



The Insider's Legal Guide[®]

Vehicle Accidents

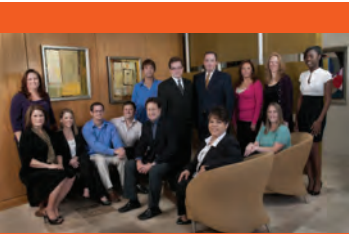
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In a Wreck?



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What are Dram Shop Law and Why Should I Care?

Holding more than just the driver accountable for drunk driving accidents

Recent stories across Texas have brought to light a set of laws in Texas known as the Dram Shop Act. This has no doubt caused many people to question what they are exactly and what they mean to individuals. Our firm has handled many Dram Shop cases and hopefully, we can better explain them and why you should care.

You more than likely already know that a drunk driving victim or their family have the right to sue the drunk driver who caused the accident. What you may not know is those responsible for selling or serving the alcohol can be held legally responsible as well. This is because of Texas' Dram Shop Laws.

In 1987, Texas enacted the Dram Shop Act. The Texas Dram Shop Act seeks to hold establishments and their employees responsible for serving alcohol to people who are obviously intoxicated to a point where they are a danger to themselves and others. Forty-three different states currently have some form of dram shop laws in place.

For example, a bar continued to serve a patron after they were obviously overly intoxicated and a clear danger to others. That person was allowed to leave the bar and encouraged to drive home and subsequently struck and killed a young wife and mother. Under the Texas Dram Shop Act, not only was the driver held responsible, but so was the bar that knowingly continued to recklessly serve the patron.

This is more than an example; this is a recent, tragic case from our firm. These laws are put in place to help discourage and prevent situations just like this. In fact, bartenders and servers are informed of this responsibility and specific ways to recognize and prevent these dangerous situations. Unfortunately, far too often, establishments and their employees fail to follow these rules in order to put more money in their register or to avoid angering their customers. Sadly, it can and will lead to unnecessary loss of life.

If your or a loved one are injured, or worse, by a drunk driver, it is in your best interest to speak with an experienced Dram Shop attorney immediately. These types of cases are very complicated, but any step that can be taken to decrease drunk driving accidents and death is important.

Make no mistake, these reckless establishments understand these laws and should be held accountable for knowingly endangering others by putting their profit before safety.



Ask Jeff



How do I know if a product I own has been recalled because of dangerous defects? - Shawn, Dallas

Thousands of dangerous products are recalled every year across the country – from cars and tires to toys and baby products to foods and household products. How can you keep track of recent defective product recalls?

First, understand that if a large item you own, such as a car, is recalled, the manufacturer will contact you regarding the recall. In other cases, you can stay informed by checking the official recall website of the US Consumer Product Safety Commission, www.recalls.gov. On this site, there is an option to sign up for email alerts regarding the most recent government recalls.

If you own a recalled product or believe a product you own is defective, check this site for what to do or call the company that produced the item for more information.

Visit www.insiderslegalguide.com for video answers to your most frequently asked questions.

My Experience - A Personal Message From Jeff

The following is part of *It Gets Better*, an ongoing discussion on grief and dealing with sudden loss.

I've been practicing law for over twenty years and I've been with numerous people who have experienced the sudden death of a loved one. What's striking is the strength and resilience demonstrated and how these individuals, couples, and families press on. It's not an overnight process. The dynamics of the family changes over night.

Financial status, in many cases, is impacted either through the loss of bread winner, or for survivors the inability to work and sometimes even return to work. The loss of a child, young or old is shattering. The loss of a parent or spouse brings not only the reality of a profound loss but the fear of how the family will survive. Even the sudden loss of a dear friend or acquaintance, is paralyzing and can leave one with the feeling of insecurity. No matter the relationship or the circumstances, when a sudden death is incurred, no doubt there will be a long period of mourning and a feeling of loss for family, friends and even the community.

I have represented many families who've lost a loved one to accidents, neglect and even criminal acts. When I first sit down with families, all I can see is uncertainty and pain. Overtime, what I see are families building a legacy and a

way for their loved one to remain alive in their memories. They turn a tragic event into a way to touch and possibly even save other lives. As an attorney, I'm able to work with families to give them a measure of closure. Nothing gives me greater joy than to win a case for my client and witness the great things they go on to do to help others.

Unfortunately, not every sudden death is a legal matter. Limits in many state laws, statutes of limitations or events while tragic not the fault of another, prevent most sudden deaths from ever recouping the emotional and financial losses. I see very sad situations almost every day, those ending in death, where my hands are tied. Until a family suffers a loss, most individuals are unaware of the laws dictating cases that can be filed against those who may be involved, directly or indirectly in one's death.

Since I alone can't change laws, what I can do is educate consumers. This is why I devote my time to writing and publishing articles, blogs and books. Even though I can't help the majority of those who experience such a tragic loss, I can provide information to help through a challenging period most likely ever experienced.

If you have recently experienced a loss, my heart goes out to you and your family. May the memory of your loved one provide the strength when most needed to get through the hard days. - *Jeff Rasansky, Attorney*

Did Actos Cause Your Bladder Cancer?

FDA warns of marked increase of bladder cancer for users of Actos

According to recent findings by the FDA, the Type II diabetes drug, Actos (pioglitazone), has been shown to cause a marked increase in bladder cancer - especially in those who have taken Actos or other forms of pioglitazone for more than a year. Depending on the dose and the length of time a patient had been taking the drug, their risk of bladder cancer may have increased as much as 40 percent.

While there hasn't been a recall of the drug yet, the FDA issued an official warning in August 2011, and Actos lawsuits are now beginning to form. If you or someone you know is currently on pioglitazone for Type II diabetes mellitus, it's essential that you be aware of the risks and recognize the side effects.

What Kinds Of Side Effects And Symptoms Should I Be Aware Of?

First of all, you should read the Medication Guide that came with your prescription. It should contain all the information on the drug's normal side effects. Consult a doctor about terms that are confusing or recommendations that may apply to you.

What your doctor or the Medication Guide may not be aware of are the new warnings the U.S. Food & Drug Administration (FDA) has issued about the side effects of Actos and pioglitazone. Be aware of how your body is reacting to the drug. The longer you take pioglitazone and the greater the dose, the more likely it is that you will experience symptoms that may be precursors to bladder cancer.

If you experience any of the following symptoms contact your doctor immediately and tell them you are experiencing side effects of your medication that may be related to bladder cancer:

- Blood or red color in urine
- Urgent need to urinate
- Pain while urinating
- Pain in back or lower abdomen



Other possible side effects of Actos that may not indicate bladder cancer could be related to congestive heart failure, liver disease, allergic skin reactions, edema or hypoglycemia among others. Side effects may include:

- Cold-like symptoms
- Weight gain
- Rashes
- Blurred vision
- Swelling
- Shortness of breath
- Unexplained nausea
- Loss of appetite
- Yellowing of the skin or eyes
- Weakness

What Should I Do If I Think Actos Caused My Bladder Cancer?

First of all, if you are still taking Actos, you should speak with your doctor about your medical condition and your treatment options.

After you have spoken with your doctor, you should contact us to talk about your legal options. Our firm will review your case free of charge or obligation, including a thorough review by our own staff medical professionals.

Why Should I Call You?

Our dangerous drug lawyers have decades of experience trying cases involving prescription medications and their deadly side effects. We are dedicated to fighting for you, the consumer and victim, and will use all of our vast resources and knowledge to make certain you and your family get the representation you deserve.

Testimonial - " Jeff took to heart the best interest of my daughter. He was able to answer all of my questions and made sure my daughter was taken care of." - Amber Whitmire

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- ▣ **Allmand Law** allmandlaw.com
- ▣ **Patient's Choice** patientschoiceusa.net

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