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FALL 2000

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Web site:

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Kansas City Office

9229 Ward Parkway #107
Kansas City, MO 64114
816-361-5550
800-444-7552
FAX: 816-361-5577

Springfield Office

1201 East Walnut
Springfield, MO 65806
417-866-8688
800-333-7552
FAX: 417-866-8687

CLAIMS/CASES

- Automobile Accidents
- Dangerous Products
- Medical Malpractice
- Employment Matters
- Nursing Home Negligence
- Industrial Accidents
- Construction Accidents
- Recreational Accidents
- Explosions, Electrocutation
- Insurance Claims
- ...and many others.

We love referrals!

Please refer us to a relative or friend who has been injured. Our goal is to help victims get fair and just compensation. We appreciate the trust you've placed in us.

VOTE IN 2000

The 2000 elections are important to all Americans. They will affect us for many years. Two areas which the elections may dramatically affect are our civil justice system and the legal rights of consumers and workers.

Some candidates have announced that they intend to advocate for so-called tort "reform" in their campaigns and push that agenda if elected. The result? They will further restrict most Americans' legal right to seek redress from wrongdoers and shut courthouse doors to all but the powerful and wealthy corporate interests.

We ask you, your relatives, and your friends to register and vote for candidates—both Republican and Democrat—whom you know to be friends of the civil justice system.

For information about where legislators and candidates stand on civil justice issues, obtain information from their political parties, campaign offices, the League of Women Voters, the Internet, and in media reporting.

Be a good citizen and protect your rights. Please vote in the 2000 elections.

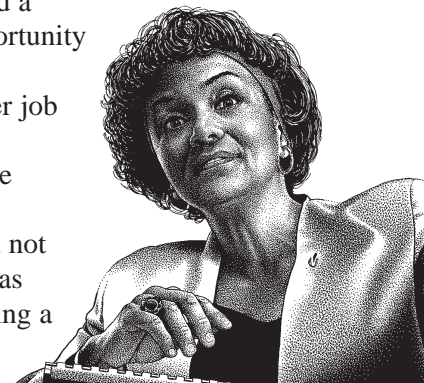
Employment law cases

Employer retaliation

An employee, a native of Jamaica, was promoted to credit card division supervisor after working ten years at a bank. Long since having become an American citizen, the woman applied for a regulatory compliance officer position just after her promotion. She was not offered the job. Although she felt she interviewed well, she accepted the bank's decision with professionalism.

When she later heard that her supervisor had uttered racial remarks about her to a co-worker, she asked why the bank had not promoted her, filed a discrimination grievance with the Equal Employment Opportunity Commission (EEOC), and then sued. She claimed that management subsequently made it difficult for her to do her job by excluding her from key meetings and important communications, and dramatically reduced her performance ratings.

At her trial, the jury decided that, although the bank had not actually discriminated against the employee because she was black, management had in fact retaliated against her for filing a grievance with the EEOC and awarded her damages.



Serving you and your family in times of need.

You can sue City Hall!

Who says you can't sue City Hall? People do it all the time when municipalities, or state or federal governments unfairly harm them.

Here are several examples of how our courts and juries hold governments liable for injuries.

- When a city bus hit a pedestrian in Atlanta, causing amputation of a toe, a jury held the city's driver responsible and awarded damages to the street-crosser.

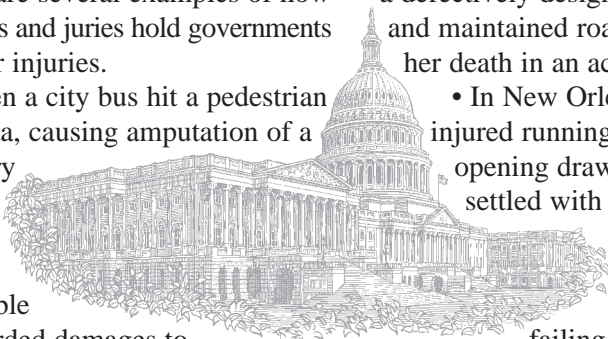
- After a New York City medical examiner failed to correct a mistaken homicide autopsy diagnosis, a plaintiff erroneously became a target for criminal investigators. A court found that the examiners negligently inflicted

emotional distress on the plaintiff.

- Twiggs County, Georgia, settled with a woman's estate when her husband's lawyer demonstrated that a defectively designed, constructed, and maintained road contributed to her death in an accident.

- In New Orleans, a man was injured running from an opening drawbridge. The city settled with the plaintiff after his lawyer demonstrated its negligence in failing to use proper lighting and warning mechanisms.

- As Chicago police were in hot pursuit, a traffic violator rammed a plaintiff's car, inflicting brain injuries. A jury awarded damages because the police failed to use flashing lights and sirens during the chase.



Supermarket safety

For a busy parent with a child in tow, shopping at a supermarket can be a challenge.

Here are suggestions to keep your shopping safer.

- Hold children's hands when walking near automatic doors, which can knock little ones off their feet.
- Avoid gumball machines. Goodies can choke small children.
- Buckle your child in a cart seat. No one should ride in the basket or hang on an end. Carts can tip and fall on children.
- Watch for just-washed floors, broken glass merchandise, or slippery produce on aisle floors.
- Pay attention to aisle displays and other potential obstructions.



One shopper's bombshell

A woman shopping at a department store was struck on the head by a seven-pound box knocked from a 15-foot high shelf by a store employee. The blow triggered severe headaches, which were only partially relieved by surgery and medications. Her lawyer sued, and a jury awarded her compensation after it found that the store's stacking practices negligently endangered customers.

Mandatory arbitration

Read the fine print

To reduce exposure to litigation, many companies are quietly including mandatory arbitration clauses in communications with clients and employees.

Banks are binding customers to them. American Express is imposing them on cardholders. Health insurers are using them to stop injured patients from holding them liable in court. Gateway is packing them in the boxes in which it delivers computers. MCI Worldcom Inc. actually buried its mandatory arbitration requirement in papers it files with regulatory authorities.

What's wrong with this? Plenty. These mandatory arbitration clauses can be unknowing waivers of constitutional rights. They can force consumers to argue their cases and injuries before biased decision-makers who may be hand-picked by the companies imposing these agreements, and who are not bound to follow basic civil law. In addition, these clauses can prevent discovery of important information about a company's disputed actions. To top it off, many such clauses limit the remedies available to wronged purchasers, and require consumers to pay the costs of seeking justice through arbitration.

Consumer groups, elected representatives, and attorneys representing citizens are fighting back against this unfair tactic. In the meantime, don't forget to **always read the fine print!**

What you can do: Ask your U.S. Congressional representative to co-sponsor and vote for *H.R. 2258, "The Consumer Fairness Act"* by U.S. Representative Luis Gutierrez, Democrat from Illinois. If you have questions about mandatory arbitration clauses you find in agreements sent to you by banks, credit card issuers, health insurers, and others, please call us.

Protecting elders from abuse and neglect

What can you do if you suspect that your mother, who lives at an assisted living facility, is not getting all the physical therapy she is entitled to? Or that she is being abused by an employee?

You work, and can't watch out for your mother all the time, but you are responsible for her. Anyone who has helped an aging parent or loved one enter an assisted living residence knows the frustration of monitoring continuing care.

Our office can help you determine if your loved one has been a victim of neglect or abuse. We can help you

- document the nature of the problem, such as neglect evidenced by malnutrition, dehydration, or bed sores, and then make speedy care corrections.
- investigate facility operations, organizational structures, and ownership.
- identify limits of the facility's liability insurance coverage.
- inquire about state licensing requirements and compliance regulations.
- enforce delivery of contractual services, ranging from therapy and treatment to religious service and recreational activities.
- seek damages for harm or injury done to your loved one.

Most important, we're here to help you obtain the high standard of care and attention for your loved one that the facility promised.



Listening *Our best legal skill*

We take great pride in listening carefully to our clients during all phases of trials.

At the outset, we take the time to hear all of the information our clients provide. Then we'll probe, ask questions, and listen more to be sure we understand everything our client can contribute to the case.

At trial, we also listen very attentively. We pay close attention to what citizens say during jury selection to help appoint a competent and fair group of jurors. We tune in very carefully to witnesses during examination and cross-examination to look for flaws in testimony, inaccuracies, or errors. It's important to hear the comments, questions, and statements of opposing attorneys, too. Finally, we must be ever mindful of the judge's observations and rulings.

Listening gives us knowledge, a point of view, and a strategic approach for our clients. These, in turn, provide us the power and the competitive edge to represent our clients as best we can.

FOR YOUR SAFETY *Recalled product roundup*

Here are some recently recalled products you may have at home or at work.

✓ **Cadet Manufacturing Co.** recalled 1.9 million Cadet and Encore brand in-wall electric heaters, distributed mainly in California, Idaho, Montana, Oregon, and Washington. Cadet and Encore heater models FW, FX, LX, TK, ZA, Z, RA, RK, RLX, RX, and ZC can overheat, catch fire, and cause electrical shock.

✓ **Mountain High Hosiery Ltd.** recalled 360,000 pairs of Tommy Hilfiger socks for infants and children. Heat-sealed Hilfiger flag logo appliques can detach and choke children.

✓ **Prime, Inc.,** recalled 126,000 ceiling-mounted light fixtures, which can short-circuit and catch fire.

✓ **Nordstrom, Inc.,** recalled 2,250 infant and toddler jackets. Flap pocket snaps may be removed and choke infants and children.

✓ **Cole Sewell Corp.** recalled 23,000 storm doors manufactured without retaining pins in the upper windows, which can fall out and cause injury.

BEWARE

You may be talking to a fraudulent telemarketer if he or she...

- ☞ tells you to send money before you can win the prize.
- ☞ pressures you into acting immediately.
- ☞ asks you to wire funds.
- ☞ suggests a money pickup at your home.



9229 Ward Parkway, Suite 107
Kansas City, MO 64114-3311

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Caveat emptor

"Let the buyer beware"

An army of white- and blue-collar wrongdoers constantly thinks up ways to take your money. If you encounter the following, think twice before sending money or buying.

- Ads promising fast money for envelope stuffing or other work-at-home deals.
- Letters offering sweepstakes, merchandise liquidators, or free vacations.
- Phone solicitations for charities, cheap office supplies, and magazine subscriptions.
- Internet or phone investments in startup companies or precious metals.
- Foreign real estate transactions.
- New or used auto sales, auction, or repair offers.
- Chain letter pyramid schemes.
- Employment agency offers.
- Home repair or renovation deals



Protect yourself

- Investigate both source and offer carefully.
- Control your money.
- Judge offers on soundness, not the sales pitch.
- Ask hard questions.
- Report problems to authorities.

There's an old saying, "If an offer sounds too good to be true—it is." If you have questions on legal aspects of solicitations and deals, please call us.

Our new Web site

<http://www.mmdlawyers.com>

As lawyers, we are continually seeking new ways to improve our service. We want to help our clients and friends find solid legal information and counsel that can make their working and personal lives more safe, sound, and secure.

It is with these twin goals of progress and benefit in mind that we invite you to surf to our Web site dedicated to our clients and readers.

Our site, <http://www.mmdlawyers.com>, provides a wealth of information

about legal, economic, and financial issues that affect all of our lives. It includes:

Practice information—how our firm represents its clients effectively.

Legal services—representing plaintiffs in all types of personal injury matters.

Partners—our partners' backgrounds and experience.

There's a lot more, too. So, please visit our Web site at

<http://www.mmdlawyers.com>.

