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Fall 2022

PERSONAL INJURY | WORKERS' COMPENSATION

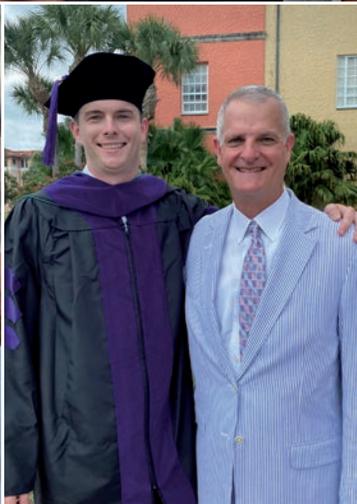
Greetings! *I hope this newsletter finds you and your family safe and well. The purpose of this newsletter is to give you a little update on my family and the law practice. Additionally, I have enclosed some interesting articles for your review and thank everyone for your kind referrals.*



From left to right:
Frank, Pam, Billye, Denise, Jessica, Lynette, Jennifer and Cindy

Family: it is hard to believe but all three of my sons live west of the Mississippi River and my wife and I are officially empty-nesters. Thankfully, we have two awesome dogs (Tank and Jimi) to keep us busy.

My oldest son George graduated from law school and is happy working and living in Denver, Colorado. Don, my middle son, has successfully earned the black beret to be a member of the special operations TACP (Tactical Air Control Party) in the United States Air Force. Finally, my third son Earl has moved to Austin, Texas to begin work with Charles Schwab as a cloud engineer. My wife and I are extremely proud of our three sons but miss them terribly. I have included lots of photographs.





Practice: the office is in a lot of fights with the insurance industry and big business. I have a number of upcoming jury trials in my auto practice and many non-jury bench trials in my workers' compensation practice. The joy of successfully prosecuting my client's claims against the insurance industry has not faded one bit.

Hablo Espanol: my wonderful paralegal Jessica has decided to move to Brevard County to be with her family. Lynette who just graduated from the University of Central Florida has joined the team and speaks fluent Spanish. We are going to miss Jessica but are happy to welcome Lynette to our work family.

Thank you, Thank you, Thank you.

With Dan Newlin and Morgan and Morgan spending over \$1 million a month on advertising, I am so fortunate to have you all thinking of my firm when someone close to you needs a personal injury lawyer. Finally, thank you for the wonderful reviews and the kind referrals.

Frank



Be careful! Do not sign that medical release form

When you are injured in a car accident and you need to file a claim, you will hear from the insurance adjuster. It is the natural course of events. One of the things the adjuster will ask you to do is sign a medical release form. You do not have to legally sign this form. This form is meant to open the doors for the adjuster to go through all your medical records, a lot of which will have nothing to do with your auto accident.

Your medical forms may by-pass you, go directly to the adjuster and could have inaccurate notes from the Doctor that could be taken out of context and make you look suspicious. The form also allows the adjuster to contact your care providers directly.

Avoid signing that form. You will need to hire an experienced auto accident attorney. Your attorney can review all

your medical forms and decide which information applies to your case and will go over the information with you so that only the relevant information is sent to the insurance adjuster.

Do not be fooled by a friendly adjuster. The adjuster's goal is to minimize the settlement they pay you. If you have been injured in an auto accident, call our office. We are here to help.

Sharing the Road with Commercial Trucks

Driving around commercial trucks can be dangerous. Trucks have larger blind spots, are hard to maneuver and take longer to stop.

- 1. Avoid a truck's blind spots** Big rigs and other large vehicles have much larger blind-spot areas than passenger cars:
 - ▶ One lane wide on the driver's side, extending back to about half the length of the trailer
 - ▶ Two lanes wide on the right side, extending back slightly behind the trailer
 - ▶ 20 feet in front of the truck
- 2. Practice safe passing** Careful passing is important near a large truck because the heavy vehicle cannot stop as quickly. Truck drivers need time to react, adjust their speed and brake accordingly. When passing a large truck, always approach from the left side since it is easier for the driver to see you. Keep a consistent speed and always signal clearly in advance. Before you enter the lane in front of the truck, make sure you can see it in your rearview mirror to ensure a safe distance. When a truck passes you allow plenty of space in front of you for the driver to maneuver safely.

- 3. Allow more time** When you change lanes or turn near a commercial truck, activate your signal earlier to give the driver more time to respond. Avoid moving into the lane in front of a large truck. A sudden lane change may not give the truck driver enough time to stop.
- 4. Increase following distance** Leave at least four seconds between your vehicle and a commercial truck. If you cannot stop in time or are rear-ended while traveling too close to a truck, your car may be pushed underneath the trailer. If traffic is stopped, leave extra space behind a truck in case it rolls backward.
- 5. Watch for wide turns** Semi-trailer trucks need room to make turns. The cab and trailer may need to swing left to gain room for a right turn or may start a turn from the middle lane. Do not pass a truck that has a turn signal on. When you are stopped at an intersection make sure your car is safely behind the line because trucks need extra space to make turns.
- 6. Drive patiently** Be patient when sharing the road with semi-trailer trucks. Honking, aggressive driving, or maneuvering through traffic will not cause trucks to speed up but instead may put you in danger.

Not only do trucking accidents tend to be more severe than passenger vehicle accidents they are also often more complicated. There may be multiple parties who are liable for the damages you have suffered. If you have been injured in a truck accident, call our office. We are here to help.

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Fall Word Search

FOOTBALL	CAMPING	APPLES
HUNTING	BICYCLE	PUMPKINS
LEAVES	WALKING	HOODIES
CARNIVAL	COLORFUL	BONFIRE
HIKING	SCENIC	

F	X	W	H	B	F	G	H	Y	H	M	B
J	O	K	U	L	I	O	O	H	I	N	O
V	J	O	N	U	O	A	L	M	K	Z	N
G	C	W	T	D	S	R	O	Q	I	P	F
N	C	Y	I	B	H	J	R	O	N	S	I
I	W	E	N	M	A	K	F	S	G	N	R
P	S	E	G	V	S	L	U	C	Q	I	E
M	A	B	I	C	Y	C	L	E	L	K	G
A	A	P	P	L	E	S	I	N	E	P	M
C	A	R	N	I	V	A	L	I	A	M	S
D	G	J	W	A	V	B	N	C	V	U	F
W	A	L	K	I	N	G	H	L	E	P	O
C	O	L	O	R	F	U	L	T	S	E	Z

Who is Responsible for Injuries at Sporting Events & Concerts?

Throughout the year millions of people attend concerts and live sporting events. These events are fun and exciting. But what happens if you get hurt? Whether you are at a large venue or a small one, there are inherent dangers. This can change a fun day into a tragic one.

If you should get hurt, the venue may be liable. Property owners and venue operators are required to make sure that all safety precautions are being taken to keep all attendees and staff safe. However, not everyone takes this requirement seriously. This could lead to a lack of repairs or improvements. If you are injured at a sporting event or concert, you may be able to sue based on premise liability. Premise liability is the legal responsibility of a property owner to maintain their property safely. However, you need to show that the property owner or venue operator were negligent.

Remember, that as a spectator at any of these events, there is a level of risk that you are accepting. There are common things that can occur at any events you attend and the venue would not be liable. However, if you sustained an injury that is outside that scope, this is where negligence could play a role.

Live concerts and sporting events are a great way to have fun. If you were hurt at an event, contact our office today. We are here to help.

Who Has the Right of Way at an Uncontrolled Intersection?

Navigating intersections can be challenging. This is especially true for uncontrolled intersections because there are no stoplights, stop signs or other traffic controls. While uncontrolled intersections are mainly found in less-populated residential or rural areas, they are still tricky to figure out.

To stay safe, it's important to know who has the right of way at an uncontrolled intersection. Here is everything you need to know.

Which Driver Has the Right of Way?

As you approach an uncontrolled intersection, you may feel like you're driving in the Wild West. Just because there are no traffic lights

or signs at these intersections doesn't mean that there aren't any traffic rules or expectations.

As a general rule of thumb, the right of way is determined by the position and order of the vehicles. The driver who reaches the intersection first gets to go first.

However, if two drivers arrive at an uncontrolled intersection at the same time, the car on the right will have the right of way. If you're not clear who should go first, come to a complete stop and flash your high beams or wave your hand to indicate that the driver on the right can proceed.

Tips for Uncontrolled Intersections

Use these simple tips to stay safe at an uncontrolled intersection:

- ▶ Proceed with caution
- ▶ Look to your left and right for other vehicles
- ▶ Let the driver on the right go first

By following these simple tips and understanding right-of-way etiquette, you can navigate uncontrolled intersections like a pro.

We are here for you!



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Workers' Compensation vs. Personal Injury Claim: Which is Best for You?

Were you injured at work? If so, you might need to file a workers' compensation claim to cover your lost wages and medical bills. However, in some cases, you could also file a personal injury lawsuit to recover compensation for your pain and suffering. Let's look at the differences.

What is Workers' Compensation?

An employee who is injured on the job is entitled to compensation benefits. It doesn't matter who was at fault, and you don't have to prove to anyone that you did not do anything wrong.

What is a Personal Injury Lawsuit?

If your work injury was caused by another party's negligence, it might be possible to pursue a personal injury lawsuit. This is a civil lawsuit that the injured worker files against another party who is responsible for their pain and suffering. Unlike a workers' compensation claim, you must prove that the negligence of another party caused your injuries and it resulted in financial losses. You could receive compensation for your pain and suffering, lost wages and medical bills.

Should You File a Personal Injury Claim?

Generally, an employee injured while at work cannot sue their employer or co-workers.

Workers' compensation laws ensure all employees who were injured on the job will receive weekly benefits and get reimbursed for their medical expenses. In return, most injured workers lose the right to sue their manager or co-workers for negligence.

However, it is still possible to file a personal injury claim against your boss or co-worker. If another person's gross negligence or intentional act caused your injury, you might be able to file a lawsuit to collect compensation for your pain and suffering.

Additionally, if you are an interstate railroad worker or crewmember on any kind of boat, you are still legally permitted to sue your employer.

Injured at Work? Contact an Experienced Attorney Today

If you were injured on the job seek immediate medical attention and report your injury to your employer or relevant authorities. Call our office, we are here to help.