



How to Prove Pain and Suffering Damages Try These 5 Tips to Maximize Your Claim

I get a lot of purpose and fulfillment from my work, but one thing about the job never gets easier: seeing my clients deal with pain. It's heartbreaking to sit down with an avid gardener and realize that because of a car crash, they can no longer bend over to tend their flowers, or a father who has too much hip pain to carry his child. That's why I'm so grateful my clients can win pain and suffering damages as part of their personal injury claims.

These damages are compensation for physical pain, stress, and life disruption. They can help ease your distress and make up just a little for the necessary changes in your life after an accident. The only downside is that pain and suffering is difficult to calculate, and the numbers reached almost never seem like enough. When you're filing your own claim for pain and suffering, keep these five things in mind to ensure you get the most compensation possible.

- 1. Be specific.** When you're talking to the adjuster, be as specific as possible about how the accident has impacted your life. Saying that you can't play with your grandkids any more because of your back pain is much more effective at generating empathy than simply saying that your recovery has been rough. Every claim is different, so tell your personal story and make sure that your unique situation is clear.
- 2. Be honest.** If you exaggerate the impact of your injuries or try to claim that everything going wrong in your life is the fault of the accident, you'll lose the trust of the jury or adjuster. Instead, be realistic about how much of your pain and suffering is related to your traumatic experience. Your child's failing grade, for example,



probably isn't attributable, but your mental fog and inability to stay on task at work could be.

- 3. Use affidavits.** An affidavit is a written, sworn statement from another person that backs up your claim. One of the best ways to prove how extensively an injury has impacted your life is to have the people whom you are close to — your partner, parents, coworkers, or friends — explain the changes they've seen in your day-to-day routine. They can vouch for the fact that you had to give up your hobbies, for example, or describe the symptoms of your depression or PTSD. This evidence will put more weight behind your claim.
- 4. Don't forget to consider the future.** Keep in mind that pain and suffering damages can include future pain and suffering. If you've been forced to give up future plans because of an accident or injury (e.g., an opportunity for job training that could have resulted in a raise), that should be taken into account, and bringing it up could increase your compensation.

- 5. Be realistic about the amount you ask for.** This is the toughest of the five steps because it means tempering your expectations. Realistically, if your accident was minor, then you likely won't get a huge payout for pain and suffering, even if it made your life more difficult. Going into the claims process, keep this in mind so you can avoid appearing entitled and alienating the adjuster or jury.

In every personal injury case we're involved in, we use these techniques to help our clients maximize their pain and suffering damages. Getting this compensation is one of the most satisfying parts of the job, but it can be tough, too. I know it's hard to accept that you might not get the amount of money you feel you deserve. However, with these tips and our guidance, you'll be able to access as much compensation as you're allowed under the law. To find out more about the process and how we can help, visit our website, IDLawCenter.com.

-Jeremy Worley

CATCHPHRASE!

6 Things Celebrities Tried to Trademark — and Some Who Succeeded

Celebrities love to trademark all sorts of things for one simple reason: People associate certain words with the celebrity's brand, and the celebrity wants to protect that. It makes sense from a business perspective, but sometimes, it can get a little silly. Read on to see what the U.S. Trademark and Patent Office gave its blessing to and which trademarks it outright refused to create.

Blue Ivy Carter

Just days before their first daughter was born in 2012, Beyoncé and Jay-Z filed for a trademark on her name. The problem was that a wedding planning company



called Blue Ivy was already using the name. Plus, Jay-Z mentioned to the media that their intention was to prevent others from using it. The trademark was denied.

Kylie

This generic trademark was filed by Kylie Jenner (of the Kardashians and Jenners). Her intention was to use her trademarked name for marketing purposes. The trademark was denied, and Jenner even ended up in a brief legal battle with singer Kylie Minogue.

'Let's get ready to rumble!'

One of the most well-known catchphrases of all time was successfully trademarked in 1992 by its creator, boxing announcer Michael Buffer. Even better, it's made Buffer a very wealthy man. To date, he has made nearly \$500 million dollars by licensing the trademark.

'Rock Star From Mars'

Back in 2011, actor Charlie Sheen had a very public meltdown. During the episode, he

rambled off countless phrases such as "Duh, winning," "tiger blood," and "rock star from Mars." In the end, he tried to trademark a total of 22 phrases, but all were rejected by the U.S. Patent and Trademark Office.

'You're fired!'

Donald Trump is known for many things, including emblazoning his name on everything he owns. Long before he was president and while host of "The Apprentice," he filed a trademark on the show's catchphrase. It was denied because it was too close to a preexisting (and trademarked) board game called You're Hired.

'BAM!'

TV chef Emeril Lagasse was a pioneer in the world of cooking shows. He popularized cooking on TV and captivated audiences by exclaiming one simple phrase every time he added an ingredient to whatever he was making: "BAM!" Naturally, he trademarked his signature phrase, but he doesn't discourage people from using it as long as they keep it in the kitchen.

3 Great Apps to Maintain Your Mental Health at Home

When you lead a busy lifestyle, mental health often takes a back seat to other pressing matters. Thankfully, there are a number of easy-to-use apps to help address this concern. Even if you're pressed for time, these apps can help you maintain your mental health. And if you're just looking for some simple resources to guide you through mood-boosting exercises, they've got you covered there too.

Moodfit (GetMoodfit.com)

Think of this app as a fitness tracker for your mind. The mood tracker allows you to record your moods and thoughts and follow trends and changes over time. You can look at these trends yourself or set the app to monitor specific areas of your mood. This highly customizable app is packed with tools and resources to help you with your mental health. In addition to the mood tracker, Moodfit offers a range of breathing exercises and a guide to mindfulness meditation.

MoodMission (MoodMission.com)

If you're struggling with mental health issues, like anxiety and depression, you may feel like this free, evidence-based app was designed just for you. MoodMission asks you a series of questions to assess how you're feeling, then suggests a series of "missions" you can complete to help you get into a better state of mind. Missions are short, achievable tasks, like taking a walk around the block or cleaning up a room in your home. Of course, like all the apps listed here, it is not a replacement for professional mental health care, but it offers evidence-based exercises and a level of support that's not often found in smartphone apps.

Talkspace (Talkspace.com)

While this app contains a number of mental health tools, its primary purpose is to connect you quickly with one of the company's thousands of licensed and experienced therapists you can message on a regular basis. Unlike traditional therapy

where you schedule an appointment and meet in person, Talkspace allows its user to communicate with their therapist as issues arise through the app's encrypted messaging system. It also allows you to request a check-in from your therapist and provides a place for them to upload your therapy notes. Talkspace is more costly than some other apps, but depending on your specific needs, it may be worth it.



TAKE A BREAK



Inspired by Candiquik.com

These adorable chocolate-dipped strawberry ghosts will be the stars of your Halloween party!

Ingredients

- 16 oz white chocolate, chopped
- 24 strawberries
- 1 package mini dark chocolate chips

Directions

1. In a microwave-safe bowl, heat the white chocolate at 50% power for 30 seconds. Remove it and stir, then repeat the process until melted.
2. Lay out a sheet of parchment paper.
3. One by one, dip the strawberries into the melted white chocolate and set them on the parchment. Allow the extra chocolate to pool to form a "tail" effect.
4. Before the chocolate coating fully cools, add three mini chocolate chips to each berry to form two eyes and a mouth.
5. Let chocolate set, then serve your spooky snacks!

THE NIGHT MARTIANS INVADED NEW JERSEY

Orson Welles Recounts 'The War of the Worlds'

On the evening of Oct. 30, 1938, an eloquent voice graced the airwaves in New Jersey:

"We now know in the early years of the 20th century, this world was being watched closely by intelligences greater than man's, and yet as mortal as his own. We now know as human beings busied themselves about their various concerns, they were scrutinized and studied, perhaps almost as narrowly as a man with a microscope might scrutinize the transient creatures that swarm and multiply in a drop of water ..."

And so began Orson Welles' classic radio broadcast, a retelling of H.G. Wells' "The War of the Worlds." Peppered in the retelling were fictional news bulletins informing the public of an alien invasion. Martians had arrived in New Jersey!

Some listeners, who had missed the fact that this was a retelling of "The War of the Worlds," assumed the news bulletins were the real thing. Frenzied, they called local police, newspapers, and radio stations hoping for more information about the invasion. What were they supposed to do?

Higher-ups at the CBS radio studio where Welles delivered the live reading called and told him he needed to stop and remind listeners that this was a work of fiction. The panic, it seemed, was growing as the Martians "approached" New York. A little later that night, police showed up at the studio with the intent of shutting the whole thing down.

The next day, the story broke across the country — newspapers reported on mass hysteria and stories poured out

that the nation had erupted in panic. However, as we now know, the extent of the panic was exaggerated. In fact, the program didn't even have very many listeners that night, and most who had tuned in were aware they were listening to a radio play rather than a news broadcast.

American University media historian W. Joseph Campbell, who researched the broadcast in the 2000s, found that while there had been some panic, most listeners simply enjoyed the show. It turns out the person who was the most frightened was Welles himself who thought his career had come to an end.





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RAZOR BLADES AND POT? HALLOWEEN MYTHS THE MEDIA LOVES TO SCARE US WITH

For many people, Halloween is the time of year when certain spooky myths and superstitions come alive. It's when we hear stories of black cats and bad luck or ghosts in the attic. But there are some recent myths that often get perpetuated by both mainstream and social media — stories that frighten parents and create an anxious, fearful atmosphere.

Razor Blades and Poison

For a long time, the "razor blades in candy" has been a go-to media story. Every year around Halloween, you're sure to see your local news running a segment that encourages parents to check their kids' candy for tampering so their children don't swallow razor blades or poison.

There have been zero substantiated cases of any child or parent finding a razor blade hidden in the chocolate and nougat. There has, however, been one lone case

of a child being poisoned. In 1974, a father hid cyanide in his son's candy in Texas, leading to the child's death. It was discovered that the father was attempting to collect life insurance to ease his \$100,000 debt.

THC

THC (tetrahydrocannabinol) is the primary psychoactive compound found in cannabis, and it's the chemical that makes people high. In more recent years, there have been an increasing number of stories spread on social media about THC-laced candy or edibles being found in kids' candy bags.

There are also news stories of THC-laced candy being found during warranted searches. However, that's as far as the story goes, at least when it comes to Halloween. In 2019, police in Johnstown, Pennsylvania, warned parents to be on the lookout for THC-laced candies after they found some



in a bust. While the warning was certainly valid, nothing ever came of it.

Should you check your child's candy? Most definitely! It's always good to check just in case, though the danger is negligible. That said, kids should never take unwrapped or homemade treats while trick-or-treating. This has less to do with hidden razors and more to do with simply not knowing what's in those items, such as potential allergens.