal and external legal teams worked continuously on the crisis response 16 hours a day, seven days a week. Neath describes the workstream as “devoted to identifying, preserving, and ‘live-streaming’ video footage of the ongoing leak.” On top of the overwhelming data, public actors from every level of government were involved. Furthermore, the case affected international claims ranging, according to Neath, from “class actions in Mexico to U.K. pension fund securities claims to litigation in the Ecuadorian Constitutional Court.” Neath adds that the sheer scale and reaction to this crisis pushed the legal industry in ways we can still see today.

For one, the practice of law has rapidly globalized. Because the Deepwater Horizon oil spill case affected people nationally and internationally, **it’s more common for victims outside the U.S. to seek compensation within**

the U.S. justice system. However, protecting data across borders poses an increasing challenge. Cooperation among international government regulators may be more common for private plaintiffs’ counsel, but globalization and shifting feelings about nationalism can interfere with the strict standards of electronic data privacy and security. This means complex cases must rely on a proactive and professionally managed data strategy plan.

Second, **due to tremendous political polarization over the past few decades, local relationships are more important than ever.** U.S. states, counties, and municipalities have become more independent, and “it’s more common for ills to be litigated independently at all levels of government,” Neath says. The affected U.S. Gulf Coast states and surrounding counties each influenced the outcome of the Deepwater Horizon claims. Since the oil spill, we have recognized the importance of carefully considering the relationships between each party.

Third, **Deepwater Horizon has popularized the creation of internal business functions**



for investigating internal business safety and integrity. These departments are often established separately from the business to avoid any profit bias.

Fourth, **speed, professionalism, and expertise when handling data and technology in a legal operation have become more crucial than ever before.** While investigations are “growing [in] importance,” even Neath believes that the “greatest challenge is data.” While he acknowledges that data experts often speak different languages, seasoned data professionals with legal backgrounds should still manage the data.

With the lessons learned from the Deepwater Horizon oil spill, the U.S. legal system is better prepared to handle future hurdles that may come its way.

HOLD THE SALT

Don’t Let Food Seasonings Sabotage Your Health

With so much emphasis on what foods you should eat to be healthy, it’s easy to overlook an important element of the cooking process: seasoning. You can find thousands of premixed seasonings on the market, and although adding dashes to your food seems inconsequential, the seasoning may actually turn your healthy foods into unhealthy foods. And the main culprit, in this case, is salt.

Salt is a popular component of many premade seasonings because of its flavor-enhancing abilities. The label on your favorite mix should tell you exactly how much salt it contains. If it’s high on the ingredient list, you’re better off finding a substitute. High-sodium seasonings will promote water retention if used too liberally, which may lead to weight gain. The American Heart Association recommends consuming no more than 2,300 mg of salt a day. Ideally, adults would consume only 1,500 mg of salt daily.

Removing salt from your seasoning repertoire may be difficult because it *does* enhance flavor. But alternative spices, when paired with the right food, can be great substitutes and have numerous health benefits. Here are a few.

- For beef: bay leaf, marjoram, nutmeg, pepper, sage, thyme
- For chicken: marjoram, oregano, paprika, rosemary, tarragon, chili powder
- For pork: garlic, onion, sage, pepper, oregano

- For fish: curry powder, dill, dry mustard, marjoram, paprika, pepper
- For vegetables: pepper, parsley, cumin, dill, chives, basil, paprika

Try not to use more than 1/4 teaspoon of dried spice or 3/4 teaspoon of fresh spice per pound of meat or veggies. And for the best flavor, add ground spices to your food about 15 minutes before the end of cooking time. Add whole spices at least one hour before.

Remember, salt doesn’t have to be the enemy — in moderation, it helps your body stay properly hydrated and helps deliver nutrients more efficiently. But too much can quickly lead to negative side effects, and with granules that are hard to see, it can be easy to go overboard. Instead, experiment with the hundreds of incredible spices available, and you might just open up a whole new world of great flavors and healthy habits.



TAKE A BREAK



Inspired by The New York Times

Ingredients

- Salt
- 2 tbsp butter
- 1 clove of garlic, finely chopped
- 1 1/2 cups heavy cream
- 1 large egg yolk
- 1 lb fresh fettuccine
- 1 cup freshly grated Parmigiano-Reggiano
- Freshly ground pepper, to taste
- Fresh parsley, chopped, to taste
- 1 lemon wedge

Directions

1. In a large pot, bring 6 quarts of generously salted water to a boil.
2. In a large, deep skillet, while the water heats, melt butter over medium-high heat. Add garlic and sauté until fragrant and sizzling (about 2 minutes).
3. In a bowl, whisk heavy cream and egg yolk until blended and pour into garlic butter.
4. Reduce heat to medium-low. Stir until hot, not boiling. Keep warm on low heat.
5. In the large pot, cook pasta until al dente. (The pasta will float once it's done.) Reserve about 1/2 cup pasta water and drain pasta. Pour hot pasta into cream mixture and toss to coat on low heat.
6. Add Parmigiano-Reggiano and keep tossing gently until cream is mostly absorbed. If the sauce is absorbed too much, toss with extra pasta water. Season with salt and pepper to taste.
7. Serve with parsley and a squeeze of lemon.

ARE YOU QUIZ SAVVY?

Beware of Social Media Quiz Scams

You see fun quizzes on Facebook all the time. What kind of dog breed matches your personality? What Disney princess are you most like? These can be fun to pass time or learn new things about yourself. However, did you know that social media quizzes aren't actually safe?

The Better Business Bureau (BBB) recently warned people that distractions on social media aren't all harmless. In order to collect personal information, scammers can't knock on your door and ask about your mother's maiden name or the name of the street you grew up on. Intentionally, they design scams to attract your attention so you *voluntarily* give your information to them. They will ask common security questions that seem to relate to the subject matter, but in actuality, your answers are recorded for scammers to hack and steal your personal information later on.

That's why it pays to **be skeptical**. If you're about to take a quiz, first ask yourself who created it. Do you trust them and the website it's on? Even if the quiz seems outwardly innocent, it's a risk.

To prevent quizzes and potential scams from popping in your newsfeed, **adjust your privacy settings and monitor friend requests**. Is one of your friends adding you on a second account? Sometimes, scammers make imposter secondary accounts of people just to have access to their friends' timelines. Not everyone monitors how much they post on Facebook; anyone can amass lots of invasive information just from scrolling down a profile. This brings us to our next point: **Remove personal details from your profile**. Nobody needs to know your phone number and home address by clicking around on your profile. Let the important people ask! It's safer that way.

Lastly, **never give answers to common security questions**. Why would a quiz need to know the name of your high school? No matter what, when you volunteer information online, there's always risk.

Best of luck, friends! There are lots of safe, authentic quizzes out there. How else are you supposed to know what Disney princess or dog breed you really are?





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THE MOST FAMOUS ART HEIST YOU'VE NEVER HEARD OF Meet the Man Who Stole the 'Mona Lisa'

One hundred and nine years ago this month, one man — or was it three? — fled from the Louvre Museum in Paris, carrying what would quickly become the world's most famous painting: Leonardo da Vinci's "Mona Lisa."

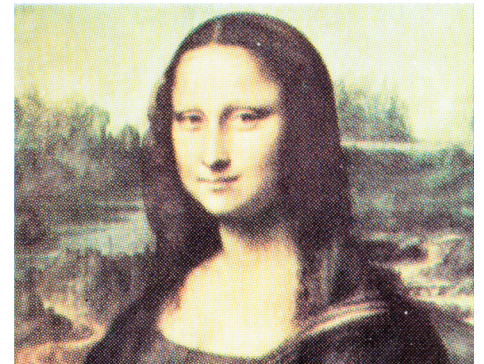
Historical accounts of the theft agree only on who was the ringleader: 30-year-old Louvre handyman Vincenzo Peruggia. He was a house painter, an immigrant, the bearer of a glorious Monopoly Man mustache, and a vehement Italian patriot. At some point on the morning of Aug. 21, 1911, Peruggia lifted the glass case he himself had constructed to house the "Mona Lisa" and smuggled the painting from the building.

Some versions of the story say Peruggia was assisted by two brothers, fellow Italian handymen Vincenzo and Michele Lancelotti. NPR reports the trio spent the night preceding the theft huddled in one of the Louvre's supply closets, lying in wait

to steal the portrait. In his documentary about the theft, director Joe Medeiros claims Peruggia acted alone, driven by an obsession with the work and a dream of returning the painting to Italy.

Either way, we know that Peruggia successfully spirited the painting back to his one-bedroom apartment. There it lay concealed in a false-bottomed trunk for more than two years. This period of mysterious absence (during which police grilled and dismissed Peruggia as a suspect in favor of J.P. Morgan, Pablo Picasso, and playwright Guillaume Apollinaire) is what made the "Mona Lisa" world famous.

Peruggia was eventually caught attempting to sell the painting in Italy. He pleaded guilty and spent eight months in jail. After his release, he enlisted in the Italian army to fight in World War I, surviving the war only to die of a heart attack on his 44th birthday.



Though Peruggia married after the war, some suspect that the true love of his life was the "Mona Lisa" herself. In a CNN article, author and art history professor Noah Charney speculates that over his two years with her, Peruggia developed romantic feelings for the portrait. Perhaps he fell victim to a kind of "reverse Stockholm syndrome," Charney suggests, the captor falling in love with his hostage. "In this case," he says, "the hostage was a work of art."